

LOK SABHA DEBATES

(**Tenth Session**)



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LOK SABHA SECRETARIAT
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*The sign+ marked above the name of a Member indicates that the Question was actually asked on the floor of the House by that Member.

LOK SABHA

Wednesday, November 18, 1964/
Kartika 27, 1886 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

दिल्ली का राजनैतिक ढांचा

+

- * 53. श्रीमती सावित्री निगम :
श्री म० ला० द्विवेदी :
श्री सं० चं० सामन्त :
श्री सुबोध हंसदा :
श्री यशपाल सिंह :
श्री प्र० रं० चक्रवर्ती :
श्री प्र० चं० बरुआ :
श्री बागड़ी :
श्री विभूति मिश्र :
श्री क० ना० तिवारी :
श्री प्रकाशवीर शास्त्री :
श्री जगदेव सिंह सिद्धान्ती :
श्री नवल प्रभाकर :
श्री सिद्धेश्वर प्रसाद :
श्री भागवत झा आजाद :
श्री हिम्मतसिंहका :
श्री रामेश्वर टांडिया :
श्री विश्राम प्रसाद :
श्री यु० सि० चौधरी :
श्री द्वारका दास मंत्री :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली के राजनैतिक ढांचे को बदलने और लोकतंत्रीय सुधार करनेकी जनता की आम मांग पर सरकार की क्या प्रतिक्रिया

(ख) दिल्ली के राजनैतिक ढांचे में परिवर्तन करने की जिस योजना पर सरकार विचार कर रही है उसकी मुख्य रूपरेखा क्या है ; और

(ग) उसको क्रियान्वित करने में क्या कठिनाइयां आने की सम्भावना है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री ल० ना० मिश्र : (क) से (ग). जो योजना विचाराधीन रही उस में मुख्य रूप से दिल्ली में वर्तमान नगर निगम के स्थान पर एक महानगरी परिषद् की स्थापना करना, महानगरी परिषद् की कार्यपालक—शक्ति को सपरिषद् महापौर को सौंपना और ग्रामीण क्षेत्रों में पंचायती राज संस्थाओं की स्थापना करना है। यह सारा मामला अभी विचाराधीन है।

Shrimati Savitri Nigam: May I know why the Government has taken so much time in taking a decision about a very vital and important matter?

Shri L. N. Mishra: There has been some delay. We have been meeting the political parties and the political leaders of Delhi State. Agreement has not yet been reached and I think it will take some more time.

Shrimati Savitri Nigam: May I know whether popular leaders of Delhi have made this clear to the Government that they want a sort of popular set-up instead of the present set-up which has been described by the hon. Minister just now?

Shri L. N. Mishra: The demand is like that, but an agreement has not been reached.

Shri S. C. Samanta: May I know whether the demands made at present are similar to those demanded under the leadership of our late lamented Deshbandu Gupta?

Shri L. N. Mishra: I do not remember the old demands, but the demand is for an Assembly and Ministers and all these things.

Shri Subodh Hansda: The Minister stated that the Government is discussing this matter with the various political parties. I would like to know which of the political parties have represented to the Government and with whom are the Government having the discussions.

Shri L. N. Mishra: Discussions were held with the Congress people; also with Jan Sangh people and some independent people.

श्री यशपाल सिंह : क्या सरकार बतला सकती है कि यह बात बार बार क्यों हो रही है। कभी सरकार बनाती है और कभी तोड़ती है। जैसे कोई बेकार आदमी था, वह पहले कपड़ा फाड़ता था, फिर सिला करता था। क्या कारण है कि बार बार ऐसा किया जाता है और सरकार किसी निश्चय पर नहीं पहुंच पा रही है।

गृह-कार्य मंत्री (श्री नन्दा) : माननीय सदस्य ने यह तो देख लिया होगा कि यह कोई बेकार आदमी जसी चीज नहीं है। हां, किसी नई चीज की कोशिश हो रही थी। यह सही है कि अभी उस का अन्त नहीं आया है लेकिन यह चीज बनी और बिगड़ी ऐसी बात नहीं है।

Shri Ranga: In view of the fact that successive ministries on that side and Home Ministers too have made so many experiments and then come to grief and in view also further of the fact that these so-called political parties here in Delhi have expressed their consent to the present dispensation when it was being inaugurated, why is it that the Government again is willing to reconsider this matter

and in that way create false hopes or wrong hopes or new hopes in the minds of the people to have another so-called representative, self-governing separate Government for the Delhi City?

Shri Nanda: The hon. Member perhaps has not taken into consideration the answer to the question. The answer and the previous answer given on the subject have never gone to the extent of saying that there is going to be a reconsideration of the earlier decision. All that is being done now is that at the time when that decision was taken and embodied in the Constitution, certain suggestions were made regarding some kind of reorientation of the structure of the municipality or the corporation. That is all; it is not going back on a previous decision.

श्री हुकम चन्द कछवाय : मंत्री जी ने अभी बतलाया कि इस में कांग्रेस, जन संघ और दूसरे सभी लोगों से सलाह ली गई थी। मैं जानना चाहता हूं कि जन संघ ने कौन कौन से मुझाब सरकार के सामने रखे हैं और उन में से कितने माने गये हैं और कितने नहीं।

श्री ल० ना० मिश्र : इस का ब्योरा तां में अभी नहीं दे सकता हूं लेकिन उन से सलाह ली गई थी।

श्री जगदेव सिंह सिद्धान्ती : दिल्ली के राजनीतिक ढांचे पर विचार करते समय जो समीपस्थ तीनों राज्य हैं, पंजाब, राजस्थान, और उत्तर प्रदेश, क्या उन की सरकारों से भी विचार विमर्श किया जा रहा है ?

श्री ल० ना० मिश्र : जी, नहीं।

श्री यु० सि० चौधरी : क्या यह बात सच है कि दिल्ली को एक राजनतिक स्तर देने के मार्ग में सब से बड़ा रोड़ा महादिल्ली का प्रश्न है ?

श्री नन्दा : ऐसी कोई चीज इस में नहीं है।

श्री शिव नारायण : मैं जानना चाहता हूँ कि जो प्रदत्त सरकार के विचाराधीन है क्या उस में यह मांग भी है कि दिल्ली में असेम्बली बना दी जाये ?

श्री स० ना० मिश्र : जी, हाँ, वह मांग ता है ही ।

Shri Bhagwat Jha Azad: May I know whether the different political parties who are asking for a reconsideration have been able, by and large, to come to any agreement among themselves for the future set-up of Delhi?

Shri Nanda: I have discussed with them the proposals relating to, as I said, the reconstitution of the Corporation. That was what I was called upon to do. Regarding that, there were certain differences.

श्री क० ना० तिवारी : दिल्ली की जो मांग है, उस में क्या वह लोग यू० पी०, पंजाब और दूसरे जो नजदीक के प्रदेश हैं उन का हिस्सा मिलाना चाहते हैं । यदि हाँ, तो उन सरकारों से बातचीत क्यों नहीं हो रही है ?

श्री नन्दा : उस में किसी माननीय सदस्य की स्टेट का हिस्सा लेने का कोई सबाल नहीं है ।

Shri S. M. Banerjee: May I know when a final decision is likely to be taken and what is their specific objection to giving a State Legislature to Delhi?

Mr. Speaker: It has been already answered.

श्री प्रकाशवीर शास्त्री : मैं यह जानना चाहता हूँ कि दिल्ली के प्रशासनिक ढाँचे के सम्बन्ध में सरकार के इतने देर करने से जो एक सन्दिग्ध स्थिति प्रशासन में और दिल्ली के नागरिकों में उत्पन्न हो रही है उस को समाप्त करने की दिशा में सरकार कब तक अन्तिम निर्णय ले सकेगी ?

अध्यक्ष महोदय : यह सवाल पूछा गया है और दो दफे इस के बारे में कहा गया है ।

Use of Hindi for Official Purposes

- +
- *54. { Shri Jagdev Singh Siddhanti:
Shri Prakash Vir Shastri:
Shri D. C. Sharma:
Shri Vidya Charan Shukla:
Shri Vishram Prasad:
Shri Bagri:
Shri Yashpal Singh:
Shri P. K. Deo:
Shri Solanki:
Shri Gulshan:
Shri Bibhuti Mishra:
Shri K. N. Tiwary:
Shri Mohan Swarup:
Shri Sarjoo Pandey:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 214 on the 16th September, 1964 regarding the appointment of the Hindi Salahkar Samiti to advise on matters relating to the propagation and development of Hindi and its progressive use for the official purposes of the Union and state:

(a) the brief outline of the suggestions and recommendations made by this Committee so far and the action taken or proposed to be taken thereon by Government; and

(b) the steps taken to make Hindi as the official language of the Union with effect from the 26th January, 1965 as envisaged in the Official Language Act, 1963

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) A statement is laid on the Table of the House. [Placed in Library. See No. LT-3373 (i)/64].

(b) A comprehensive programme was taken in hand by Government in 1961 for facilitating the progressive use of Hindi. A note giving a brief account of the measures taken is laid

on the Table of the House. [Placed in Library. See No. LT-3373 (ii)/64]. Further steps are now being taken in pursuance of the recommendations made by the Hindi Salahkar Samiti.

श्री जगदेव सिंह सिद्धान्ती : क्या सरकार यह बतलायेगी कि 26 जनवरी को कौन कौन से हिन्दी विषयक निर्णय हैं जो कि लागू कर दिये जायेंगे ।

श्री ल० ना० मिश्र : 26 जनवरी, 1965 से हिन्दी राज भाषा हो जायेगी और उस समय से वह राज भाषा कहलायेगी ?

श्री जगदेव सिंह सिद्धान्ती : जिन जिन मंत्रालयों में हिन्दी के विशेषज्ञ कर्मचारी नहीं हैं, उन के विषय में आपका क्या कार्य पूरा करने के लिये बाकी है ?

श्री ल० ना० मिश्र : मैं माननीय सदस्य से कहूंगा कि मैंने जो बयान सदन पटल पर रखे हैं उस में बाकी व्योरा दिया है जो काम हुआ है उसका, और वह उस को देखें ।

श्री प्रकाशवीर शास्त्री : मैं जानना चाहूंगा कि संघीय लोक सेवा आयोग में हिन्दी को वैकल्पिक माध्यम बनाने का जो प्रश्न विचाराधीन था क्या उस पर कोई अन्तिम निर्णय हो गया है । यदि हां, तो उसका क्या व्यावहारिक रूप रहेगा ?

श्री ल० ना० मिश्र : सिद्धान्ततः तो वह है, केवल माडरेशन की बात है और उसके प्रबन्ध की बात है । जहां तक सिद्धान्त की बात है यह फैसला हो चुका है कि सन् 1965 के अक्टूबर से हिन्दी वैकल्पिक भाषा हो जायेगी ।

Shri D. C. Sharma: From the statement I find that Government was asked to take early steps to recognise the Pracharak Diploma of the Dakshin Bharat Hindi Prachar Sabha. May I

know how long it will take the Government to do this innocuous and harmless thing and why the Government has taken so long in not having it implemented so far?

Shri L. N. Mishra: Some delay has been caused. We are in correspondence with the Education Ministry and we hope it will be finalised soon.

श्री अ० प्र० शर्मा : इस सदन में भूतपूर्व गृह मंत्री ने आज से कुछ दिन पहले कहा था कि सेंट्रल गवर्नमेंट की सर्विसिज में, खास तौर से रेलवे की सर्बाइनेट सर्विसिज के लिये जो रिक्लूटमेंट होता है उस में जो एग्जामिनेशन कंडक्ट होता है वह अंग्रेजी में होता है । मैं जानना चाहता हूं कि क्या उसके सम्बन्ध में फैसला हुआ है कि वह हिन्दी में लिया जायेगा । यदि हां, तो कब से ?

श्री ल० ना० मिश्र : मुझे रेलवे कामीशन के बारे में ज्ञान नहीं है । लेकिन यह बात सही है कि नीचे की जो नौकरियां हैं उन में से कुछ की परीक्षा हिन्दी भाषा में ली जा रही है ।

श्री क० ना० तिवारी : स्टेटमेंट में कहा गया है कि कुछ सरकारी कर्मचारियों ने प्रज्ञा परीक्षा पास की है । मैं जानना चाहता हूं कि हर प्रान्त में कितने सरकारी अफसर इस परीक्षा में बैठे हैं और कितनों ने हर प्रान्त में इस परीक्षा को पास किया है ?

श्री ल० ना० मिश्र : यह आंकड़ा तो इस समय मेरे पास नहीं है । लेकिन मेरा खयाल है कि जो हमने स्टेटमेंट 'बी' दिया है उसमें इसकी थोड़ी सी रूपरेखा रखी गई है कि कितने लोगों ने पास किया है और कितने लोगों ने हिन्दी सीखी है ।

श्री क० ना० तिवारी : मैं जानना चाहता हूं कि कितने लोगों ने हिन्दी सीखी है ?

श्री विभूति मिश्र : स्टेटमेंट नम्बर 1 को देखने से पता चलता है कि उसमें दिया गया है :

"The Home Minister may convene a meeting of the Chief Ministers of Hindi-speaking States to consider the measures that should be taken for facilitating the use of Hindi for all official purposes in the Hindi-speaking States."

श्रीर इसका जवाब यह दिया गया है :

"The Home Minister has decided provisionally to convene a meeting of the Chief Ministers concerned some time in December 1964".

मैं यह जानना चाहता हूँ कि स्वाधीनता के 17 साल के बाद भी क्या गृह मंत्री जी को यह शक है कि हिन्दी भाषी क्षेत्र के मुख्य मंत्रियों ने हिन्दी की ओर कोई ध्यान नहीं दिया है, उसको तरजीह नहीं दी है, उसको आगे नहीं बढ़ाया है ? सरकार का इस में क्या खयाल है ?

गृह-कार्य मंत्री (श्री नन्दा) : बहुत कुछ हुआ है और मैं समझता हूँ इससे और ज्यादा होने की गुंजाइश है ।

श्री विभूति मिश्र : हिन्दी भाषी क्षेत्रों में मुख्य मंत्री हिन्दी को क्या कम करेंगे और क्या ज्यादा करेंगे । इसको ज्यादा और कम करने के क्या मानी हैं ?

श्री नन्दा : ज्यादा और कम करने का सवाल नहीं है । सरकार के लिए अपने कामों में उसका इस्तेमाल ज्यादा हो सके इस बारे में जितना होना चाहिए नहीं हो रहा है ।

श्री यशपाल सिंह : क्या यह सच है कि अब तक आई० ए० एस० की परीक्षा में 70 प्रतिशत उम्मीदवार इसलिए फेल हो जाते हैं कि वे बढ़िया अंग्रेजी नहीं बोल सकते ? अगर यह सच है तो यह कलंक देश के सिर से कब छूटेगा ?

Shri Kapur Singh: I want to know what steps, if any, the Government has taken to safeguard against erosion by Hindi into the official status of non-Hindi languages in bi-lingual States?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): This question would arise with regard to the examinations conducted by the Public Service Commission. Is that the question?

Shri Kapur Singh: No.

Shri Hathi: What else? Will he kindly repeat the question?

Shri Kapur Singh: I want to know what steps, if any, this Government has taken to safeguard against the erosion of by Hindi into the official status of non-Hindi languages in bi-lingual States such as in Punjab?

Shri Hathi: I do not think it is correct.

Mr. Speaker: He wanted to know what steps the Government have taken. "It is not correct" is no answer. He wanted to know what steps the Government have taken to safeguard the erosion of other languages by Hindi in the bi-lingual States such as Punjab.

Shri Hathi: So far as the regional languages are concerned they will be fully developed. There is no question of the regional languages being eroded by the use of Hindi.

Shri Nambiar: In view of the fact that the hon. Deputy Minister just now gave the answer that Hindi is going to be the Rashtrabhasha from 26th January, 1965, may I know—whether it is the Rashtrabhasha or the link language or whatever the status may be—whether Hindi is going to be imposed on the non-Hindi areas and what is the sort of thing that is going to be adopted in this regard (Interruptions)?

The Minister of Home Affairs (Shri Nanda): If that question at all arises, my answer would be very clear and categorical. There is no question of

imposition. The policy has been explained, reiterated here time and again, and I think that stands. That policy and those declarations stand today, and I do not think the hon. Member needs any reassurance on that subject.

श्री काशी राम गुप्त : क्या यह सत्य है कि हिन्दी सलाहकार समिति के मुद्दावाँ में से बहुतों को मान्य नहीं किया गया है ? यदि हाँ, तो क्या सरकार का इरादा है कि वे मुद्दावे केवल मुद्दावे ही रहें और उनको अमल में न लाया जाए ?

श्री नन्दा : यह गलत बात है। अगर माननीय सदस्य स्टेटमेंट को देखें तो उससे साफ जाहिर हो जाएगा कि बहुत सी रिकमण्डेशन्स मंजूर कर ली गयी हैं।

Shri Hem Barua: May I know if the Home Ministry are aware of the fact that the hon. Education Minister has recently created some storm in the tea cup in Gujarat when he said that English will be taught from the fifth standard and, if so, what is the reaction of the Home Ministry to that? How do the Home Ministry want to quell the storm?

Shri Nanda: That does not arise out of this question.

Shri P. Venkatasubbaiah: The Education Minister has often said that English should be developed as a link language. If that is so, does it not come into conflict with the development of Hindi, resulting in the interests of the non-Hindi speaking people being jeopardised?

Shri Nanda: Both the objectives are being kept in view.

Rehabilitation Schemes

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- *55. { **Shri P. C. Borooah:**
Shri Bagri:
Shri Vishram Prasad:
Shri R. G. Dubey:

{ **Shri Yashpal Singh:**
Shri Rameshwar Tantia:
Shri N. R. Laskar:
Smt. Jyotsna Chanda:

Will the Minister of Rehabilitation be pleased to state:

(a) whether Government have sanctioned any schemes proposed by the Assam Government for the rehabilitation of new migrant families from East Pakistan;

(b) if so, the broad outlines and cost of the schemes; and

(c) the steps taken to implement those schemes?

The Deputy Minister in the Ministry of Rehabilitation (Dr. M. M. Das): (a) to (c). The Government of India have sanctioned nine schemes costing Rs. 84,94,740 for the rehabilitation of new migrants in Assam. A statement giving details of those schemes and the steps taken for their implementation is laid on the Table of the House. [Placed in Library, See No. LT-3374/64].

Shri P. C. Borooah: The hon. Deputy Minister has just now told us that about Rs. 84 lakhs has been given to the refugees numbering about 1,60,000 now in Assam, which comes to about Rs. 50 per head. How does this compare with the *per capita* rehabilitation grant sanctioned to the other States and how much more will be given to Assam State?

Dr. M. M. Das: There is some misapprehension in the mind of the hon. Member. The Assam Government has been sending to us a number of schemes for the rehabilitation of refugees. Out of those, up till now 9 schemes have been sanctioned costing about Rs. 84,94,000 and odd. 23 more schemes are under consideration and some more schemes are coming in.

Shri P. C. Borooah: May I know whether it is a fact that owing to the deteriorating economic condition of the refugees in Assam their camps are now being converted into trouble-spots and some refugees are already

indulging in raiding neighbouring villages in a bid to avenge the wrong they have suffered in Pakistan? If so, what steps are being taken by the Government to improve their position?

Dr. M. M. Das: I do not think the supplementary put by the hon. Member has any relevance to the main question.

Shri R. G. Dubey: From the statement it is found that various schemes have been sanctioned for soil conservation, training of boys and so on. May I know whether any kind of preliminary survey has been undertaken which shows the migrants coming from East Pakistan as following such and such profession which they practised there?

Dr. M. M. Das: Those schemes are going to be implemented by the Assam Government. We have no doubt that all possible steps have been taken by that Government.

श्री यशपाल सिंह: क्या सरकार बतला सकती है कि उत्तर प्रदेश में जो केन्द्र की योजनाएँ हैं उनको लागू करने पर अब तक कितना रुपया खर्च किया जा चुका है ?

Dr. M. M. Das: The hon. Member may take a little more trouble and give notice of another question.

Shri Rameshwar Tantia: May I know whether other States have been asked to prepare such schemes to rehabilitate displaced persons coming from Burma and Ceylon?

Dr. M. M. Das: So far as the rehabilitation of East Pakistan refugees is concerned, other States have also been asked to formulate their schemes. They are doing so and sending them on to us. After due consideration a number of schemes have been sanctioned for other States also.

Shri N. R. Laskar: From the statement I find that no major industry has been mentioned for Assam. Are they thinking or not for setting up

any major industry for Assam in view of this?

Dr. M. M. Das: There are 23 schemes sent by the Assam Government which are under the consideration of the Government of India. Some more industrial schemes are coming.

Shrimati Jyotsna Chanda: May I know from the Government as to what steps they propose to take for affording economic rehabilitation for the remaining new migrants in Assam? I also want to know from the hon. Minister—it is stated in item 3 of the statement—that in Cachar and Goalpara Districts 200 persons will be taken as instructor-drivers. May I know whether any other scheme has been submitted to the Government by the Assam Government to have it in the Cachar District?

Dr. M. M. Das: I have no information so far as the particular district of Assam is concerned; but there are 23 schemes which are being considered now and more schemes are coming.

Shrimati Jyotsna Chanda: What about my first question?

Mr. Speaker: If only one question is answered, that is enough.

Shrimati Renuka Barkataki: May I know whether it is a fact that the Government of Assam has expressed its straightforward willingness to take the responsibility for only 15,000 refugee families; if so, where do the Government propose to rehabilitate the rest of the refugees and for how long do the Government expect these refugees to remain in the transit camps?

Dr. M. M. Das: The Assam Government has agreed to rehabilitate 75,000 refugees in that State.

Shrimati Jyotsna Chanda: Sir, may I ask one more question?

Mr. Speaker: No, madam.

Shri Mohammad Elias: I find from the statement that only 3,940 persons have been covered by this scheme. So, what is the Government's proposition for the rehabilitation of the rest, lakhs

of refugees who have migrated to Assam?

Dr. M. M. Das: I have told more than once to this hon. House that 23 more schemes sent by the Government of Assam are under consideration and there are other schemes also which are going to be sent very soon.

Shri Liladhar Kotoki: Are the Government in a position to state as to when these 75,000 refugees are to be rehabilitated in Assam and by when the remaining refugees will be taken away from the transit camps for permanent rehabilitation elsewhere?

Dr. M. M. Das: It is difficult to give any categorical reply to the question as to what time will be taken for the rehabilitation of these 75,000 refugees by the Assam Government.

Shri Sham Lal Saraf: May I know the schemes that have already been sanctioned or are under consideration; include land available in NEFA also being utilised for rehabilitating these refugees and also for finding avocations for them for the reason that there are a number of raw materials available in those areas?

Dr. M. M. Das: The lands which are available are proposed to be given to these migrants. Other means of avocation or professions are also being assessed.

Code of Conduct for Ministers

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Shri Yashpal Singh:
Shri Hem Barua:
Shri Rameshwar Tantia:
Shri P. K. Deo:
Shri Mahananda:
Shri Solanki:
Shri Narasimha Reddy:
Shri D. D. Puri:
Shri Vidya Charan Shukla:
Shrimati Ramduluri Sinha:
Shri A. K. Gopalan:
*56. Shri Nambiar:
Dr. Saradish Roy:
Shri Mohan Swarup:
Shri J. B. S. Bist:
Shri P. C. Berooah:

Shri P. Venkatasubbaiah:
Shri Ravindra Varma:
Shrimati Renuka
Barkataki:
Shri Tridib Kumar
Chaudhuri:
Shri Y. S. Chaudhary:
Shri M. Rampure:
Shri Ram Harkh Yadav:
Shri Bagri:
Shri Vishram Prasad:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have finalised the code of conduct for Ministers;

(b) if so, whether a copy of it will be placed on the Table of the House; and

(c) whether it is proposed to formulate a code of conduct for politicians also?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) and (b). Yes, Sir. A copy is placed the Table of the House. [Placed in Library. See No. LT-3375/64].

(c) Whether there should be a Code of Conduct for other persons in political life occupying responsible positions in our constitutional set up is yet to be considered by Government.

श्री यशपाल सिंह : क्या सरकार यह बतला सकती है कि संथानम कमेटी की रिपोर्ट में जो सुझाव दिया गया था कि वजिरो के मामलात को एक पनल आफ जजेज सुनें, उस सुझाव को उसने क्यों ठुकरा दिया है और क्या यह मुनासिब है कि उसी पार्टी का वजीर हो और उसके बारे में उसी पार्टी का चीफ मिनिस्टर उसके लिए फैसला दें ?

गृह-कार्य मंत्री (श्री नन्दा): मैं उसका जवाब आगे दे चुका हूं। एक मौका आया था हाउस में कि जो मुद्दा है वह बिल्कुल सही है और उससे लिए इन्तजाम होना चाहिए। उसके जवाब में मैंने यह कहा था कि यह तरीका तो नहीं बर्ता जायेगा मगर कुछ दूसरे तरीकों से यह चीज की जायेगी।

श्री यशपाल सिंह : यह सही है कि इस सदन में माननीय प्रधान मंत्री ने यह फरमाया था कि जहां स्टेट मिनिस्टर्स के खिलाफ कोई शिकायत होगी वहां उनकी जांच सम्बन्धित चीफ मिनिस्टर्स करेंगे और चीफ मिनिस्टर्स के खिलाफ यदि लोग अगर कोई शिकायत करेंगे तो उसकी तहकीकात और उसका निराकरण सेन्टर से हमारे प्राइम मिनिस्टर करेंगे। अब बिहार का मामला प्राइम मिनिस्टर तक पहुंचा नहीं है और उसे हमारे माननीय गृह मंत्री ने नीचे नीचे ही खत्म कर दिया है, क्या यह बात सही है ?

श्री नन्दा : मुझे इस बात की बड़ी हैरानी है कि माननीय सदस्य को यह कैसे पता लगा कि वह मामला खत्म हो गया या नहीं हो गया।

श्री यशपाल सिंह : अखबारों से यह मालूम देता है।

श्री नन्दा : अखबारों में खुद उन्होंने ही ऐसा दे दिया होगा। यह बात गलत है, मैंने ही खुद एक स्टेटमेंट हाउस में रखा था जिसमें चीफ मिनिस्टर्स से मिलने के बाद यह तय किया गया कि क्या तरीका अद्यतन किया जायेगा। उसमें यह बात जरूर थी कि जब किसी स्टेट के चीफ मिनिस्टर्स का सवाल होगा तो यहां सेन्टर से उसकी कार्यवाही की जायेगी और सेन्टर द्वारा उस मामले को देखा जायेगा।

Shri Hem Barua: May I know if Government are aware of the fact that some Members of Parliament—not all of course—of both the sexes, men and women, are indulging in the nefarious habit of letting out their bungalows, their flats, their *barsatis* and their servants' quarters and, if so, what steps Government have taken against these Members of Parliament who are indulging in this corrupt practice....

Mr. Speaker: Order, order. I will not allow him to put this question.

He can come to me and we will settle it.

Shri Hem Barua: May I submit—

Mr. Speaker: He should not press it.

Shri Hem Barua: It is a matter concerning not only this House of Parliament. There are Members of Parliament who do not belong to this House and they are also indulging in this nefarious habit. I brought this matter to the notice of the Home Minister. I wrote a letter to him on the 7th July. Nothing has been done about this matter. The Home Minister should do something in the matter.

Mr. Speaker: It is regarding the code of conduct for Ministers. This is not relevant here.

Shri Hem Barua: Part (c) of the Question is related to the formulation of code of conduct for politicians also.

Mr. Speaker: Even conceding that, I have advised him that we might sit together.....

Shri Hem Barua: I very humbly submit for your consideration that at this rate corruption cannot be removed from this country or destroyed from this country. If we behave in an awkward way, how can you expect other people to be free from corruption? How can you help Mr. Nanda to eradicate corruption? He is dead set on that. (Interruption).

Shri Kapur Singh: Is it not a matter for the Speaker to decide?

Mr. Speaker: Leaving aside the technicalities, whether this can be brought under it or not, is it not fair that when it is our matter we should sit together and decide it instead of giving publicity here?

Shri Hem Barua: It should be given publicity.

Mr. Speaker: I do not agree there; I do not allow it.

Shri Ranga: We cannot allow the Home Minister to sit as the guardian angel over all the Members of Parliament and their behaviour. We certainly contest the statement made by the hon. Member that the Home Minister is dead set on putting down corruption. I question it.

Shri Nath Pai: May I submit....

Shri D. C. Sharma: There must be some probe into this matter. The harm has already been done. The publicity has already been given to this question.

Shri Hem Barua: If I am provoked, I will come out with blatant facts here and now. I have got the facts.

Shri Nath Pai: I think it is a matter which touches the integrity of all Members. Now that it has been raised, you tell us what will be done because a very wrong impression will go round the country....

Mr. Speaker: I will request the hon. leaders of the Opposition parties and some Congress Members—I will nominate some from the Congress also—to come to me so that we might sit together and decide it.

Shri Nath Pai: Then a proper statement could be made giving the true state of affairs.

Shri D. C. Sharma: But the harm has already been done. Something has to be done to retrieve the integrity of the Members of Parliament about which a wrong impression has been created. It is all to be proved.

Mr. Speaker: That is what I have done. I will be inviting the Leaders of the different Groups.

Shri S. M. Banerjee: Let there be an enquiry. It is absolutely correct.

Mr. Speaker: If the Members there decide that there should be an enquiry, then let there be an enquiry. I am leaving it to them.

Shri Surendranath Dwivedy: Is it a fact that after this code of conduct

for Ministers, especially Ministers of the Central Government, had been finalised, Cabinet Ministers visiting Guntur during the Congress Session enjoyed the hospitality of tobacco merchants? (Interruption).

Shri Ranga: Yes, what else did they do?

Shri Nanda: I have no knowledge about it.

Shri Surendranath Dwivedy: May I know whether he himself was the guest of a tobacco merchant in Guntur?

Shri Nanda: No, Sir.

श्री काशी राम गुप्त : मंत्री महोदय ने बताया कि राजनीतिज्ञों के बारे में आचार-संहिता बनाने के बारे में विचार किया जा रहा है। मैं यह जानना चाहता हूँ कि वह विचार कब तक पूरा हो जायेगा और क्या उन राजनीतिज्ञों में भूतपूर्व मंत्री, एम० पी० तथा एम० एल० ए०—विशेष कर वे, जो कि कुछ आरोपों के कारण चुनावों में हार गए हैं—भी सम्मिलित किये जायेंगे।

श्री नन्दा : लम्बी बात हो गई है। जहाँ तक स्टेट्स का सवाल है, हम ने सब को लिखा है। उन के जवाब आ रहे हैं और वे इस पर सांच रहे हैं। मैं नहीं समझता कि मेम्बरज् आफ् पार्लियामेंट की बात कहाँ आई। सन्तानम् कमेटी की रिपोर्ट में मेम्बरज् आफ् पार्लियामेंट के बारे में कुछ बातें बताई गई हैं और कहा गया है कि स्पीकर साहब कोई कमेटी बनायें, जो कि उन के बारे में कोई कोड आफ् कन्डक्ट तैयार करे।

श्री काशी राम गुप्त : कितना समय लगेगा ?

Shri P. Venkatasubbaiah: After the formulation of the code of conduct for Ministers, may I know whether all the Ministers have declared their

assets and liabilities, both here at the Centre and in the States, and whether any complaints have been received against any particular Ministers regarding his dealings which go against the code of conduct which has been formulated?

Shri Nanda: In the communication issued, a period of a month has been given which has not yet expired.

Shri Narasimha Reddy: May I know whether the code of conduct which has been laid down for Ministers will be made applicable with retrospective effect, at any rate from the year 1957?

Mr. Speaker: Code of conduct to be made applicable with retrospective effect?

Shri Nath Pai: May I know whether under the code of conduct proposed by the Santhanam Committee, which is the basis of the code of conduct prepared by the Home Minister, it was proposed that if there was a *prima facie* case on the preliminary enquiry against a Minister or Ministry, the Minister or the Ministry should be asked to resign; and if that was the recommendation, whether in the light of the fact that a *prima facie* case has been made by the Centre...

Mr. Speaker: Order, order. We should not go into individual cases. The general code of conduct might be discussed. But I would not take up individual cases here one by one.

Shri Nath Pai: That is a matter with which we are concerned.

Mr. Speaker: I would request him not to press it.

Shri Nath Pai: May I know the reply to the first part, and how is he implementing that particular thing?

Shri Nanda: Yes, we are inclined to agree with that approach.

Shri Man Singh P. Patel: In view of the code of conduct for Ministers which has been formulated, may I know whether the Government contemplate to amend the Representation

of the People Act, prescribing that in the form of nomination for election for M.Ps and M.L.As they should declare the assets and liabilities attaching to them?

Shri Nanda: This goes much further.

Shri Daji: Is the Government aware that many complaints about corruption are directed to the Ministers through their sons and wives, and therefore is the Government contemplating to have a separate code for the near relations of Ministers or is the code of conduct for Ministers likely to be amended and such a clause inserted regarding near relatives?

Shri Nanda: Family also is included, and 'family' has been defined.

श्री यु० सि० चौधरी: आचार-संहिता के अन्तर्गत सरकार के पास ब्योरा आता है कि कलां मंत्री के पास इतनी सम्पत्ति है, लेकिन अगर यह शिकायत की जाती है कि उस मंत्री ने अपनी सम्पत्ति का ब्योरा गलत दिया है, तो फिर सरकार क्या कदम उठायेगी ?

Mr. Speaker: If a wrong statement is filed, what is the remedy provided in this?

Shri Nanda: In that case the Prime Minister will be in a position to judge what is to be done.

Shri P. C. Borooah: What according to the code of conduct for Ministers will be the case if a Minister should sever his connection with the trade or industry which he was conducting or managing very genuinely, and what will happen where there are no competent persons to take charge of those industries?

Shri Nanda: If a person chooses to become a Minister he has to make his choice.

Shrimati Ramdulari Sinha: May I know whether Government will consider the question of including an-

other item to the code of conduct that Ministers should avoid pomp and wasteful expenditure during their tours and should not accept any public parties by individuals and commercial undertakings?

Mr. Speaker: It is suggestion for action, a very good one, no doubt.

Shri J. B. S. Bist: What is the response of the States to this code?

Shri Nanda: I have already answered this question.

Regarding Question No. 71.

Mr. Speaker: Now, question No 57.

Shri S. M. Banerjee: May I request that Q. No. 71 also may be taken along with this?

Mr. Speaker: If it is convenient for the hon. Minister to answer Q. 71 also, he may do so.

Dr. M. M. Das: It will be a big jump from Question 57 to Question 71. If the House allows, I have no objection.

Shri Mohammad Elias: We had tabled an adjournment motion on this subject, but you had withheld your consent in view of this question.

Mr. Speaker: Can Question 71 be linked with Question 57?

Shri Mohammad Elias: I think the hon. Minister is willing to answer Question 71 also along with Question 57.

Shri S. M. Banerjee: We had tabled an adjournment motion and also a calling-attention-notice on this subject but you were kind enough to allow only this question and we were told that we could ask supplementary questions on that question. Since Q. 71 is not likely to be reached today during the Question Hour, we request that it may be taken up along with Q. 57.

Mr. Speaker: I shall give an opportunity to the hon. Member to ask supplementary questions on Question 57.

Discipline in Camps and Transit Centres

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*57. { **Shri Rameshwar Tantia:**
Shri Yashpal Singh:
Shri R. G. Dubey:
Dr. Ranen Sen:
Dr. Saradish Roy:
Shri Dinen Bhattacharya:

Will the Minister of Rehabilitation be pleased to state:

(a) whether Government have prepared an elaborate scheme for the maintenance of discipline in camps and transit centres for migrants from East Pakistan;

(b) if so, the broad outlines of the scheme;

(c) whether this scheme has been forwarded to the State Governments also; and

(d) if so, the reaction of the State Governments thereto?

The Deputy Minister in the Ministry of Rehabilitation (Dr. M. M. Das):

(a) Yes, Sir. Certain orders for the administration of camps and the maintenance of discipline have been issued by the Ministry.

(b) A statement giving a broad outline of the orders is laid on the Table of the House. [Placed in Library, See No. LT-3376/64].

(c) Yes, Sir.

(d) There has been no unfavourable reaction so far.

Shri Rameshwar Tantia: May I know whether it is a fact that there were serious differences between the previous chairman and the administrator of the Dandakaranya Development Authority, which caused deterioration of discipline in the camp, and if so, whether Government have made any inquiry and whether they are going to demarcate the powers of the different officers in the future?

Dr. M. M. Das: The main question relates to maintenance of discipline in

camps and transit centres for migrants from East Pakistan. The supplementary question asked by the hon. Member is no doubt very important, but it is irrelevant.

Shri Rameshwar Tantia: I wanted to know whether the reason for the deterioration of discipline was the quarrels between the two officers. I submit that that comes within the purview of the main question, if you would allow it.

Dr. M. M. Das: No.

Mr. Speaker: He says that that was not the reason.

Shri Rameshwar Tantia: I want the Speaker to decide, and not the hon. Minister to decide whether my question is relevant.

Mr. Speaker: The Deputy Minister has said that that was not the reason. He has given the answer to his question.

Shri Rameshwar Tantia: May I know whether screening has been made by now, and if so, what the result is, and whether Government have found that some Pakistani people were there in the camps, and if the answer to the latter be in the affirmative, what action has been taken against them?

Dr. M. M. Das: The arrangement for screening is nearly complete and it will begin very soon.

श्री यशपाल सिंह : क्या सरकार ने इस बात का कुछ विश्लेषण किया है कि इस इन्डिसिप्लिन का मूल कारण क्या है ?

Mr. Speaker: The hon. Member wants to know the basic reasons for this indiscipline.

Dr. M. M. Das: There are more than 2-1/2 lakhs of migrants distributed in 103 camps. Human nature being what it is, there are black sheep in every flock. So, there are some people who do not like to obey the rules and regulations in these camps.

Shri D. C. Sharma: Is he lecturing to us on human nature?

Mr. Speaker: That is exactly the human nature that nobody wants to be subject to any discipline.

Shri R. G. Dubey: It seems that a comprehensive scheme has been introduced in the camps with camp commandants and assistant commandants and so on. We would like to know whether it has been brought into force and if so, how it is working.

The Minister of Rehabilitation (Shri Tyagi): The scheme is working very well. Discipline was enforced in camps because of various reasons. The primary one was infiltration of unauthorised persons into the camps. Another was the agitational role adopted by some organisations, not political but other, who started realising money from the DPs on promises that land would be given to them. All types of disturbances were there. One case reported to Government was that some Dps went out at night and committed dacoity. That criminal case is going on. For the sake of ensuring law and order in the place round about these camps, we felt that strict discipline should be enforced.

Dr. Ranen Sen: After the discipline scheme was introduced in the camps, it was reported in almost all the Calcutta newspapers that the inmates of the camps are not allowed to hold meetings amongst themselves to discuss their grievances and present them collectively before the camp commandant. If this is correct, what steps have Government taken to relax these so-called disciplinary measures in the case of the inmates of the camps?

Shri Tyagi: These meetings were prohibited because there were some organisations set up by some of the unauthorised DPs who had entered into the camps. They called themselves Action Committees. They undertook to realise funds from the DPs at Rs. 7 per month per family and claimed that they were the final authority to decide as to where the DPs should be sent

for resettlement etc. The agitational role was catching. Therefore, we decided that meetings would be held only with the permission of the camp commandants.

श्री बड़े : क्या यह सच है कि जो डिस्प्लिन के रूलज आपने बनाये हैं, उनके मुताबिक जो लोग माना कैम्प में आते हैं, उनको आप कभी किसी से बातचीत करने नहीं देते हैं ? क्या यह भी सही नहीं है कि शरणार्थियों को रात आठ बजे के बाद बाहर जाने की इजाजत नहीं होती है ? क्या इन रूलज की वजह से बहुत से शरणार्थी दण्डकारण्य छोड़ छोड़ कर बाहर जा रहे हैं, ऐसी कम्प्लेन्ट्स आपके पास आई हैं ?

श्री त्यागी : अगर कहीं बाहर जाते हैं तो उनकी रोकथाम की जरूरत है। ला एंड आर्डर के खयाल से पूरा डिस्प्लिन माना कैम्प में अब हो गया है। पहले की बनिस्वत बहुत ज्यादा अमन के साथ कैम्प चल रहा है, यह मेरा विश्वास है।

Shri Dinen Bhattacharya: How many permissions have been granted up-till now to the refugees therein to ventilate their grievances properly?

Dr. M. M. Das: For ventilation of their grievances, it is not at all necessary for them to hold meetings. The camp commandant has got a particular period of day reserved. Practically he is prepared to meet refugees individually at any time of the day to hear from their own lips their grievances.

Shri Dinen Bhattacharya: Is it a detention camp or a refugee camp?

Shri Mohammad Elias: Prisoners inside jails can hold meetings but this is denied to the inmates of these camps.

Shri K. C. Pant: Are Government aware that in the case of some of these transit camps, one basic reason for indiscipline is the lack of suitable employment opportunities for refugees? If so, by when do Government propose to shift these camps to better sites?

Dr. M. M. Das: As soon as suitable vocations are found for them or agricultural land is reclaimed for them, they are shifted from the transit camps to places of rehabilitation.

Shri H. N. Mukerjee: In view of the absolute desirability of having a harmonious atmosphere in these camps and also to soothe the frayed nerves of many of these migrants who have gone through a great deal of suffering, is it Government's intention to treat them as if they were prisoners in a jail and not to allow them to have collective discussion among themselves in order to formulate their grievances, a right which is exercised by inmates of jails and detenus in camps?

Shri Tyagi: Instances were brought to the notice of Government where a large number of old migrants had infiltrated into these camps and were persuading the campers to desert; they deserted from one camp to another and started taking doles once again. These types of activities were in vogue. So for better control, we decided that meetings were permitted only with the consent of the camp commandant. Then again, a *sewak* has been appointed who is in charge of a few families. It is his duty to collect details of grievances from the families under his charge and bring them to the notice of the camp commandant. The scheme is working very well.

Dr. Ranen Sen: No permission is given.

Shri Shivaji Rao S. Deshmukh: In view of the rather sheepish confession by the hon. Minister of the existence of armed dacoities by inmates of refugee camps, I am very much anxious to know what steps he proposes to employ, the expert herdsman which he

undoubtedly, is, to isolate the black sheep from the white?

Shri Tyagi: There is a regular scheme for the screening of all the DPs., and that has been taken up now.

Shrimati Savitri Nigam: May I know whether any scheme has been drafted and implemented by Government to provide suitable employment during the transit period to the unattached women and men to keep them suitably occupied?

Shri Tyagi: Yes, Sir. About the unattached men, there is no problem. They can attach themselves wherever they choose. The question is about unattached women.

Mr. Speaker: Unattached men attach themselves to the unattached or to the attached ones?

Shri Tyagi: I am sorry. They could seek employment anywhere. But the question arises with regard to old ladies, unattached girls, small, little children. They are kept in a separate camp, and for them special arrangement is being made for education. Some sewing machines are being bought for them, and some other trades are being taught, and they are being looked after in the camps separately.

श्री हुकम चन्द कछवाय : शरणार्थियों को बाहर जाने के लिये अनुमति लेनी पड़ती है। यदि कमांडेंट नहीं मिलता है और कोई शरणार्थी बाहर चला जाता है तो उस को सजा दी जाती है। यह जो नियम केन्द्रीय सरकार ने बनाया है, इस नियम को क्या मध्य प्रदेश की सरकार ने पूरी तरह से मान लिया है ?

श्री त्यागी : मानने की बात तो यों पैदा होती है कि जिस जिस स्टेट में कैम्प रखे गये हैं अगर वहां की ला एंड आर्डर की हालत खराब होती है तो कैम्प कमांडर

और सेंट्रल गवर्नमेंट की जिम्मेदारी होती है। इसलिए जब कई हजार आदमी एक जगह इकट्ठे किए हैं तो इस गवर्नमेंट की जिम्मेदारी है इस बात को देखने की कि वे कैम्प में किसी किस्म का ऐसा काम न करें जिससे ला एंड आर्डर सिचुएशन खराब हो। कैम्प के अन्दर अमन रहे उस के लिए यह अच्छा उमूल है कि जो बाहर जाए वह इजाजत ले कर जाये ताकि हम को मालूम होता रहे कि किस काम के लिए कौन गया है।

श्री हुकम चन्द कछवाय : मेरे प्रश्न का पूरा उत्तर नहीं आया है। उन को सजा दी जाती है। मैंने पूछा था कि जो शरणार्थी बिना इजाजत जाते हैं, उन को सजा दी जाती है, क्या यह सही है ?

श्री त्यागी : जो लोग बिना इजाजत जाते हैं, उन के बारे में मालूम कर लिया जाता है कि किस काम से वे गये थे। बाज आदमियों की ऐसी जरूरत होती है कि उन को जाना पड़ जाता है तो उस को कैम्प कमांडेंट मालूम कर लेता है। थोड़ी थोड़ी फैमिलीज के ऊपर एक एक सेवक भी मुकर्रर कर दिया गया है। उन की देखभाल करना उसका फ़र्ज है। अगर कोई गैरहाजिर होता है तो वह मालूम कर लेता है कि किस काम से वह गया है। कोई सब्जी का सौदा करता है और अगर वह उस काम से गया होता है तो सजा नहीं करते हैं। शुब्हे की बात होती है तो पूछताछ कर लेते हैं।

Naga Hostiles

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- Shri Hem Barua:
Shri Yashpal Singh:
Shri Surendra Pal Singh:
Shri Rameshwar Tantia:
Shri P. C. Borooah:
*59. Shri P. B. Chakraverti:
Shri Onkar Lal Berwa:
Shri Gulshan:

{ **Shri Omkar Singh:**
 { **Shri Kajrolkar:**
 { **Shri S. M. Banerjee:**
 { **Shrimati Renuka Barkataki:**

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government's attention has been drawn to a newspaper report to the effect that a gang of armed Naga hostiles was spotted on the 5th October, 1964 in North Cachar Hills District of Assam;

(b) if so, whether Government have satisfied themselves whether this gang is not engaged in the transport of arms and ammunitions from Pakistan; and

(c) if the reply to (b) above is in the negative, the steps taken to prevent such activities of the Naga hostiles, now that the peace talks are in progress?

The Minister of State in the Ministry of Home Affairs (Shri Hathi):

(a) Yes, Sir.

(b) Yes, Sir.

(c) Does not arise.

Shri Hem Barua: May I know if the attention of Government is drawn to a statement made by the Rev. Michael Scott, which reads as follows:

"They (Naga rebels) seem reluctant to be forced to seek aid or arms elsewhere, but will feel under strong pressure to do so if no honourable settlement could be found and no political or military aid is forthcoming from the West."

In the context of it, may I know whether Government sufficiently warned the Naga rebels before asking them to come to the negotiating table that they, on no account, should seek arms from foreign sources, and whether this was communicated to the peace missionaries also?

Shri Hathi: This question arises with regard to a particular news item that appeared. The question which the hon. Member asked is rather of a

wider category and the Minister for External Affairs is going to make a detailed statement on this subject of peace talks and other things. But my information is that they were told about this.

Shri Hem Barua: It is about this question; this arises out of this because it involves smuggling of arms from foreign sources, from Pakistan. I want to know whether you told the Naga hostiles positively and the peace mission also positively that on no account they should smuggle arms from foreign sources when the peace talks are being conducted.

Shri Hathi: I replied to that. They were told so. That is my information.

Shri Hem Barua: On a previous occasion it was said in this House that India had lodged a strong protest with Pakistan against Pakistan aiding militarily with arms and ammunitions the Naga hostiles. May I know what reply Government have received by now from Pakistan and if they have not received any reply, may I know whether they took adequate steps to seal the border so that the Naga hostiles might not go to Pakistan and bring arms and ammunition from that side?

Shri Hathi: About communication with Pakistan, perhaps the hon. Member might table a question to the External Affairs Ministry.

Shri Hem Barua: What about the other thing—sealing of border to prevent Naga hostiles bringing arms and ammunition?

Shri Hathi: Because he asked two questions, I replied to the first question and I was coming to the second. We have tightened the security measures in the border so that they could not do these things.

Shri Hem Barua: Then how do the Naga hostiles go to Pakistan if you have tightened security measures in the border?

Mr. Speaker: How can it be argued here? Only information can be asked for and given.

श्री यशपाल सिंह : क्या सरकार के पास इस तरह का कोई अकाउंट है कि अब तक कितने इस्तेनागा होस्टाइल्स के पाकिस्तान जा चुके हैं और कितने मिलिटरी ट्रेनिंग ले कर वापस आ चुके हैं ।

Shri Hathi: So far as Pakistan border is concerned the reply given is that this information is not correct.

Shri Hem Barua: May I submit that the hon. Minister of External Affairs is here and he can be summoned.

Mr. Speaker: I cannot ask him.

Shri Surendra Pal Singh: Have the authorities been able to find out as to whether this particular group of Naga hostiles consisted of followers of those rebel Naga leaders who were participating in the present peace talks, or did they belong to some other disgruntled group or groups?

Shri Hathi: They were not identified as such.

Shri P. C. Borooah: May I know whether, while the hostile Naga leaders were engaged in peace talks their followers on the other hand were indulging in intimidating the Naga people by demonstrating their arms and carrying on hostile activities in the border areas of Assam and Manipur and also making free to and from movements with Pakistan . . .

Mr. Speaker: So many 'ands' and 'ifs' put together. One straight question should be asked so that it could be answered properly.

Shri P. C. Borooah: What is the reason for not bringing up these matters before the peace talks?

Shri Hathi: So far as peace talks are concerned, it would be better if the Members address their questions to the EA Ministry.

श्री श्रीकार साल बरवा : मैं जानना चाहता हूँ कि क्या सरकार को यह बात मालूम है कि नागा विद्रोही आज भी सीमा के ऊपर युद्ध की तैयारियाँ कर रहे हैं ।

श्री हाथी : किस की बाबत तैयारी ।

अध्यक्ष महोदय : किसी तरह से बाहर से आर्म्स लाने की, जोकि इस प्रश्न का सम्बन्ध है ।

Shri Hathi: I have no information, but if they do any such activities, stern action will be taken.

Shri S. M. Banerjee: May I know whether the hon. Minister can tell this House whether the activities of Naga hostiles have further increased even after the peace talks or decreased?

Shri Hathi: I do not think these activities have increased during the peace talks.

Shrimati Renuka Barkataki: May I know whether the attention of the Government has been drawn to the cases of kidnapping in North Cachar Hills bordering Naga Hills by Jema Nagas and, if so, may I know whether the Jema Nagas belong to Naga hostiles and what steps the Government have taken to prevent this kidnapping for human sacrifice?

Shri Hathi: I have no information. I will have to get that from the Assam Government.

Shri D. C. Sharma: The supply of arms and ammunition to these Naga hostiles by Pakistan has been a continuous process all these years. May I know what steps the Government have taken so far to put a stop to it and whether these supplies have been curtailed in some way?

Shri Hathi: I think the hon. Member means that they are getting arms from Pakistan. The question of decreasing the supply would only arise if we negotiate or compel Pakistan to do so.

Shri Bhagwat Jha Azad: What arrangements were made by the Government on which basis they are satisfied that the Nagas are not engaged in bringing arms and ammunition into India when now it has been known that the camouflage of the so-called peace talks between the Naga rebels and the Peace Mission—Rev. Michael Scott and others—have already broken down?

Shri Hathi: The reply I have given relates to the particular incident of 5th October.

श्री बड़े : अभी मन्त्री महोदय ने प्रश्न के जवाब में बतलाया कि उन्होंने बार्डर सील कर दिया है। लेकिन मैं समझता हूँ कि 1,300 नागा पाकिस्तान गये हैं, जैसा कि अखबारों में भी आया है। उसके बारे में आपका क्या कहना है?

Shri Hathi: I did not say that the borders are sealed. I think they are protected and safeguarded as security measures.

श्री बड़े : मैं जानना चाहता हूँ कि क्या यह बात सही है कि 1,300 नागा पाकिस्तान गये हैं।

Mr. Speaker: The question is whether another batch of 1,300 has crossed over.

Shri Hathi: The information is that about 1,300 have gone that side.

श्री ठाकुर चन्द कछवाय : मैं जानना चाहता हूँ कि क्या यह बात सही है कि नागाओं से जो शान्ति वार्ता चल रही है वह उनकी मातृभाषा में नहीं होती, अंग्रेजी में होती है और इसलिये उनमें सन्तोष नहीं है।

Shri Hathi: About the peace talks I said I have no information. The

External Affairs Ministry may be able to give it.

श्री प्रकाशवीर शास्त्री : सरकार की ओर से जब इस प्रकार के नागा विद्रोहियों से सम्बन्धित प्रश्नों के उत्तर दिये जाते हैं तो प्रायः यह देखा गया है कि जो समाचार पहले समाचार पत्रों में प्रकाशित होते हैं, सरकार को उनकी जानकारी नहीं होती। क्या इससे यह माना जाये कि समाचारपत्रों के स्रोत अधिक निपुण हैं अपेक्षाकृत सरकारी स्रोतों के।

श्री हाथी : जहाँ तक वर्तमान प्रश्न का सम्बन्ध है, जिसका जवाब मैं दे रहा हूँ, वह इतला हमें मिल गई थी।

श्री तुलशोदास जाधव : अभी तक ऐसे कितने नागा लोगों का पता चला है जो कि बाहर से हथियार लाये हैं और उनको क्या सजा मिली है।

श्री हाथी : इसकी जानकारी मेरे पास नहीं है।

Report by Japanese Petro-chemical experts

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*60. { **Shri Bibhuti Mishra:**
Shri K. N. Tiwari:
Shri Warrior:
Shri Daji:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether six-man Japanese petro-chemicals experts team have submitted their report to Government;

(b) if so, the substance of the main recommendations; and

(c) the place where the industry is going to be set up?

The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan): (a) No, Sir.

(b) and (c). Do not arise.

श्री विभूति मिश्र : क्या यह सही है कि सरकार पेट्रो केमिकल इण्डस्ट्रीज को प्राइवेट सेक्टर में देना चाहती है ।

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): There is no such question. The petro-chemical industries cover a very wide range. Some of them like plastics and resins are even now in the private sector, but the basic industries will be kept in the public sector.

श्री विभूति मिश्र : मैं जानना चाहता हूँ कि बेसिक और नॉन बेसिक के सवाल का सरकार ने कब फैसला किया और जिन बेसिक इण्डस्ट्रीज को सरकार अपने हाथ में लेगी उससे कितना व्यापार होगा और प्राइवेट सेक्टर द्वारा कितना व्यापार होगा ।

Shri Humayun Kabir: This whole matter is a very expanding field and the question of division into basic and non-basic is also an uncertain one. What is basic today may become non-basic tomorrow. Therefore, till the whole picture is before us, I cannot give any specific answer.

Shri Daji: The reply to part (a) of the question is not quite clear. When is the report expected, and is there a scheme for Japanese collaboration in any of our basic petro-chemical industries?

Shri Alagesan: The report is expected; I think it will be available by February next year, and we will know the details only after the report is received.

12-00 hrs.

Mr. Speaker: The hon. Minister of Rehabilitation said he had no objection to answer Question No. 71. He may do so now.

Refugees without Migration Certificates

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*71. { **Shri S. M. Banerjee:**
Shri Yashpal Singh:

{ **Shri Tridib Kumar:**
Chaudhuri:
Shri Renuka Barkataki:

Will the Minister of **Rehabilitation** be pleased to state:

(a) whether it is a fact that his Ministry has asked the West Bengal Government not to send from 1st November any refugees from East Pakistan without migration certificates to Mana and other Centres outside Bengal;

(b) if so, whether Government of West Bengal were consulted in this matter;

(c) if not, the reasons therefor; and

(d) the reasons for taking such a decision?

The Deputy Minister in the Ministry of Rehabilitation (Dr. M. M. Das): (a) to (d). With effect from 15th October, 1952, migration from East Pakistan to India was allowed only on migration certificates issued by the Deputy High Commission, Dacca. Early in 1958, a decision was taken that even those who come to India on migration certificates after the 31st March 1958 should not be given any relief or rehabilitation benefits.

When large-scale communal disturbances took place in East Pakistan in January 1964, it was represented that the members of the minority communities living in East Pakistan at places far away from Dacca were finding it difficult to obtain migration certificates from Dacca expeditiously. Accordingly, the Government of India, on humanitarian grounds, temporarily relaxed the formality of migration certificates and allowed even persons without travel documents to enter India. It was also decided to offer relief and rehabilitation benefits to the new migrants who were in genuine need of assistance.

The procedure for issue of migration certificates has also been simplified.

fied and the categories of applicants eligible for migration certificates enlarged. As genuine migrants seeking migration certificates are now able to obtain such certificates without any difficulty, the Central Government have decided to restrict with effect from 1-11-64 relief and rehabilitation benefits to those who come with migration certificates. This will ensure that relief and rehabilitation benefits go only to the genuine and deserving migrants.

While the State Governments are always kept in the picture with regard to the problems arising out of migration and the procedure and plans of rehabilitation of the migrants, this decision was taken by the Government of India and the State Governments were duly informed.

Shri S. M. Banerjee: May I know whether the attention of the Minister has been drawn to Press news of various statements of West Bengal Ministers that they were opposed to this scheme being implemented and it was cruelty on the part of the Central Government to have imposed such a restriction, when the life of minorities in East Pakistan has become absolutely impossible?

The Minister of Rehabilitation (Shri Tyagi): We did not have any discussion with the State Governments in this regard. But the State Governments were informed in advance. Of course, the Chief Minister of West Bengal raised a question with me personally and said, that "In that case, those persons who come will be a burden on West Bengal. What shall we do?" I said, let us see; if there is any deserving case, we will look into that. I told him, there are cases where people come after exchange of land. They have exchanged their lands. Likewise, there are others who have their families on this side. In such exceptional cases, I said, sealing of the border will not be possible. Let such people come. have promised to the Chief Ministers of West Bengal,

Tripura and Assam that in the case of deserving families, we shall relax the rules.

Shri S. M. Banerjee: May I know whether it is within the knowledge of the Minister that it has become very difficult for the displaced persons to get these migration certificates, because there are no adequate arrangements there? If so, may I know what steps he has taken to grant migration certificates to those who want to come here?

Shri Tyagi: Sir, the process of issuing migration certificates has been very much liberalised and by now 4,35,000 migration certificates have been issued. Red-tape has vanished altogether. For the hon. Member's information I must say that the number of categories of deserving persons who might apply for migration certificates has also been increased. The categories are:

- (i) Orphans with no guardian in East Pakistan.
- (ii) Grown-up girls coming to India for marriage.
- (iii) Unattached women and widows with no livelihood in East Pakistan.
- (iv) Wives joining husbands in India.
- (v) Families living in isolated parts.
- (vi) Members of split families part of which has already settled in India.
- (vii) Persons whose near relatives on whom they are entirely dependants are in India.
- (viii) Girls of marriageable age; unattached women and orphans who have no sponsors in India as well as girls approaching marriageable age.
- (ix) Families seriously affected due to arson, looting and killing;

(x) Petty traders who have lost their wherewithal as well as industrial labour; skilled or unskilled who have been badly affected;

(xi) Cases for Deputy High Commissioner's discretion; this should also take care of borderline cases.

So the process has been liberalised.

श्री यशपाल सिंह : क्या सरकार यह बतला सकती है कि एक की खता के लिए दूसरे को सजा कैसे दी जा सकती है ? जिस तरह हमारे यहां के दफ्तर वाले एम० पी० तक के साथ रैडटेपिज्म करते हैं उसी तरह पाकिस्तान वालों ने इन शरणार्थियों के साथ किया है । उनकी खता के लिए शरणार्थियों को कैसे सजा दी जा सकती है ?

अध्यक्ष महोदय : अब ठाकुर साहब फिलासफी में जाते हैं, तो मैं क्या कहूं ।

Shri Tridib Kumar Chaudhuri: Has it come to the notice of the Government that immediately this order was passed about denying the benefits to people crossing the border without migration certificates the border camps at Petrapole and other places were closed to people who had come there practically destitute; and if so, whether the hon. Minister has issued any instructions that in these cases on compassionate grounds the doors of these relief camps would not be shut to these people?

Shri Tyagi: Well, Sir, as a rule, migrants without migration certificates are not permitted to come unless they have their own means. We have only allowed them to come on the condition that they would not demand any relief or rehabilitation benefits. But in special cases, as I have already mentioned, I have just requested the three Chief Ministers concerned to exercise their discretion.

Some hon. Members: rose—

Mr. Speaker: I intened to confine myself only to the signatories.

Shri Mohammad Elias: I had tabled an adjournment motion on this subject and it was disallowed because this reply was to be given. I should be given a chance to put a supplementary.

Shri H. N. Mukerjee: We had tabled an adjournment motion on this and that was disallowed.

Mr. Speaker: I disallowed that, and therefore I have allowed this question after the Question Hour.

Shri Tyagi: Thank you, Sir.

Mr. Speaker: I have allowed this question after the Question Hour because I had said that this reply was coming.

Shri H. N. Mukerjee: I want to submit, Sir, that the signatories to the adjournment motion should also be allowed to put supplementaries on this.

Mr. Speaker: When it was disallowed, how can I? Anyway, I will allow him.

Shri Mohammad Elias: Just now the hon. Minister stated that due to the grave situation in East Pakistan the rule has temporarily been suspended, without migration certificates people come from East Pakistan and they can get the benefit of rehabilitation. From newspaper reports we find that the situation in East Pakistan is still grave and life and property of the minority community is still insecure.

Mr. Speaker: What does he want? Is he going to put his question?

Shri Mohammad Elias: I want to know whether the situation is normal in East Pakistan now so that they can get migration certificates.

Shri Tyagi: I think there are no reports of killing and arson, but there is a general sense of insecurity among the minority community in Pakistan. That is a fact.

Shri H. N. Mukerjee: Since refugees do not come without migration certificates to this country for fun's sake and since they come for very special reasons, and in view of the West Bengal Chief Minister's definite declaration that he wishes the present order to be changed will Government reconsider this matter not only with regard to details, as Shri Tyagi has suggested, but in a general way the whole order regarding refugees without migration certificates?

Shri Tyagi: I must make it quite clear that the Chief Minister of West Bengal is not a party to the new enforcement of discipline on the border. He has asked for some clarification which I have already given. I may again talk to him. I may assure this House that if as a result of this order a family coming without a migration certificate deserves some special treatment, the Chief Minister will be authorised to exercise his discretion in his favour.

WRITTEN ANSWERS TO QUESTIONS

Hazratbal Relic Theft Case

- *58. { **Shri Vishram Prasad:**
 Shri Bagri:
 Shri Sarjoo Pandey:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 221 on the 16th September, 1964 and state:

(a) whether the investigation of the Hazratbal holy relic theft case has since been completed;

(b) if so, the names of the accused; and

(c) when the trial is expected to commence?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) to (c). The investigation of the case relating to the theft of the holy relic from the Hazratbal mosque is a law

and order matter which is the responsibility of the Jammu and Kashmir Government. We have not received any information from the State Government in regard to its progress. Investigation of the case was being carried on by the Officers of the State Government.

Mining Engineering Institutions

- { **Shri Kishen Pattnayak:**
 Shri Shree Narayan Das:
*61. { **Shri P. R. Chakraverti:**
 Shri P. C. Borooah:
 Shri Bibhuti Mishra:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that students of mining engineering institutions in Dhanbad, Varanasi and Jodhpur recently went on strike;

(b) if so, the circumstances in which this happened; and

(c) the steps which the Central Government have taken or propose to take in the matter?

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

(b) Fear of lack of suitable employment opportunities after training.

(c) The Joint Board of Mining Engineering Education and Training is enquiring into the matter.

Private Technical Institutes

- { **Shri R. G. Dubey:**
 Shri Yashpal Singh:
*62. { **Shri Rameshwar Tantia:**
 Shri Surendra Pal Singh:

Will the Minister of **Education** be pleased to state:

(a) whether an inspection committee has been appointed by the Union Government to study the applications of private technical institutes for affiliation in collaboration with the Universities and the University Grants Commission;

(b) if so, the recommendations of the Committee; and

(c) the action taken thereon?

The Minister of Education (Shri M. C. Chagla): (a) A special inspection committee was appointed jointly by the Ministry of Education and University Grants Commission to examine the conditions of work and standards of instructional facilities provided at certain private engineering colleges in Mysore State started on "donation fees" basis; and to recommend measures to ensure that the colleges functioned on satisfactory lines.

(b) The Committee has recommended that the Colleges should only be given affiliation on a year-to-year basis and each year they should be inspected to determine whether the necessary instructional facilities have been provided. If a College has failed to provide the facilities within the prescribed time, it should be dis-affiliated and the students should be transferred to other institutions. The Central Government should also consider the question of bringing all these Colleges under the 'Open Door Policy'.

(c) The report of the Committee is under consideration.

Investigations into Sanyal Murder Case

- *63. { Shri Jashvant Mehta:
Shri S. M. Banerjee:
Shri Daji:
Shrimati Savitri Nigam:
Shri M. L. Dwivedi:
Shri Jena:
Shri D. C. Sharma:
Shri Brij Raj Singh:
Shri Bade:
Shri Vishram Prasad:
Shri Vishwa Nath Pandey:

Will the Minister of Home Affairs be pleased to state:

(a) whether investigations into the Sanyal murder case have been completed;

(b) if so, the findings thereof; and

(c) further action taken or proposed to be taken in the matter?

The Minister of State in the Ministry of Home Affairs (Shri Hathl):
(a) Yes, Sir.

(b) and (c). Four persons are being prosecuted.

Follow up Action on Das Commission Report

- { Shri Daljit Singh:
Shri Bibhuti Mishra:
Shri K. N. Tiwary:
Shri Bagri:
Shri Vishram Prasad:
Shri Prakash Vir Shastri:
Shri Jagdev Singh
Siddhanti:
*64. { Shri Onkar Lal Berwa:
Shri Gulshan:
Shrimati Ramdulhari Sinha:
Shri S. M. Banerjee:
Shri Yashpal Singh:
Shri P. Venkatasubbaiah:
Shri Ravindra Varma:
Shrimati Renuka Barkataki:
Shri P. C. Borooah:
Shri D. D. Mantri:

Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1603 on the 30th September, 1964 and state:

(a) whether Shri R. S. Krishnaswamy, Officer on Special Duty has submitted his report for follow up action on the Das Commission's Report;

(b) if so, the particulars thereof regarding officials and non-officials;

(c) whether Government propose to set up a special committee for considering his recommendations and taking further action as required by law; and

(d) if so, the names of the members proposed to be appointed in this regard?

The Minister of State in the Ministry of Home Affairs (Shri Hathi):

(a) Yes, Sir.

(b) As the report deals with matters which are primarily the concern of the Punjab Government, and is under the consideration of that Government, it will not be in the public interest to disclose its content except to the extent the Punjab Government have done so. The particulars as regards officials were mentioned by the Chief Minister, Punjab in a statement he made on 24th September, 1964 in the Punjab Legislative Assembly a copy of which is placed on the Table of the House. [Placed in Library. See No. LT-3377/64].

(c) The Government of India do not propose to set up a special committee.

(d) Does not arise.

Failures in Examinations

*65. { Shri P. R. Chakraverti:
Shri P. C. Borooah:
Shri Sidheshwar Prasad:
Shri Vishwa Nath Pandey:
Shri Ram Harkh Yadav:

Will the Minister of Education be pleased to state:

(a) whether the State Governments have endorsed the proposal that with a view to eliminating wastage resulting from failures in examinations, the students performances in the classes should receive weight in deciding annual promotions;

(b) whether the University Grants Commission has also agreed to the proposal;

(c) whether the State Governments have set up evaluation units for improving instructional processes in schools; and

(d) how far the Union Government's proposal to increase the number of working days in Secondary Schools

has been implemented in various States?

The Minister of Education (Shri M. C. Chagla): (a) and (b). That weightage be given to student's performance in the class in deciding his annual promotion has been recommended by a number of educational bodies, including the University Grants Commission, and some of the examining authorities are also implementing it.

(c) Yes, Sir. 13 State Governments have set up the Units.

(d) Eight of the ten States, which have replied so far, are implementing the proposal.

Bomb Explosions in Goa

*66. { Shri Tridib Kumar
Chaudhuri:
Shri Sarjoo Pandey:
Shri Onkar Lal Berwa:
Shri Onkar Singh:

Will the Minister of Home Affairs be pleased to state:

(a) whether the investigations undertaken by the Central Intelligence Bureau in regard to the series of bomb explosions roundabout 20th June, 1964 in Goa have been completed;

(b) whether Government are in a position to launch any prosecution on the basis of these investigations; and

(c) whether there is any basis for the common belief in Goa and outside that these explosions were the handiwork of Portuguese agents-provocateur smuggled inside Goa?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) Yes, Sir.

(b) A case has since been filed before the Magistrate at Panjim.

(c) The case is now *sub judice* and it is not advisable to go into any further details at present.

Use of D.I.R. against Hoarders and Profiteers

- *67. { Shri Bhagwat Jha Azad:
Shri Y. S. Chaudhary:
Shri Bagri:
Shri Vishram Prasad:
Shri Umanath:
Shri A. K. Gopalan:
Shri Imbichibaya:
Shri Sidheshwar Prasad:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have taken specific action under the Defence of India Rules and other laws against the traders for hoarding and profiteering;

(b) if so, its impact on the rising prices; and

(c) the number of such persons so far arrested and prosecuted, State-wise?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) Yes, Sir.

(b) There are numerous factors that have an impact on the price situation, and it is not possible to isolate a particular factor and determine its impact.

(c) From information available to us, 7,307 persons were arrested in different States under the relevant provisions of the Defence of India Rules, 1962, since the declaration of the Emergency. Information in regard to the number of persons prosecuted and those proceeded against under other laws is being collected and will be laid on the Table of the House in due course.

Resettlement of Refugees

- { Shri Hukam Chand
Kachhavaia:
Shri Bade:
Shri Chandak:
Shri Bakliwal:
Shri Vidya Charan Shukla:

- { Shri Uikey:
Shri Wadiwa:
*68. { Shri Surya Prasad:
Shri R. S. Tiwary:
Shri J. P. Jyotishi:
Shri Gokulananda Mohanty:
Shri Rama Chandra Mallick:
Shri Sham Lal Saraf:
Shri Surendra Nath Dwivedy:
Shri D. D. Mantri:

Will the Minister of Rehabilitation be pleased to state:

(a) the total number of schemes together with the indication of cost received from the Governments of Orissa and Madhya Pradesh for resettlement of new migrants from East Pakistan;

(b) the broad outlines of industrial schemes so far sanctioned in respect of both these State Governments; and

(c) if no such sanction has been issued in respect of any such schemes to either of the two States, when it is likely to be issued?

The Minister of Rehabilitation (Shri Mahavir Tyagi): (a) to (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-3378/64].

Indian Contingent to Tokyo Olympics

- { Shri Vidya Charan Shukla:
Shri Prakash Vir Shastri:
Shri Jagdev Singh Siddhanti:
Shri Bagri:
Shri Vishram Prasad:
*69. { Shri Ram Sewak Yadav:
Shri S. M. Banerjee:
Shri H. C. Soy:
Shri Subodh Hansda:
Shri Dinen Bhattacharya:
Dr. Saradish Roy:
Dr. Ranen Sen:

Will the Minister of Education be pleased to state:

(a) whether Government have noted the poor performance by the Indian contingent in the Olympic Games at Tokyo; and

(b) if so, the action proposed to be taken to improve upon the present state of affairs?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):

(a) Government do not consider the performance of the Indian Contingent in the Olympic Games at Tokyo altogether poor.

(b) It is proposed to lay greater emphasis on the all round development of games and sports in the country during the next Five Year Plans.

Desertion of Camps

- *70. { Shri Nambiar:
Dr. Saradish Roy:
Shri Dinen Bhattacharya:
Dr. Ranen Sen:
Shri Gokulananda Mohanty:
Shri Rama Chandra Mallick:
Shri Prakash Vir Shastri:

Will the Minister of Rehabilitation be pleased to state:

(a) the number of refugees deserting Dandakaranya and Hastinapur Camps during 1964 without informing the authorities;

(b) whether Government have conducted an enquiry into the causes of this state of affairs;

(c) if so, the findings thereof; and

(d) if not, whether Government are considering to enquire into the matter?

The Minister of Rehabilitation (Shri Mahavir Tyagi): (a) 7159 families consisting of 32021 persons have left the camps in the Dandakaranya area and in Hastinapur.

(b) and (c). Yes, Sir. The main reasons for the persons leaving the camps are:—

(i) insistence on allotment of agricultural land which was not readily available.

(ii) disinclination to do manual work.

(iii) the hot climate of the locality to which the migrants are not accustomed.

(iv) shortage of water supply caused by the sudden increase in population in the initial stages.

(v) inclination to join their relations in West Bengal or to rehabilitate themselves through their own efforts in West Bengal.

(d) Does not arise.

All India Educational Service

- { Shri P. C. Borooah:
Shri Vishram Prasad:
Shri Bagri:
Shri D. C. Sharma:
Shri N. R. Laskar:
Shri Oza:
Shri Sidheshwar Prasad:
*72. { Shri Prakash Vir Shastri:
Shri Jagdev Singh
Siddhanti:
Shri Gokulananda
Mohanty:
Shri Rama Chandra
Mallick:
Shri H. V. Koujalgi:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 226 on the 16th September, 1964 and state:

(a) whether all the State Governments have since given their concurrence to the creation of an All India Educational Service;

(b) if so, whether the service has since been constituted; and

(c) the broad outline of the final scheme?

The Minister of Education (Shri M. C. Chagla): (a) and (b). No, Sir.

(c) The broad outlines of the scheme have not yet been finalised.

Corruption Charges against Ministers of Orissa

- { Shri Yashpal Singh:
Shri Bagri:
Shri Vishram Prasad:
Shri Prakash Vir Shastri:

- *73. {
 Shri Jagdev Singh Siddhanti;
 Shri Rameshwar Tantia;
 Shri Hem Barua;
 Shri Vidya Charan Shukla;
 Shri P. K. Deo;
 Shri Mahananda;
 Shri Solanki;
 Shri Gulshan;
 Shri Himatsingka;
 Shri Surendranath Dwivedy;
 Shri H. N. Mukerjee;
 Shri J. B. S. Bist;
 Shri S. M. Banerjee;
 Shri Ram Sewak Yadav;
 Shri Hukum Chand Kachha-
 vaia;
 Shri Kishen Pattnayak;
 Shri P. C. Borooah;
 Shri D. D. Mantri;

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the investigation into the charges against certain Ministers and ex-Ministers of Orissa State has been completed by the Central Bureau of Investigation;

(b) if so, the result thereof; and

(c) further action contemplated in the matter?

The Minister of Home Affairs (Shri G. L. Nanda): (a) to (c). The Central Bureau of Investigation has not made any regular investigation. It has been conducting only a Preliminary Enquiry to assist the Government in deciding the further course of action. A report has been received from the Central Bureau of Investigation. Comments of Shri Patnaik and the Ministers concerned have been asked for on the points which arise for clarification from the report. Their replies are now awaited.

Central Advisory Board of Education

- {
 Shri Rameshwar Tantia;
 Shri Bagri;
 Shri Vishram Prasad;
 Shri Bibhuti Mishra;
 Shri K. N. Tiwary;
 Shri Yashpal Singh;
 Shri P. C. Borooah;

- *74. {
 Shri S. N. Chaturvedi;
 Shri D. D. Puri;
 Shri Sidheshwar Prasad;
 Shri Y. S. Chaudhary;
 Shri Ram Sewak Yadav;
 Dr. Ranen Sen;
 Shri Dinen Bhattacharya;
 Dr. Saradish Roy;
 Shri Jai Bahadur Singh;
 Shrimati Renu Chakravartty;
 Shri H. V. Koujalgi;
 Shri R. Barua;
 Shri D. D. Mantri;
 Shri Ram Sewak;

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Central Advisory Board of Education met at Bangalore in October, 1964;

(b) if so, the subjects discussed and the recommendations made by the Board; and

(c) the action taken by Government to implement those recommendations?

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

(b) A list containing the items discussed at the meeting is laid on the Table of the House. [Placed in Library. See No. LT-3379/64]. A summary of the recommendations of the Board is also enclosed.

(c) The main recommendations relate to the Fourth Plan. They will be kept in view by the Central and State Governments in formulating the Plan.

Madras and Haldia Refineries

- {
 Shri Vidya Charan Shukla;
 Shri Hem Barua;
 Shri Vishram Prasad;
 Shri Bagri;
 Shri Surendra Pal Singh;
 Shri Rameshwar Tantia;
 Shri P. C. Borooah;
 Shri Kajrolkar;
 Shri P. R. Chakraverti;
 Shrimati Savitri Nigam;
 *76. { Shri R. Ramanathan Chettiar;

Shri B. K. Das:
 Shri D. C. Sharma:
 Shri J. B. S. Bist:
 Shri Ravindra Varma:
 Shri V. Venkatasubbaiah:
 Shri Yashpal Singh:
 Shrimati Renuka Barkataki:
 Shri Himatsingka:
 Shri Sham Lal Saraf:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) the names of the parties who have expressed interest in the establishment of refineries at Madras and Haldia;

(b) whether any pattern of collaboration has been decided upon; and

(c) if so, its salient features?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) The names of the parties who have expressed interest in one or both the refineries are as under:—

1. Phillips Petroleum Co.
2. E. N. I. of Italy.
3. Esso Standard Eastern Inc.
4. Burmah Oil Co./Shell Petroleum Co. Group.
5. Caltex.
6. Japan Gasoline Co./C. Itoh.
7. Mobil Petroleum Co.
8. Bureau De Recherches De Petrole/Regie Autonome Des Petroles (BRP/RAP).
9. National Iranian Oil Co./Amoco International Oil Co.
10. Gulf Oil Co./Compagnie Frencaise des Petroles (Gulf/CFP).
11. Pauley Petroleum Co.
12. Phoenix—Rheinrohr Co.
13. Kuwait National Petroleum Co.
14. Rumanian Government.

(b) and (c). The refinery will be in the public sector. The detailed terms of collaboration are under negotiation with the National Iranian Oil Co./Amoco International Oil Co.

Explosives Found near Bombay Port

Shri R. G. Dubey:
 Shri Surendra Pal Singh:
 Shri Rameshwar Tantia:
 Shri Bhagwat Jha Azad:
 *77. Shri D. D. Puri:
 Shri Bagri:
 Shri Vishram Prasad:
 Shri Onkar Lal Berwa:
 Shri Omkar Singh:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that four divers of the Bombay Port Trust recovered a gunny bag containing explosives reported to have been thrown into the sea by some member of the crew of S.S. 'Sabarmati' in July, 1964;

(b) if so, the outcome of the investigation; and

(c) further action taken or proposed to be taken in the matter?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) to (c). As these matters are related to the case currently before the court at Panjim and as the case is *sub-judice*, it is not advisable to go into further details at the present stage.

Vigyam Mandirs

*78. Shri P. R. Chakraverti:
 Shri P. C. Borooah:
 Shri Vidya Charan Shukla:
 Shri Sidheshwar Prasad:

Will the Minister of **Education** be pleased to state:

(a) how far the progress achieved in setting up Vigyan mandirs in different areas is in consonance with the target laid down in the Third Plan;

(b) how far the State Governments' administrative control has helped the growth of the mandirs so as to stimulate interest in science;

(c) whether the State Governments have made any representation demanding increase in the allotment of funds

to meet the non-recurring expenditure?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) The progress achieved in setting up Vijnan Mandirs is very much behind the target laid down in the Third Five Year Plan. Against the target of 320 Vijnan Mandirs by the end of the Third Plan, only 50 Vijnan Mandirs have been set up so far.

(b) After the transfer of the administrative control of the Vijnan Mandirs to the State Governments from 1st April, 1963, only one new Vijnan Mandir has been opened so far by one State. Generally, the State Governments have not evinced sufficient interest so far in the growth of the Vijnan Mandirs.

(c) Only one State Government has so far asked for an additional amount for non-recurring expenditure (equipment) during the current Plan.

Trivedi Report on Bihar-U.P. Boundary Dispute

- *79. { Shri Shree Narayan Das:
Shri J. B. S. Bist:
Shri Vishram Prasad:
Shri Vishwa Nath Pandey:
Shri Hukam Chand
Kachhavaia:

Will the Minister of Home Affairs be pleased to state:

(a) whether the report submitted by Shri C. M. Trivedi regarding the Bihar-U.P. boundary dispute has been finally examined by Government; and

(b) if so, the nature of the decision taken in the matter?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) and (b). The report has been examined and the Prime Minister has accepted all the recommendations made by Shri C. M. Trivedi. According to the decision, the existing fluctuating deep-stream boundaries between the dis-

tricts of Shahabad (Bihar) and Ballia (U.P.) and the districts of Saran (Bihar) and Ballia (U.P.) would be replaced by a fixed boundary the alignment of which will be as recommended in the report.

Pak. Saboteurs in Jammu and Kashmir

- *80. { Shri S. M. Banerjee:
Shri Vishram Prasad:
Shri Bagri:
Shri Prakash Vir Shastri:
Shri Jagdev Singh
Siddhanti:
Shri Naval Prabhakar:
Shri P. R. Chakraverti:
Shri P. C. Borooah:
Shri Onkar Lal Berwa:
Shri Yashpal Singh:
Shri Rameshwar Tanti:
Shri Hukam Chand
Kachhavaia:
Shri Ram Sewak Yadav:
Shri P. Venkatasubbaiah:
Shri Ravindra Varma:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a gang of Pakistani saboteurs operating in the border districts of Jammu and Kashmir State has been unearthed;

(b) whether a large number of explosives and letters showing Pakistan's complicity in sabotage have been recovered; and

(c) if so, the action taken by Government of India in the matter?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) and (b). We have received information that on the 4th October, 1964, a person suspected of sabotage activities in Jammu and Kashmir was arrested and that on raiding his house the following articles were recovered:

- (i) One Time Switch;
- (ii) One demolition slab;
- (iii) One detonator;
- (iv) One orange coloured fuse.

Investigation is proceeding.

(c) This will be considered after the investigation is completed.

Daniel Walcott

- *81. {
 Shri Hem Barua:
 Shri Prakash Vir Shastri:
 Shri Jagdev Singh:
 Siddhanti:
 Shri Surendra Pal Singh:
 Shri Jashvant Mehta:
 Shri Shree Narayan Das:
 Shri S. N. Chaturvedi:
 Shri J. B. S. Bist:
 Shri D. C. Sharma:
 Shri P. C. Borooah:
 Shri P. R. Chakraverti:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the enquiry conducted into the reported flight of Daniel Walcott from Murud has yielded any result so far;

(b) whether Government have succeeded in establishing the identity of Walcott; and

(c) a brief outline of the result of the enquiry?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) Yes; Sir.

(b) Yes; Sir.

(c) Investigation shows that the purpose of the illegal landing at Murud was to smuggle a consignment of watches into India and that Walcott and three others were involved in this conspiracy.

Development of Special Areas

- *82. {
 Shri Vidya Charan Shukla:
 Shri Uikey:
 Shri Hukam Chand
 Kachhavaia:
 Shri Bade:
 Shri Chandak:
 Shri Bakliwal:

{
 Shri Wadiwa:
 Shri Surya Prasad:
 Shri J. P. Jyotishi:
 Shri R. S. Tiwary:

Will the Minister of **Rehabilitation** be pleased to state the steps being taken to bring about co-ordination in the work of various Ministries in regard to the integrated resources for the development of special areas which is the direct responsibility of the Rehabilitation Ministry?

The Minister of Rehabilitation (Shri Tyagi): Except the Andamans no special areas have so far been notified. The procedure to co-ordinate the functioning of various Ministries will be the following:

Study Teams of officers representing Ministries/Departments concerned with different aspects of development have been/are being set up to study the available material on the developmental potential of these areas. The Study Teams will visit the areas and hold discussions with State/Local officers concerned and then draw up a programme for integrated resource development. The development programme will thus be drawn up in co-ordination with local and State Administration as well as with the subject matter specialists in the Central Ministries. After the programmes have been approved, the Ministry of Rehabilitation will co-ordinate the implementation of the Schemes through appropriate agencies.

Second University in Delhi

109. {
 Shri C. K. Bhattacharyya:
 Shri Prakash Vir Shastri:
 Shri Jagdev Singh
 Siddhanti:

Will the Minister of **Education** be pleased to state:

(a) whether land is being acquired near Ramakrishnapuram for establishing a second university in Delhi;

(b) what has happened to the land previously acquired for the same purpose near the ridge; and

(c) whether the new university will be made an affiliating university?

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

(b) No land had been acquired previously near the ridge for the same purpose.

(c) The University is proposed to be both a teaching and affiliating University.

Extension to Kerala Officers

110. { **Shri A. V. Raghavan:**
Shri Pottekkatt:

Will the Minister of **Home Affairs** be pleased to state:

(a) the number of officers in the Government of Kerala whose services have been extended by the Advisor to the Government of Kerala;

(b) whether Government are aware of the frustration caused to junior officers as a result of this extension; and

(c) the reasons for granting the extension?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) to (c). The information is being collected and will be laid on the Table of the House as soon as possible.

Kerala University Act

111. { **Shri A. V. Raghavan:**
Shri Pottekkatt:

Will the Minister of **Education** be pleased to state:

(a) whether there is any proposal to amend the Kerala University Act, 1957;

(b) if so, whether a revised Bill has been prepared; and

(c) when the same will be introduced?

The Minister of Education (Shri M. C. Chagla): (a) Yes Sir.

(b) and (c). The proposal has not been finalised and has been deferred till March, 1965.

Multi-Purpose Schools in Orissa

112. **Shri Rama Chandra Mallick:** Will the Minister of **Education** be pleased to state:

(a) the number of multipurpose schools opened so far since the scheme was started in Orissa;

(b) whether any financial assistance was given to the Government of Orissa for the same purpose during the Third Five Year Plan period; and

(c) if so, the details thereof?

The Minister of Education (Shri M. C. Chagla): (a) The exact information is still awaited from the State Government.

(b) The State Government has declined to implement the Centrally sponsored scheme on the subject.

(c) Does not arise.

Post-Matric Scholarship Scheme in Orissa

113. **Shri Rama Chandra Mallick:** Will the Minister of **Education** be pleased to state:

(a) whether any grant has been given to the Government of Orissa for 1964-65 for Post-Matric scholarships to Scheduled Castes and Schedule Tribes and other Backward Classes students in Orissa;

(b) if so, the amount thereof; and

(c) whether the same has been fully distributed among the students?

The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis): (a) Yes, Sir.

(b) Rs. 6,70,200.

(c) The scholarship is paid by the State Government throughout the year and as such, whether the amount

is fully disbursed or not will be known only after the financial year 1964-65 is over.

Pak Infiltration

114. { **Shri P. C. Borooah:**
Shri Pottakkatt:
Shri A. V. Raghavan:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether some new tribunals have been set up in Assam for adjudicating the cases of Pak infiltrants;

(b) if so, how many;

(c) the number of infiltrants deported since October, 1964; and

(d) the number of appeals placed before the tribunals against the quit India notices?

The Minister of State in the Ministry of Home Affairs (Shri Hathi):

(a) and (b). Four Tribunals have been set up under the Foreigners (Tribunals) Order, 1964, which was issued on the 23rd September, 1964.

(c) and (d). The information is awaited from the State Government.

Gauhati Refinery

115. **Shri P. C. Borooah:** Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) the number of proposals received for bottling and distribution of liquid petroleum gas from Gauhati refinery;

(b) when a decision is likely to be taken on these offers; and

(c) what are the broad conditions of eligibility for allotment of the jobs to any Company?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) one.

(b) and (c). The question does not arise as the existing product pattern at Gauhati does not envisage the production of L.P.G.

Sapru Committee Report

116. { **Shri Prakash Vir Shastri:**
Shri Jagdev Singh
Siddhanti:
Shri P. C. Borooah:
Shri Hem Barua:
Shri Sidheshwar Prasad:

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 174 on the 9th September, 1964 and state:

(a) the decisions Government have since taken on the recommendations of the Sapru Committee; and

(b) the action taken in the light of the same?

The Minister of Education (Shri M. C. Chagla): (a) and (b). It has been decided to refer the Committee's main recommendation regarding transfer of University and Higher Education from the State List to the Concurrent List to the State Governments for ascertaining their views. The other recommendations mostly concerning the organisation and activities of the University Grants Commission are being referred to the Commission for comments.

Hindi Text Books

117. **Shri Yashpal Singh:** Will the Minister of **Education** be pleased to state:

(a) whether any complaint has been received from non-Hindi speaking States that the work of Hindi is being hampered due to dearth of Hindi text books;

(b) if so, from which States; and

(c) the arrangements made to see that such complaints are not repeated?

The Minister of Education (Shri M. C. Chagla): (a) No, Sir.

(b) and (c). Do not arise.

***Use of Hindi**

118. { Shri Rameshwar Tantia:
Shri Surendra Pal Singh:
Shri Vishram Prasad:
Shri D. D. Mantri:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Home Ministry has asked all the Central Ministries to send special reports indicating the steps so far taken by them to promote the use of Hindi for official purposes;

(b) if so, whether any report has been submitted by them; and

(c) if so, the broad outlines thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) Yes Sir.

(b) and (c). Complete information has not been received so far.

हिन्दी गजट

119. { श्री विश्राम प्रसाद :
श्री बागड़ी :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत का गजट, भाग 1 के अति-रिक्त, अंग्रेजी संस्करण के साथ-साथ हिन्दी में कब प्रकाशित किया जायेगा; और

(ख) इस सम्बन्ध में क्या कदम उठाये जा रहे हैं ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री ल० ना० मिश्र) : (क) और (ख) गजट के भाग 1 के अलावा भाग 3, 4 और 5 के कुछ हिस्से हिन्दी में भी प्रकाशित किये जा रहे हैं। अन्य भागों का हिन्दी में भी प्रकाशित करने के प्रश्न पर विचार विमर्श किया जा रहा है।

Arrest of Food Agitators

120. { Shri Vishram Prasad:
Shri Bagri:
Shri Onkar Lal Berwa:
Shri Omkar Singh:
Shri Gulshan:
Shrimati Ramdulari Sinha:
Shri Gokulananda Mohanty:
Shri Rama Chandra Mallick:
Shri Kishen Pattnayak:
Shri Ram Sewak Yadav:

Will the Minister of Home Affairs be pleased to state the number of people arrested and or convicted or detained in connection with the "Ghera Dalo Satyagraha" launched by Sanyukta Socialist Party of India from the 14th to 25th September, 1964 in protest against Government's failure on the food front?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): Information is being collected from State Governments and Union Territories and will be laid on the Table of the House in due course.

Death of Children in Madhya Pradesh Refugee Camps

121. { Shri R. Barua:
Shri R. S. Pandey:
Shri Utiya:
Shri Hem Barua:

Will the Minister of Rehabilitation be pleased to state:

(a) whether an enquiry promised into the causes of death of 114 children in Madhya Pradesh Refugee Camps has been conducted by Government; and

(b) if so, the findings thereof?

The Minister of Rehabilitation (Shri Tyagi): (a) Yes, Sir. Further inquiries were made.

(b) The inquiries have established that the deaths occurred mainly in cases of diarrhoea, hyperpyrexia, and broncho-pneumonia. The strain of the journey from East Pakistan to India, and subsequently from West Bengal

to these camps, together with the unaccustomed severity of the summer in Central India and taken its toll on the children's health. Their resistance to disease was at a very low ebb. The initial reluctance on the part of the migrants to bring the cases of ailing children to the notice of the doctors was also an important factor. But for this reluctance, the doctors would have been able to adopt proper measures for treatment with the help of medicines available at the camps; and

possibly, some lives could have been saved.

The deaths could not be attributed either to any delay in posting of doctors or to any inadequacy of medicines, drugs, or of sanitation arrangements. There were three doctors, one for each camp. Two of them had joined in April, 1964 and the third on 4th May, 1964. During the period May to August, 1964, the population of the three camps, namely, Kotmi, Patuapur and Temru was as under:

Names of camps	May	June	July	August, 1964
1. Kotmi	3,349	3,198	3,038	3,027 (Persons)
2. Patuapur	3,603	3,567	3,361	3,361 (Persons)
3. Temru	1,005	3,669	3,669	3,627 (Persons)

The value of medicines supplied during May and June was Rs. 7,790.46 and Rs. 2,191.58 respectively. Subsequently till the end of August further supplies valued at Rs. 31,995 were arranged. Anti-cholera injections were given to the migrants as soon as they arrived, and there was sufficient stock of sulpha drugs in the camps. The provision of latrines was adequate. Adequate arrangements had also been made for the supply of drinking water which was suitably treated before distribution.

cently appointed a senior officer experienced in revenue matters to make a detailed survey and submit a scheme, which is awaited.

Development of Petro-chemicals

123. **Shri Hem Barua:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether Government have now drawn up any plan for the development of petro-chemicals in the country;

(b) whether it is a fact that certain foreign countries have offered their co-operation in the matter;

(c) if so, the nature of co-operation offered as also the countries interested in the project; and

(d) how Government propose to utilise this offer?

The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan): (a) Certain tentative plans have been drawn up for the development of petro-chemicals industries in the country.

(b) Yes.

(c) Firms from the U.S., U.K., West Germany, East Germany, the Netherlands and Japan have shown

Pak Infiltration in Assam

122. { **Shri Hem Barua:**
Shri Prakash Vir Shastri:
Shri Jagdev Singh
Siddhanti:
Shri Yashpal Singh:
Shri Pottakkatt:
Shri A. V. Raghavan:

Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1685 on the 30th September, 1964, regarding the proposal for the creation of a belt along the Assam-Pakistan border and state at what stage the matter stands now?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): The Government of Assam have re-

some interest in the Gujarat Petrochemical Complex. While all such firms have offered technical collaboration, a few have offered financial collaboration as well.

(d) Government are awaiting detailed offers of collaboration both in the technical and financial spheres for the Gujarat Complex.

Oil and Natural Gas Commission

124. Shri Surendra Pal Singh: Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that the Audit Report on the Annual Accounts of the Oil and Natural Gas Commission for the year 1961-62 has revealed serious irregularities and lapses, financial as well as administrative, resulting in heavy losses to the Exchequer; and

(b) if so, on how many persons the responsibility for these lapses and irregularities has been placed and the action taken against the guilty persons

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):
(a) Yes, Sir.

(b) Eight persons appear to be involved in these cases. Necessary disciplinary proceedings have been initiated by the Oil and Natural Gas Commission against the officers concerned.

Traffic Offences in Delhi

**125. { Shri Surendra Pal Singh:
Shri Vishram Prasad:
Shri Bagri: .**

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that during a special drive carried out by the Delhi Police to detect violation of traffic rules, the largest number of offenders were found amongst the ranks of the D.T.U. Bus Drivers; and

(b) if so, how many cases of violation of traffic rules were registered against the D.T.U. staff during the latter half of September, 1964 and how many of them were prosecuted and convicted?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) There was a special drive in September, 1964, to detect traffic offences by the D.T.U. drivers.

(b) The figures are as follows:—

- (i) Total number of cases registered against the D.T.U. staff 580.
- (ii) Total number of cases so far sent to the court for orders..... 189.
- (iii) Total number of cases ending in conviction.. . . . 45.

Mountaineering Institute at Manali

126. Shri Surendra Pal Singh: Will the Minister of Education be pleased to state:

(a) whether it is a fact that a Special Committee was set up a few months back to suggest ways and means of reorganizing the Western Himalaya Mountaineering Institute at Manali (Punjab);

(b) if so, whether Government have received the recommendations of this Committee; and

(c) action being taken to implement them?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) and (b). Yes, Sir.

(c) A draft scheme has been drawn up on the basis of the recommendations of this Committee and is under examination.

Increments to Assistants and Stenographers

127. { Shri R. G. Dubey:
Shri Yashpal Singh:
Shrimati Savitri Nigam:
Shri M. L. Dwivedi:
Shri P. C. Borooah:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that a proposal to give an increment to the Assistants and Stenographers of the Central Government, which was due to them since the Report of the Second Pay Commission has been rejected; and

(b) if so, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) and (b). There has been no proposal to grant an increment to Assistants or Stenographers of the Central Government. A representation, however, was received from the Assistants' Association for revision of the minimum of the pay scale from Rs. 210 to Rs. 220 but the request could not be agreed to because of the specific recommendations of the Pay Commission and the possible repercussions in other Services. The pay scale of Assistants and Stenographers was, however, improved by reducing the span of the time scale from 24 to 22 years.

Triple Benefit Scheme for Teachers

128. { Shri S. M. Banerjee:
Shri Daji:

Will the Minister of **Education** be pleased to state:

(a) whether the triple benefit scheme for teachers has been implemented in all the States;

(b) the total amount paid by the Central Government to State Governments; and

(c) the amount and percentage of recurring and non-recurring expenditure to be borne by the Centre?

The Minister of Education (Shri M. C. Chagla): (a) No, Sir.

(b) and (c). The exact amount of central assistance availed of by State Governments for this scheme is not known. Central assistance for the scheme is not given separately. Assistance at the rate of 50 per cent is given for expenditure on this scheme to State Governments through block grants if they include this scheme in their State Plan.

Oil Prices

129. { Shri N. R. Laskar:
Shri Bibhuti Mishra:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether the working group on oil prices has submitted its report;

(b) if so, the main recommendations of the working group; and

(c) the reaction of the Government to those recommendations?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) No, Sir.

(b) and (c). Do not arise.

Limited Competitive Examination for I.A.S.

130. { Shri N. R. Laskar:
Shri P. R. Chakraverti:
Shrimati Savitri Nigam:
Shri Sezhiyan:
Shri A. V. Raghavan:
Shri Pottekkatt:
Shri J. B. S. Bist:
Shri Y. S. Chaudhary:
Shri Vishram Prasad:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have given up the idea of holding a limited competitive examination for recruitment

to the Indian Administrative Service;
and

Uttar Pradesh	19.54
West Bengal	18.09
TOTAL	149.99

(b) if not, the reasons for the delay in arriving at a decision?

The Minister of State in the Ministry of Home Affairs (Shri Hathi):
(a) and (b). The whole matter is still under consideration.

Secondary Education Grants

131. Shri N. R. Laskar: Will the Minister of Education be pleased to state:

(a) whether all the States have utilised the benefit offered by the Ministry for assistance on a 100 per cent grant basis for selected schemes for secondary schools;

(b) if not, the names of the States which have failed up till now to avail themselves of this benefit; and

(c) the amount of assistance given to various States under these schemes?

The Minister of Education (Shri M. C. Chagla): (a) to (c). The centrally sponsored scheme for 'Improvement of Secondary Education' was communicated to State Governments in September, 1964 and it is too early to assess the progress in the utilisation of assistance under the scheme. No State has informed the Ministry that it is not availing of the Scheme.

The amount of assistance allocated to the different States for 1964-65 is as under:—

(Rs. in lakhs)

Andhra	9.61
Assam	4.08
Bihar	14.23
Gujarat	6.24
Jammu & Kashmir	2.85
Kerala	5.52
Madhya Pradesh	15.07
Madras	6.93
Maharashtra	16.75
Mysore	9.14
Nagaland	0.05
Orissa	3.49
Punjab	7.99
Rajasthan	7.99
	10.41

महिला पर्वतारोही की मृत्यु

132. { श्री नवल प्रभाकर :
श्री श्रीकार लाल बेरवा :
श्री श्रीकार सिंह :
श्री राम सेवक :
श्री फ० गो० सेन :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हिमाचल असोसिएशन के पर्वतारोही दल की एक सदस्या ग्लेशियर गिरने के कारण मर गयी;

(ख) इस दल में कुल कितने सदस्य थे; और

(ग) क्या इस दल के बाकी सदस्य पर्वतारोहण के लिए आगे बढ़े बिना ही वापिस लौट आये हैं ?

शिक्षा मंत्रालय में उप-मंत्री (श्रीमती सौन्दरान रामचन्द्रन) : (क) जी, हां, परन्तु मृत्यु गिरते हुए पत्थर की चोट से हुई थी।

(ख) नौ।

(ग) जी, हां, फिर भी उपर्युक्त 'क' में घटित घटना के कारण पर्वतारोहण नहीं छोड़ा गया था, बल्कि खराब मौसम की हालातों और बोझा ढोने वाले कुलियों द्वारा आगे बढ़ने से इंकार करने के कारण छोड़ा दिया गया था। सदस्या की मृत्यु के पहले ही पर्वतारोहण छोड़ दिया गया था। वास्तविकता यह है कि उनकी मृत्यु लौटती बार हुई थी।

अध्ययन के कुल घंटे

133. { श्री नवल प्रभाकर :
श्री सिद्धेश्वर प्रसाद :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय शिक्षा मंत्रालय ने राज्यों के शिक्षा विभागों को वर्ष में अध्ययन

के कुल घंटे बढ़ाने के लिये कोई आदेश भेजे हैं;

(ख) यदि हां, तो दिल्ली में एक वर्ष के लिये अध्ययन के कुल कितने घंटे निर्धारित किये गये हैं; और

(ग) इस में वृद्धि करने के पश्चात् कुल कितने घंटे का अध्ययन हो जायेगा ?

शिक्षा मंत्री (श्री मु० क० चागला) :

(क) जी हां ।

(ख) और (ग). 1237 घंटे, जबकि 1961-62 में 1100 घंटे थे ।

संयुक्त सदाचार समिति

{ श्री नवल प्रभाकर :
134. { श्री प० कुन्हन :
 { श्री नम्बियार :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) संयुक्त सदाचार समिति ने अब तक भ्रष्टाचार के कितने मामलों की जांच की;

(ख) उनमें से कितने मामलों में सरकार ने कार्रवाई की;

(ग) उन मामलों में कितने व्यक्तियों को भ्रष्टाचार का दोषी पाया गया; और

(घ) कितने व्यक्तियों के विरुद्ध अभियोग चलाये गये हैं ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हाथी) : (क) संयुक्त सदाचार समिति एक अशासकीय निकाय है। सरकार को केवल उन्हीं मामलों की शिकायतों की सूचना है जो इस समिति द्वारा उसे भेजे गये हैं। जिस अवधि में इस समिति ने अपने प्रधान (श्री गुलजारी लाल नन्दा) के निवास स्थान पर शिकायतें प्राप्त कीं, अर्थात् 22-6-64 से

31-10-64 तक, इस समिति द्वारा केन्द्रीय मंत्रालयों और संघ राज्य-क्षेत्रों के बारे में भ्रष्टाचार के 120 आरोप सरकार के ध्यान में लाये गये ।

(ख) उन सब मामलों में कार्रवाई आरम्भ कर दी गई ।

(ग) और (घ). 45 मामलों में भ्रष्टाचार के आरोप सिद्ध नहीं हुए । 10 मामलों को प्रथम दृष्ट्या आगे जांच करने योग्य समझा गया । शेष पूछ-ताछ की विभिन्न अवस्थाओं में हैं ।

दिल्ली के कीर्तिनगर में गवर्नमेंट कालेज

135. श्री नवल प्रभाकर : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली के कीर्तिनगर में गवर्नमेंट कालेज की इमारत के निर्माण के लिये मंजूरी दे दी गई है;

(ख) क्या इमारत का स्थान चुन लिया गया है और यदि हां, तो वह कहाँ पर है और उसका क्षेत्रफल क्या है;

(ग) इसके निर्माण पर कितना खर्च होगा; और

(घ) इसका निर्माण सम्भवतः कब तक हो जायेगा ?

शिक्षा मंत्री (श्री मु० क० चागला) :

(क) अभी नहीं ।

(ख) कालेज के लिए, क्षेत्र की विकास योजना के अन्तर्गत, नजफगढ़ सड़क पर लगभग 1.5 एकड़ जमीन का स्थान निश्चित कर दिया गया है ।

(ग) प्राक्कलन अभी तैयार किये जाने हैं ।

(घ) आशा है कि निर्माण कार्य 1965-66 में प्रारम्भ हो जायेगा ।

School Education in Andamans

136. { Shrimati Savitri Nigam:
Shri M. L. Dwivedi:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that parents of students studying in Government schools in South Andamans stopped their wards from going to school on the 13th, 14th and 15th July, 1964 as a protest against the continuing deterioration in education in the Islands;

(b) the number of students on roll in each such school and the number of students who actually attended the classes during those three days of protest; and

(c) the action Government propose to take for improvement of education in the Andaman and Nicobar Islands?

The Minister of Education (Shri M. C. Chagla): (a), to (c). The requisite information is being collected from the Administration and will be placed on the table of the Sabha.

Committees in the Ministry of Petroleum and Chemicals

138. Shri Daljit Singh: Will the Minister of Petroleum and Chemicals be pleased to state:

(a) the total number of Committees and Sub-Committees which are functioning in his Ministry; and

(b) the total number of members on these Committees?

The Minister of Petroleum and Chemical (Shri Humayun Kabir):

(a) Four.

(b) Fifty-three.

Technical Research Institute in Kangra

139. Shri Daljit Singh: Will the Minister of Education be pleased to state:

(a) whether Government have decided to set up a technical research

institute in Kangra district of Punjab costing three crores of Rupees;

(b) if so, the proposed location of the institute; and

(c) when it will be set up?

The Minister of Education (Shri M. C. Chagla): (a) and (b). The establishment of a National Biological Laboratory under the Council of Scientific and Industrial Research is one of the approved schemes of the IIIrd Five Year Plan. The Governing Body of the Council at its meeting held on 29th September, 1964 approved the research programme and estimated financial outlay of Rs. 314 lakhs for the Laboratory. The Governing Body also accepted the recommendation of an Expert Committee to locate the Laboratory in the Kangra valley near Palampur.

(c). The Laboratory is expected to be developed during the IVth Five Year Plan period.

Cash Doles to Refugees

140. { Shri P. R. Chakraverti:
Shri P. C. Borooah:

Will the Minister of Rehabilitation be pleased to state:

(a) whether Government have received communication from the Chief Minister of Uttar Pradesh pointing out that the reduction or stoppage of cash doles to the refugee inmates of a camp, in the event of a family head getting work even of a short duration was not justified; and

(b) whether Government have taken into account the sense of insecurity and frustration the refugees are working under, in the context of unfortunate experiences they have gone through in the immediate past and have advised the officials to make human interpretation of the rules pertaining to them?

The Minister of Rehabilitation (Shri Tyagi): (a) Yes, Sir.

(b). The relevant orders have been clarified and instructions have been issued to the effect that in cases of casual employment provided by the camp authorities for a period less than two months there will be no reduction or stoppage of doles; in cases of such employment for more than two months, 50 per cent of the earnings or Rs. 10 whichever is less, will be deducted from the doles payable. But no reductions in doles will be made where a migrant has found casual employment on his own initiative in any private or business concern or where he is carrying on some professional business or trade within the camp premises without any financial assistance from the Government.

Annuities for University Teachers

141. { Shri A. V. Raghavan:
Shri Pottekkatt:

Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 2617 on the 29th April, 1964 and state:

(a) whether the scheme to provide annuities or insurance for university and college teachers has since been finalised;

(b) if so, the main features of the scheme; and

(c) when it will be implemented?

The Minister of Education (Shri M. C. Chagla): (a) to (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-3380/64].

Employees of Kerala Government

142. { Shri Pottekkatt:
Shri A. V. Raghavan:
Shri Kappen:

Will the Minister of Home Affairs be pleased to state:

(a) whether there is a large number of employees in the Government of Kerala who have not received any

promotion or increments in salary because their temporary services in the department were not taken into consideration for fixing seniority;

(b) the number of such employees who have been absorbed in the permanent cadre without any break of service;

(c) the period, they served in the temporary posts; and

(d) whether any relaxation has been made in the case of certain employees by counting their temporary services for purpose of promotion and increments in salary and if so, their number?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):

(a) to (d). The information is being collected and will be laid on the table of the House as soon as possible.

Consumption of Barrels and Drums

143. **Shri K. N. Tiwary:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) the present consumption of barrels and drums by the Petroleum Industry in India; and

(b) the estimates of projected demand till the end of the Fourth Five Year Plan?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): (a). The present annual consumption of barrels and drums in the petroleum industry is as follows:—

(i) Barrels for packing lubricants:
14 lakh pieces

(ii) Drums for packing bitumen:
24 lakh pieces.

(b) It is not possible to give precise figures, but according to present indications, the demand for barrels for lubricants is likely to be 41 lakh pieces and for bitumen drums 51 lakh pieces at the end of the Fourth Plan.

Fuel Gas Plants

144. **Shri P. C. Borooah:** Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether the Indian Institute of Petroleum has recommended the establishment of more fuel gas plants based on naphtha in major cities;

(b) if so, the decision, if any, taken in the light of this recommendation;

(c) the total quantity of naphtha available in the country particularly that from the Gauhati Refinery;

(d) the composition of naphtha available from various sources; and

(e) how and to what extent it is being utilised at present and what is the surplus available at present for feeding the proposed fuel gas plants in the country in general and from Gauhati Refinery in particular?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) Yes, Sir.

(b) The matter is under examination.

(c) & (e) During 1963, 1,342,384 tonnes of motor gasoline and 19,438 tonnes of naphtha were produced in the country, and utilised as follows:

Motor Gasoline for internal consumption: 957,015 tonnes.

Motor Gasoline for export: 364,759 tonnes.

Naphtha for fertiliser manufacture, 25,633 tonnes.

As such there was no appreciable surplus of naphtha. It is not possible to give the figures of production from the Gauhati Refinery separately owing to the restrictions imposed by the Defence of India Rules.

(d) Most of the naphtha produced is of the "straight-run" variety.

Graduates of Kashi Vidyapith

145. **Shri Bibhuti Mishra:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that many State Governments (including the Government of Bihar) do not allow the graduates of Kashi Vidyapith, who have passed after 1947, to sit in examinations for appointment to State services;

(b) if so, the reasons therefor;

(c) whether the Union Government are aware that the Kashi Vidyapith has been given a university status by the University Grants Commission under Section 3 of the University Grants Commission Act of 1956; and

(d) if so, the steps Government propose to take to make the graduates of the Kashi Vidyapith eligible for appointment to Government services both Central and State?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):

(a) The Government of India have no information on this point. The State Governments follow their own policy in the matter of recognition of qualifications for purposes of admission to examinations for appointment to Services under them.

(b) Does not arise.

(c) Yes, Sir. This is effective for a period of three years at present.

(d) The Government of India have already recognised 'Shastri' Examination of this Vidyapith as equivalent to B.A. Degree, for purposes of employment to services and posts under them. This recognition is at present valid upto 17-9-1965. As regards State Services, the position has been explained under part (a) above.

Kashi Vidyapeeth, Varanasi

146. **Shri Bibhuti Mishra:** Will the Minister of **Education** be pleased to state:

(a) whether the question of making Kashi Vidyapeeth, Varanasi, a

central statutory university is under consideration of Government; and

(b) if so, when a decision is likely to be taken?

The Minister of Education (Shri M. C. Chagla): (a) No, Sir.

(b) Does not arise.

Overseas Chinese Association of India

147. Shri Tridib Kumar Chaudhuri: Will the Minister of Home Affairs be pleased to state:

(a) whether Government's attention has been drawn to the activities of the Overseas Chinese Association of India which owes political allegiance to the Chinese Republican Government of Taiwan; and

(b) whether this Association is allowed to freely carry on propaganda and publicity in favour of the Taiwan regime in the Press and otherwise in this country?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a). Yes, Sir.

(b) The Association has not come to notice for indulging in propaganda activities which call for action by the Government.

University for Assam Hill Districts

**148. { Shri R. Barua:
Shri P. C. Borooah:
Shri R. S. Pandey:
Shri D. D. Mantri:**

Will the Minister of Education be pleased to state:

(a) whether the Wadia Committee's report about the setting up of a university or an institute for the Hill Districts of Assam has been considered by Government;

(b) if so, what will be the complex of the institution to be set up; and

(c) how far such an institute will bring about an integrated approach

to higher education in the eastern region consisting of Assam, Nagaland, NEFA and Manipur?

The Minister of Education (Shri M. C. Chagla): (a) to (c). The report of the Committee recommending the setting up of a University or an institution "deemed" to be a University in the North Eastern Region of India is under consideration of the Central Government.

Panel of Experts

**149. { Shri D. D. Puri:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shrimati Savitri Nigam:
Shri M. L. Dwivedi:**

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have finalized the panel of experts decided upon to be formed in the medical, engineering and teaching fields;

(b) if so, the composition and functions of the panel; and

(c) if not, when the panel is expected to be formed?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) to (c). The reference is presumably to the panels of experts maintained by the Ministry of Home Affairs for meeting certain demands from developing countries of Asia and Africa. There can be no finalisation of panels, but once formed, they are continued by additions and deletions.

The number of persons at present borne on medical, engineering and teaching panels are given below:—

Medical	242
Engineering	694
Teaching	507

These panels are drawn upon when persons from them are found suitable for meeting the demands.

Price of Natural Gas

150. **Shri Vidya Charan Shukla:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether Shri V. K. R. V. Rao has given his award regarding the price of Natural Gas to be supplied by the Oil and Natural Gas Commission for generation of power, fertilizers and State Project;

(b) if so, the salient features of the award; and

(c) when the award is likely to be implemented?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): (a) No, Sir.

(b) and (c). Do not arise.

Regional Formula in Punjab

151. { **Shri Kapur Singh:**
Shri Gulshan:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Punjab Government in a recent communique of 25th August, 1964, have reiterated the standing instructions to the effect that even in the Punjabi Region, below and upto district level, communications received in Hindi in Devnagari script "should be invariably replied to in the same language";

(b) whether it is a fact that the Punjab Government have purported to issue these instructions in implementation of the Regional Formula, the Punjab Official Languages Act and Article 350 of the Constitution;

(c) whether it is also a fact that these instructions are in contravention of the provisions of the Formula, the Act, and the Article aforementioned; and

(d) if so, the action taken or proposed to be taken in the matter?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N.

Mishra): (a) and (b). These instructions provide that a representation for the redress of any grievance may be submitted to any officer or authority of the State in any of the languages used in the State as provided in Article 350 of the Constitution, and that replies to such representations should go in the language and script of the petition as far as possible. The State Government have reiterated in their communique of 25th August 1964 (copy annexed) that they are committed to uphold the sanctity of the Regional Formula in both letter and spirit and that there is no shift in the language policy which has been in force in the State from before.

(c) No.

(d) Does not arise.

Car Thefts

152. { **Shri Yashpal Singh:**
Shri Kapur Singh:
Shri Solanki:
Shri Narasimha Reddy:
Shri P. K. Deo:

Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1541 on the 30th September, 1964, regarding car thefts in Delhi and state:

(a) whether the investigation into this matter has been completed; and

(b) if so, the result thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) No, Sir.

(b) Does not arise.

केन्द्रीय पुस्तक उत्पादन ब्यूरो

153. **श्री सरजू पाण्डेय :** क्या शिक्षा मंत्री 16 सितम्बर, 1964 के तारांकित प्रश्न संख्या 231 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि केन्द्रीय पुस्तक उत्पादन ब्यूरो स्थापित करने की दिशा में अभी तक क्या प्रगति हुई है ?

शिक्षा मंत्रालय में उपमंत्री (श्री भक्त-वर्शन) : इस प्रायोजना के विषय में अभी

योजना आयोग से विचार विमर्श किया जाना है, तदुपरान्त चतुर्थ पंचवर्षीय आयोजना में शामिल करने के लिये इसको अन्तिम रूप से अनुमोदित किया जायेगा ।

एशियाई देशों से अशोधित तेल

154. श्री सरजू पाण्डेय : क्या पेट्रोलियम तथा रसायन मंत्री 16 सितम्बर, 1964 के तारांकित प्रश्न संख्या 228 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि कुछ एशियाई देशों से पेट्रोल तथा अशोधित तेल के संभरण के लिये जो बातचीत चल रही थी उस में अभी तक क्या प्रगति हुई है ?

पेट्रोलियम और रसायन मंत्री (श्री हुमायून् कबिर) : मद्रास शोधनशाला के लिए ईरान की नेशनल ईरानियन आयल कम्पनी को, जो अमोको इण्टरनेशनल आयल कम्पनी के साथ काम करेगी, अनन्य बातचीत (exclusive negotiations) के लिये चुन लिया गया है ।

Kerala Education Directorate

155. { Shri Warior:
Shri Daji:

Will the Minister of Education be pleased to state:

(a) whether the Education Directorate was re-organised in Kerala as a result of the acceptance of the report of the special officer appointed for the purpose; and

(b) if so, the details thereof?

The Minister of Education (Shri M. C. Chagla): (a) and (b). The recommendation is reported to be under consideration of the State Government.

Arrests under D.I.R.

156. { Shri Daji:
Shrimati Vimla Devi:

Will the Minister of Home Affairs be pleased to state:

(a) the number of satyagrahis and others arrested throughout the coun-

try under D.I.R. for participating in a movement to bring down the prices of foodgrains; and

(b) the number amongst them still in detention?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) and (b). The information is being collected and will be laid on the Table of the House in due course.

Prayer in Secondary Schools

158. { Shri Sivamurthi Swamy:
Shri Vishwa Nath Pandey:

Will the Minister of Education be pleased to state:

(a) whether any decision has been taken to introduce a prayer and pledge of the Constitution of India in secondary schools and colleges; and

(b) if so, the actual text thereof and the procedure to be followed in all schools?

The Minister of Education (Shri M. C. Chagla): (a) and (b). The recent session of the Central Advisory Board of Education has made a recommendation about a pledge to be taken by all students and teachers at the beginning of each working day. It has also been suggested that this pledge should be translated into regional languages and printed in every textbook and school calendar.

The text of the pledge recommended is as under:

"India is my country, all Indians are my brothers and sisters.

I love my country, and I am proud of its rich and varied heritage. I shall always strive to be worthy of it.

I shall give my parents, teachers and all elders respect, and treat every one with courtesy.

To my country and my people, I pledge my devotion. In their well-being and prosperity alone lies my happiness."

The Central Government has decided to accept the recommendation as far as the Union Territories are concerned. In regard to the States, the State Governments will, it is expected, implement the recommendation.

Adulteration of Foodgrains

159. **Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) whether some complaints of mixing of wheat and pulses with inferior qualities of commodities and of weighing less by the Central Government Consumer Co-operative Stores have come to the notice of Government; and

(b) if so, the action taken in such cases?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) and (b). No complaints of mixing of wheat and pulses with inferior qualities of commodities have so far been received. Complaints of wrong weightment which are very rare are attended to promptly and mistakes rectified immediately.

Fertiliser Plant, Kothagudium

160. **Shri Eswara Reddy:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) the amount of loan agreed to by the International Bank for Reconstruction and Development to M/s. Andhra Sugars for the proposed fertilizer plant at Kothagudium (Andhra Pradesh);

(b) when the construction of this plant will commence; and

(c) when the plant is likely to be commissioned?

The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan): (a) The International Bank of Reconstruction and Development have agreed in principle to give a loan of \$18 million for the Kothagudium Fertiliser Project.

(b) The party expects to commence civil engineering works at site during January/February, 1965 subject to their obtaining possession of land by that time.

(c) According to the party the plant is expected to go into production during the first quarter of 1967.

Sadachar Samiti in Kerala

162. { **Shri P. Kunhan:**
Shri Nambiar:

Will the Minister of Home Affairs be pleased to state:

(a) whether is it a fact that public servants in Kerala have been permitted to join the Sadachar Samiti only on certain conditions; and

(b) if so, the nature of those conditions?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) and (b). The information is being collected from the Government of Kerala and will be placed on the table of the House as soon as possible.

Oil Find at Howrah

163. { **Shri Nambiar:**
Dr. Saradish Roy:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that oil was recently found from a tube-well at the junction of Round Tank Lane and Baubehari Basu Road at Howrah; and

(b) if so, the steps taken by Government in the matter?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): (a) and (b). Information is being collected and will be laid on the table of the House.

Oil concessions for Kuwait

164. { Shri P. R. Chakraverti:
Shri P. C. Borooah:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether the Chairman of the Oil and Natural Gas Commission recently visited Kuwait for talks for an oil concession there;

(b) if so, the nature of concession sought; and

(c) the result of the talks?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): (a) and (b). The Chairman, ONG Commission visited Kuwait to continue discussions on a number of questions including the possibility of exploration for oil in Kuwait.

(c) The matter is still under consideration.

Engineering College at Tirunelveli

165. **Shri Sezhiyan:** Will the Minister of **Education** be pleased to state:

(a) whether a proposal to start an Engineering College at Tirunelveli by a private party has been received by Government; and

(b) if so, the reaction of Government thereto?

The Minister of Education (Shri M. C. Chagla): (a) No, Sir.

(b) Does not arise.

Vigilance Commission in Kerala

166. { Shri Pottekkatt:
Shri A. V. Raghavan:

Will the Minister of **Home Affairs** be please to state:

(a) whether there is any proposal to constitute a vigilance commission in Kerala;

(b) the reasons for the delay in constituting such a commission; and

(c) when the appointments will be made?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) Yes, Sir.

(b) and (c). We are in correspondence with the Government of Kerala.

Primary School Buildings in Rajasthan

167. **Shri Karni Singhji:** Will the Minister of **Education** be pleased to state the amount of loan or subsidy granted to the Rajasthan State for the construction of primary School buildings during 1962-63 and 1963-64?

The Minister of Education (Shri M. C. Chagla): No amount was sanctioned to the Rajasthan Government during the years 1962-63 or 1963-64.

Urdu-Medium Schools in Delhi

169. { Shri Gokulananda Mohanty:
Shri Rama Chandra Mullick:

Will the Minister of **Education** be pleased to state:

(a) the number of Urdu-medium High, Higher Secondary and Primary Schools now functioning under the Delhi Municipal Corporation and Delhi Administration;

(b) the number of such Hindi-medium schools; and

(c) the total amount of different grants received by such (i) Hindi-medium and (ii) Urdu-medium schools during 1963-64?

The Minister of Education (Shri M. C. Chagla): (a) to (c). The information is being collected from the Delhi Administration and will be laid on the Table of Sabha in due course.

Junior Basic Trained Teachers

171. **Shri Onkar Lal Berwa:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the Delhi Administration has given directions regarding recruitment of junior

basic trained teachers from other States;

(b) if so, the terms and conditions the candidates to be recruited will have to satisfy; and

(c) whether it is also a fact that those who possess one year certificate are also eligible for recruitment to the posts in 1964-65?

The Minister of Education (Shri M. C. Chagla): (a) to (c). The requisite information is being collected from the Delhi Administration and will be placed on the Table of the Lok Sabha.

Government Drug Farms in J. & K.

172. Shri Sham Lal Saraf: Will the Minister of Education be pleased to state:

(a) the progress made in taking over Government drug farms factories in Jammu and Kashmir State by the Council of Scientific and Industrial Research;

(b) whether after their being taken over, the pattern of running them has undergone some basic changes; and

(c) if so, the details thereof?

The Minister of Education (Shri M. C. Chagla): (a) The Farms and Factories were taken over by the Council of Scientific and Industrial Research in January, 1964. The terms and conditions of service of the former employees of the Farms and Factories transferred to the Council are being finalised in consultation with the State Government.

(b) and (c). The Farms and Factories have been separated into two units. In regard to the Farms, various steps to improve their productivity have been initiated, viz. provision of adequate water supply for irrigation; prevention of water logging, as may be needed; construction of approach roads and supply of power for tube-wells etc.

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In regard to factories, the position is as follows:

- (1) Modern plants both for the Factory at Jammu, as well as the Factory at Srinagar are being designed.
- (2) The production of the Factory at Srinagar has been stepped up.
- (3) Steps are being taken for recruitment of more technical personnel.

Price Resistance in Delhi

173. Shri Hem Raj: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Price Resistance Movement in Delhi is gaining strength and it has checked the profiteering by traders; and

(b) if so, what incentive Government propose for strengthening such movements?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) The Price Resistance Movement is gaining strength and momentum.

(b) Permits for appropriate quantities of sugar, Maida, Suji and Atta have been issued to the organisers of the movement on demand. The Organisers are being persuaded to form cooperative societies so that financial assistance and other facilities may also be extended to them.

Price Resistance in Delhi

174. Shri Hem Raj: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the un-social elements amongst the dairy owners attacked the peaceful picketeers of the Price Resistance Movements on the 1st November, 1964 at Kirti Nagar with lathis, knives and iron bars and gave them serious blows;

(b) whether it is also a fact that on report being made the police did not come to scene but arrived very very late; and

(c) if so, the action taken against them?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) There was exchange of hot words between some milk vendors and local price rise resisters on 1st November, 1964 at Kirti Nagar which led to an open fight between them.

(b) No sir, the police arrived within half an hour of the receipt of information.

(c) The cases against the two parties are under investigation.

Consumer Goods to Government Employees

175. Shri Surendra Pal Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether Government have taken any decision to make consumer goods available to all Government employees in the Capital at a no-profit no-loss basis; and

(b) if so, how Government propose to deliver the goods to the employees?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) and (b). No, Sir. Government have, however, set up as a welfare measure the Central Government Employees Consumer Co-operative Society Ltd., New Delhi, to supply the Central Government employees working in Delhi New Delhi essential commodities, consumer goods, textiles etc. at fair and reasonable prices.

Sadachar Samiti

176. Shri Vishwa Nath Pandey:
Shri Ram Harkh Yadav:

Shri Ram Sewak:
Shri P. G. Sen:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Central Government Departments have been asked to provide necessary co-operation and facilities to the Sadachar Samiti Workers in their Anti-Corruption Drive; and

(b) whether the Ministry of Home Affairs in a memorandum to various Ministries urged that suitable instructions should be issued to this effect?

The Minister of Home Affairs (Shri Nanda): (a) and (b). The Ministry of Home Affairs have requested all Ministries to issue suitable instructions to ensure that such co-operation and facilities are afforded to the workers of the Samiti as they may require for carrying out their activities. It has been explained that the objectives of the Samiti are to create a social and moral climate in the country to foster high ethical values and sustain the will and capacity of the people to fight corruption and to help launch and intensify a widespread campaign for this purpose.

12.05 hrs.

RE: MOTION FOR ADJOURNMENT AND CALLING ATTENTION NOTICE.

LAW AND ORDER SITUATION IN ORISSA

Mr. Speaker: I will now take up the adjournment motion given notice of by Shri Surendranath Dwivedy, Shri Kishen Pattnayak, Shri S. M. Banerjee, Shri Tridib Kumar Chaudhuri, Shri N. G. Ranga, Shri Narendrasing Mahida, Sardar Kapur Singh and Shri Himmatsinghji and the Calling Attention Notice of Shri H. C. Kachwal, Sardar Kapur Singh, Shri Surendranath Dwivedy, Shri Hem Barua, Shri Umanath, Shri Yashpal Singh, Shri P. Venkatasubbaiah and Shri D. C. Sharma. I have heard a

few hon. Members on this already. I will now hear only Shri Nath Pai.

Shri S. M. Bamerjee (Kanpur): I thought you were already satisfied about its admissibility.

Mr. Speaker: I did not know that.

Shri Nath Pai (Rajapur): Mr. Speaker, the question which is posed here is rather of vital importance to the proper understanding of the constitutional framework under which we function. It is germane, I beg to submit, to the understanding of our relations between the Union and the States and, therefore, I shall claim your indulgence for the submission which I have to make.

Mr. Speaker: It should not be a long speech.

Shri Nath Pai: Not necessarily. It will be as brief as necessary to make my point clear. Yesterday I quoted article 353 which only talks of the rights of the Union Government. I should now like to quote article 355 which casts an obligation and duty on the Union Government under conditions which are identical with those which I beg to submit have today arisen in the State of Orissa. The adjournment motions of Shri Surendranath Dwivedy and mine are based on the provisions of this article. May I read the text? It says "the failure of the Union Government to discharge its obligation to direct the State of Orissa...."

Mr. Speaker: Where does his adjournment motion come in?

Shri Nath Pai: I can plead for mine because they are identical. They use the same language—"the failure of the Government of India to intervene and take adequate measures to bring about normal conditions in the State of Orissa despite...."

Mr. Speaker: I have disallowed his.

Shri Nath Pai: May I read mine?

Mr. Speaker: It is too late. We are already seized of this adjournment motion of Shri Dwivedy.

Shri Nath Pai: I am speaking on the admissibility of the adjournment motion of Shri Surendranath Dwivedy. May I read article 355? It says:

"It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution."

Mr. Speaker I want to bring to your attention two imperative conditions here and if I succeed in satisfying you that these two conditions laid down in this article are complied with by this adjournment motion, then I think it becomes almost mandatory that it is admitted by you. The first condition is "disturbance". There is a duty cast on the Union to protect every State against external aggression and internal disturbance. The Union Government has a constitutional duty to protect every State against internal disturbance. Now it cannot be denied that in the State of Orissa lawlessness has reached a dimension where the very concept of constitutional government and the rule of law are not only brought into contempt but they are in jeopardy. The fundamental rights provided in articles 13 to 32 are being blatantly, palpably and arrogantly violated by that government every day. Today there was a report in the press that a jail was broken open and 11 prisoners were set free. Yesterday a reference was made to an appeal made by the High Court bar of Orissa, requesting for the intervention of the Union Government.

Shri Surendranath Dwivedy (Kendrapara): It is a reign of terror.

Shri Nath Pai: It has not been denied even by the Government here that conditions which are far from normal are prevailing today in the

[Shri Nath Pai.]

State of Orissa. I want to know whether it is not fully satisfactory that this requirement, namely, that the state of disturbance exists, has been satisfied. In the State of Orissa today there is no law and the lawlessness has assumed a proportion when a party, which claims to be the Government but whose moral and political mandate has come to an end, is continuing to occupy the position of power without having the authority or the power to exercise that power.

The second condition which we should satisfy is that the Government of every State is carried on in accordance with the provisions of this Constitution. On a previous occasion when the Union did intervene, Shri Thakur Das Bhargava, a very venerable Member of this House, had this to say which being germane to our consideration I beg your permission to read. It is in the Lok Sabha Debates of the 20th August, 1959. It says:

"This Constitution is fully powerful and it invests the President with these powers."

He is asking the question when such lawlessness becomes the order of the day in a State, is this Parliament, is the Union Government helpless, powerless? Can we not act? My submission is that we have ample powers. Orissa offers a classical example when the Union Government can act and must act. If we are not aware of our powers, we will be charged with gross dereliction of our duty.

I want to submit that the criterion which we applied when the President was asked to intervene in the State of Kerala in 1959 is identical with the conditions today prevailing in the State of Orissa.

Some Hon. Members: No, no.

Shri Surendranath Dwivedy: It is worse than that.

Shri Nath Pai: We cannot have different criteria for discharging our

duties in respect of the two States. I have repeated that there is lawlessness, complete and unabashed, in the State of Orissa. I have said that there is every day violation of constitutional rights. What the Union Government is required to do is not to protect the Government of Orissa but it is required under the Constitution to protect the State. The interpretation of that word here is very clear, that is, to protect the people of Orissa from lawlessness from a Government which is unable to govern in this State.

I submit to you that, in the light of these very clear provisions and in the light of what has been established by this House when it gave consent in 1959 for the intervention of the Government in Kerala, you be pleased to accept this adjournment motion.

I have one plea to make to Shri Nanda. He should emulate the brilliant example of his colleague who yesterday showed the goodness and the courage to accept that there was a failure. Shri Nanda should emulate Shri Subramaniam and say that he has been remiss in not intervening energetically.

Finally, may I say that we will be allowing the Army to be used to prop into power a Cabinet, a Government, a regime whose moral basis has been destroyed by the report of the Central Bureau of Investigation that it is tainted with corruption? I think, it is a very pernicious practice. The powers given to the Union Government are not to be employed to prop up such regimes but to defend the people against the perpetuation of the authority of a regime like this. I submit to you, therefore, that you too admit our motion so that we can fully censure this Government for its failure in the State of Orissa.

The Minister of Home Affairs (Shri Nanda): Sir, it is true....

Shri D. C. Sharma (Gurdaspur): Sir, I had sent a calling-attention

notice and I want to say something
on that

Mr. Speaker: It is the adjournment motion that I have taken up first.

Shri Nanda: It is unfortunately true that in the State of Orissa there was a bad situation in respect of law and order.

Shri Nath Pai: There is; it continues.

Shri Nanda: Let me proceed. A series of incidents occurred which cannot but be described as deplorable in the extreme, but the question before you and before the House now is whether a discussion on this subject is permissible in terms of the Constitution and the Rules. I am going to deal with that.

I submit, Sir, that it is not within the purview of Parliament to deal with this motion here and I shall explain briefly my reasons. It is very well known and well understood that law and order in a State lies entirely within the sphere of that State; it is a State subject. It comes under List II of the Seventh Schedule of the Constitution.

Shri D. C. Sharma: Not entirely.

Shri Nanda: I am dealing with it. I am going to take other points also. It is sought to differentiate this case from the general position. Therefore, I shall deal with the points, the grounds, which have been urged to make a distinction.

One of the grounds is that the assistance of the army has been obtained and it was said that the Centre sent the army. Now, from the point of fact, that is not so although that does not make any material difference. The Government asked for the assistance of the army and the support of the civil power and it is within its competence to do so. Even a district magistrate can do so in certain situations. Therefore, that is no reason at all that because as a standby troops were called there that should bring it within the purview of Parliament.

Shri Ranga (Chittoor): It is not only in Bhubneshwar but in a number of places.

Shri Nanda: I may refer to List II, item 1. It has been stated there:

"Public Order (but not including the use of naval, military or air forces or any other armed forces of the Union in aid of the civil power)".

That is one thing.

The second point raised by hon. Member Mr. Ranga was that it is not a matter confined to one place, that is, Bhubneshwar but that disorders have taken place in several places. Well, it may be in one place or in five places; again it is a law and order situation and it is entirely the responsibility of the State to deal with that situation.

Shri Nath Pai: He has to admit that there is a state of lawlessness.

Mr. Speaker: He will have now.

Shri Nambiar (Tiruchirapalli): He is not giving the real facts. There is a general breakdown.

Mr. Speaker: He has to hear him.

Shri Nanda: There is no such thing. I have all the information with me. Things have appeared in the press. I have been in touch with the things. It has been held against us that we sent the Cabinet Secretary to the State. Of course, we want to keep in touch with what has been happening there. Even then, that does not change the jurisdiction.

The other point which the hon. Member tried to urge was the question of some allegations made against the Chief Minister or Ministers. I do not know whether there is a casual relation between this and that and whether this has been caused because of that. In the first place, I would say, there is no delay at all. I can say that there has been no delay in

[Shri Nandi]

dealing with this matter. (*Interruption*) Looking at the point of time, when we received these allegations..

Shri Surendranath Dwivedy: You received them in October.

Shri Nanda: The hon. Member has very little notion of what is involved in dealing with allegations covering a huge volume and extending to the transactions of various firms and companies and this and that.

Shri Nath Pai: What can we do if the crimes of your colleagues are voluminous?

Mr. Speaker: I would request the hon. Members to have patience. Let us hear the hon. Minister.

Shri Nanda: This only shows there can be fertile imagination also and lots of complaints and allegations can be thrown about. I am not pre-judging but I say that it is not that because there are many allegations, therefore all those allegations or any number of them are necessarily true.

Shri Surendranath Dwivedy: If one is true, that is enough. (*Interruption*).

Shri Nanda: Then, the question is that there is that report. I can add that the officers who worked on that did a very commendable job. Within the terms of their assignment, they have carried out the work expeditiously. Now, as to what it contains, immediately, as soon as that report came, I asked for comments regarding the points which arose out of it. That was done immediately and I believe, it is not going to take any length of time for the further stage whatever it is, of action. It is going to be taken up without any delay, maybe at the end of the month or maybe earlier. The point is, there is not going to be any delay in dealing with this case. Unless in the minds of any hon. Member there is a feeling that this other thing has something to do with it..

Shri Nath Pai: It has.

Shri Nanda: And then other inferences can be drawn.

Shri Nath Pai: It destroys the whole moral basis. (*Interruptions*).

Mr. Speaker: I request hon. Members to have patience. How can I decide a thing unless I am allowed to hear. (*Interruptions*).

Shri Nanda: The hon. Member himself is rather raising a dangerous inference if he comes to any such conclusion without those allegations having been dealt with and without any findings before us. If some people take it into their heads to do something with the students and others, it is a very wrong thing. If that is the inference—they say 'yes, it has something to do with it'..

Shri Surendranath Dwivedy: There is no such inference.

Shri Umanath (Pudukkottai): If the Ministry is headed by a person against whom there have been enquiries conducted by the Central Intelligence, by that itself it loses the moral authority.

Mr. Speaker: Order, order. If it continues in this manner I shall not be able to arrive at any conclusion at all. I have heard so many Members, and now I want to hear the Home Minister as well.

Shri Hem Barua (Gauhati): Let him admit that there is a psychological connection.

Mr. Speaker: Should he say what the hon. Members here want him to say?

Shri Nanda: The point is that it was well known to the hon. Members and to the people in Orissa that this matter had been taken up and something which was very unusual had been done, which was also resented. Officers of our Special Police Establishment, our Central Bureau of Investigation

had gone there and taken up the matter and gone into all the record and everything. That was done. And immediately as the report is received, further steps are being taken with the greatest promptness. And if other things arise there, it is regretted.

Mr. Speaker, we are dealing with the question of admissibility. Hon. Member Shri Mukerjee said something about judicial notice. The hon. the Speaker will know whether there is anything like a judicial notice so far as Parliament is concerned.

Then, hon. Member Shri Nath Pai referred to the Constitution.

I may add also that if anything in connection with these matters about the students' agitation etc. requires scrutiny, there is already a decision of the State Government that there will be a judicial enquiry. A judicial enquiry has been promised.

Shri Umanath: They have backed out.

Shri Nanda: As regards the point about the Constitution, I am not as much an expert as hon. Member Shri Nath Pai may be. But as far as my reading of it goes, there is no warrant for the conclusion that he draws.

First, I will have to refer to the adjournment motion its wording, as to what it is based on. There it is law and order. I have already said as to what bearing it has. Here it is a question of article 353. Article 353 says. . . .

Shri Surendranath Dwivedy: I am not interrupting the hon. Minister, but the adjournment motion reads like this: "The failure of the Government of India to intervene and take adequate measures to bring about normal conditions in the State of Orissa". We are dealing with that.

Shri Nanda: Exactly, law and order.

Shri Nath Pai: Not law and order. To defend the State against disturbances.

Shri Nanda: Article 353 says:

"notwithstanding anything in this Constitution, the executive power of the Union shall extend to the giving of directions to any State as to the manner in which the executive power thereof is to be exercised."

When "the executive power extends,"—it is possible to extend it because of the Proclamation of Emergency. But it is only when it has been extended through any direction given that the other situation can arise and not otherwise, and then, of course, Parliament comes into the picture, and not otherwise.

Then, my hon. friend has quoted another article.

Shri Nath Pai: That is the main thing.

Shri Nanda: Yesterday, it was the other thing, but today it is this article which is quoted.

Shri Nath Pai: That was the main thing. Both of them are to be read together.

Shri Nanda: Article 355 reads thus:

"It shall be the duty of the Union to protect every State against external aggression and internal disturbance. . . ."

There, one has to make a distinction in his mind qualitatively. If in a few places something occurs or some incidents take place or some trouble occurs, either spontaneous or instigated, and if immediately this article is to be brought into force, then I think that we in this Parliament will possibly be considering a number of such questions every day. In fact, there would be no need for a police force, if there are not occasionally some troubles here or there.

Shri Surendranath Dwivedy: These are not stray incidents, but these have been continuing for months.

Shri Nanda: If it is suggested that even when there are such stray incidents, this provision should operate, then it would mean that the provision of the Constitution that law and order is the responsibility of the State will come to nothing. So, we have to be very clear in our minds about whether law and order is the responsibility of the State or not, and then see whether any situation has arisen which will bring this exceptional provision in the Constitution into play. I may add that here the adjournment motion naturally relates to a matter of urgent public importance. There is the urgency.

Shri Nath Pai: It is public also.

Shri Nanda: I do not deny that it is a matter of public importance. The urgency would lie in the fact that there is a deteriorating situation and continuing deterioration, but the information that I have with me is that from the 13th onwards, there have only been isolated cases here and there, but the situation has improved distinctly, and it is not a deteriorating situation any longer.

Shri Nath Pai: Did the hon. Minister read today's papers?

Shri Nanda: I have said that isolated incidents may be there. I have not said that there is no case at all. I have said that there may be some isolated incidents.

Because the situation is improving, therefore, is it suggested that there has to be a discussion here?

Shri S. M. Banerjee: If there is a discussion, it will further improve the situation. (*Interruptions*).

Shri Nanda: It is said that discussion would improve the situation further. Apart from the question of

admissibility of the adjournment motion, I would submit that if the hon. Member wants further improvement, this is not going to be the way to improve the situation. The urgency and propriety lies in not discussing it here.

Shri S. M. Banerjee: Why support the wrong-door? (*Interruptions*).

Shri Frank Anthony (Nominated—Anglo-Indians): May I submit that there is one more information which is necessary for your decision? According to the press, the Central Government sent the Cabinet Secretary, Shri Khera. Was he sent *suo-motu*? What were his terms of reference? What was his report? And finally, did he, through the Central Government give a directive to the State Government that there would no longer be any parleys but they would have to act firmly and decisively? That information also would be necessary. Otherwise, you would not be able to give your decision under article 353.

Shri Nath Pai: Under article 355.

Shri Frank Anthony: Under article 353. We must know whether the Central Government have intervened? It is necessary to know it. Why was he sent there?

Mr. Speaker: I am not so much concerned with whether Shri Khera was sent, and what report he has brought.

Shri J. B. Kripalani (Amroha): Under what authority was he sent?

Mr. Speaker: Whatever that may be, I have only to decide whether this adjournment motion can be admitted. The admission of an adjournment motion depends upon facts, that is, upon whether they are admitted or they have been proved.

Shri Nath Pai: They have been admitted.

Mr. Speaker: In this case, the facts are not admitted.

Shri Nath Pai: He did admit. He said that it was a deteriorating situation.

Shri Nanda: I said that there was improvement in the situation.

Mr. Speaker: That is not enough. Simply because he says that it is deplorable and there have been disturbances, that does not necessarily lead to this conclusion that circumstances exist where it has become the duty of the Union Government to intervene and take upon itself to issue direction or do anything of that sort.

Here in the House several points have been urged. One of these is the one that has been referred to by Shri Anthony as well, that Shri Khera has been sent. He might have been sent. It is the duty of the Government, as the Home Minister said, to keep in touch with the developments taking place.

An Hon. Member: He was sent for inquiry.

Mr. Speaker: May be for inquiry. Even then, it is not relevant to the admissibility of the adjournment motion.

Now I come to art. 355:

"It shall be the duty of the Union to protect every State against external aggression and internal disturbance. . .

The Minister of Rehabilitation (Shri Tyagi): That we have done.

Mr. Speaker: Order, order. Really, who is to decide whether the internal disturbance is of this magnitude or of this nature?

Shri Nath Pai: You and I.

Mr. Speaker: It should be a matter of subjective adjudication: either the Governor should make a report or it should be the assessment of the Central Government that such circumstances exist, or it should be a resolu-

tion of Parliament to the effect that such circumstances have come into existence. Members can move this Parliament by a resolution that certain circumstances exist in the State which warrant action under such and such provision, and if Parliament resolves that really those conditions exist, then alone it can be said that the Government certainly becomes responsible for taking action under that.

Shri Surendranath Dwivedy: If Members feel that such a situation exists, have they not the right to bring an adjournment motion?

Mr. Speaker: No. Members are free to table an adjournment motion, but I have to decide whether it really merits admissibility. That is what I am dealing with now. The matter may be very urgent, it may be of public importance as well, but whether it can be discussed in the form of an adjournment motion that is before me that I have to decide.

Shri Ranga: It is a matter of urgency; it is a matter of public importance. Beyond that, with regard to the merits, as to whether there is disturbance or not, I do not think the Speaker is called upon to make any judgment.

Mr. Speaker: Yes, the Speaker is called upon to see that the facts should be either admitted or proved.

Shri Nath Pai: I have done both in this case.

Shri Ranga: The Speaker has to consider only two points: whether it is of urgency, whether it is of public importance. Beyond that, he has no jurisdiction.

Mr. Speaker: No. I claim that I have got jurisdiction to see also the facts. That is also very necessary. Unless the facts are either admitted or proved, no adjournment motion can take place.

Some Hon. Members: No, no.

Mr. Speaker: I would request hon. Members not to go on replying to every argument leading to further argument.

Shri Nath Pai: The facts were both admitted and proved in this case.

Shri H. N. Mukerjee (Calcutta Central): Apropos the words 'admitted or proved', is it meant by the Chair that the facts which are reported in the papers or reported by Members of Parliament have got to be acknowledged by the Government in power or have got to be proved by a judicial or quasi-judicial process before we come here?

Mr. Speaker: Just now a reference was made to the adjournment motion, which we discussed yesterday. Immediately the Minister said that he would not assert that there was no negligence, there was no failure, I allowed it. In this case, the Government deny those facts. Therefore, I cannot give an assessment of my own that the conditions are such. . .

Shri Ranga: The Speaker is not called upon to do that. Only two points are there for him to decide.

Mr. Speaker: The Speaker is called upon to do that and therefore he is giving his ruling.

Shri Surendranath Dwivedi: They will never admit those facts.

Shri Ranga: They won't.

Mr. Speaker: The second question raised is that the military was sent. As has been said here, earlier also I have held that a State Government has a right to request the Central Government to give it military aid under the Cr. P.C. If that is done, the responsibility of the State Government continues. The Central Government does not come in in that, or assume responsibility in that respect. Rather, if the State Government had asked for it and the Central Government had not given it, then there

would have been a failure on the part of the Central Government in not having given that assistance to deal with the situation. The Government says it has given that aid because it had been wanted by the State Government. It has been given in the discharge of their duties and I cannot come to the conclusion that there are circumstances, this is not for me to judge.

Shri Ranga: The Speaker has already judged unnecessarily, unfortunately.

Shri Nath Pai: I do not want to interrupt you, but once again I plead with you. I only want to know, because it is of the highest constitutional importance for our future guidance, the exact relationship of Parliament to the States, and it is on this that I want you once again to apply your mind, viz., in what conditions can Parliament ask the Union Government to dismiss a Government which palpably violates the provisions of the Constitution. Are we helpless, or do we have the power and the obligation?

Mr. Speaker: I thought I had dealt with it by saying that Parliament has every right to move a resolution and decide that such circumstances exist. That should be the adjudication by this Parliament. I have said that. Therefore, in the circumstances, I cannot admit this adjournment motion.

Shri Nath Pai: It is a very sad thing.

Shri Surendranath Dwivedi: We are very sorry.

Mr. Speaker: May be.

Shri Nath Pai: Very unfortunate.

12.43 hrs.

**CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE**

REPORTED ENTRY OF NAGA HOSTILES INTO
EAST PAKISTAN, BREAKDOWN OF NAGA
PEACE TALKS AND THE CLAIM OF NAGA
HOSTILES FOR AN INDEPENDENT
NAGALAND

श्री हुकम चन्द कछवाय (देवास) :
अध्यक्ष महोदय, मैं अविलम्बनीय लोक महत्व
के निम्नलिखित विषय की ओर वैदेशिक-
कार्य मंत्री का ध्यान दिलाता हूँ और प्रार्थना
करता हूँ कि वह इस बारे में एक वक्तव्य
दे :

नागा विद्रोहियों के पूर्वी पाकिस्तान
में प्रवेश, नागा शान्ति वार्ता
के असफल होने तथा स्वतंत्र
नागालैंड के लिये नागा विद्रो-
हियों की मांग ।

The Minister of External Affairs
(Shri Swaran Singh): With your per-
mission, I may read the statement.

श्री हुकम चन्द कछवाय : मैं व्यवस्था
चाहता हूँ । मैं ने जो सवाल हिन्दी में किया
है उस का उत्तर भी हिन्दी में मिलना
चाहिये ।

अध्यक्ष महोदय : उस का तर्जुमा
हो रहा है, आप को तकलीफ नहीं
होगी ।

Shri Swaran Singh: The talks with
the Underground Naga delegation at
Chedema village, near Kohima, are
continuing. The Foreign Secretary,
who has been leading the Government
of India's delegation has returned to
Delhi on 16th November, 1964, but is
to resume these discussions with the
Underground delegation soon after
November 27. These negotiations have
not broken down.

2. As the Hon'ble Members are
aware, during the last round of talks
with the Underground delegation, the
3 Members of the Peace Mission had
suggested that some understanding
might be brought about between the

two delegations, in which the Under-
ground might lay down their arms,
leaving it to the Peace Mission to
arrange for the safe custody of these
arms, and the Security Forces of the
Government of India, other than the
troops which might be necessary for
the protection of the country against
the threat of external aggression,
might be withdrawn from Nagaland.
This plan of the Peace Mission was
discussed in Chedema, this time, be-
tween the two delegations, on the 10th
and 11th November, but no agreement
was reached. The Foreign Secretary
made it very clear that our security
forces could not possibly leave Naga-
land, unless the Underground agreed
to lay down the arms and the safe
custody of these arms could be ensured
to our satisfaction by the Peace Mis-
sion and, in any case, some forces will
have to remain in Nagaland for Law
and Order purposes.

3. While these discussions were in
progress at Kohima, we have received
reports that two large gangs of
Underground hostiles have crossed
over into Burma and are making their
way southwards, along the Burma
border, presumably on their way to
East Pakistan. This is definitely
against the spirit of the agreement
which led to the suspension of opera-
tions in Nagaland on 6th September,
1964. The Foreign Secretary has, in
the course of the Chedema discussions
protested, unequivocally, against this
move on the part of the Underground,
and the Peace Mission have told the
Underground leaders that they take
a serious view of this matter.

4. In these discussions in Chedema,
till now, the Underground delegation
had not stated, in any clear terms,
what they wanted by way of a politi-
cal settlement. The Leader of our
delegation, the Foreign Secretary, has
repeatedly asked them to explain what
they mean by independence for Naga-
land. On November 14, the Foreign
Secretary, in a prepared statement,
has explained to the Underground
delegation what the Government of
India has done in these last several

[Shri Swaran Singh]

years after 1947, to meet the wishes of the people of Nagaland. As the House is aware, Nagaland now is an autonomous state within the Indian Union, but there is good reason to believe that the Underground leaders do not know and are probably not aware of the degree of autonomy that this new State enjoys within the Indian Union. The Foreign Secretary's statement was meant to explain this to them, in some detail. The Underground delegation did not state their case during the Conference session, but on November 16, just before the Foreign Secretary left Kohima, they have addressed a letter to our delegation in which they have said that Nagaland was never really conquered by the British and they have always remained sovereign and independent.

5. In discussions of this nature, as the House will appreciate, both sides are free to state their case. It is our stand that Nagaland enjoys ample autonomy and the Government of India has fully met the wishes of the people of Nagaland. It will be upto our delegation to explain to the Underground delegation that the demands in their letter of November 16 are untenable. The talks are continuing and it would be advisable not to make any pronouncement till after the next meeting in Chedema towards the end of this month.

श्री हुकम चन्द कछवाय : मैं जानना चाहता हूँ कि नागा विद्रोहियों को पाकिस्तान, अमरीका और इंग्लैंड द्वारा चूँकि काफी सशस्त्र और आर्थिक सहायता मिलती है तो क्या सरकार ने इन देशों को कुछ लिखा है। यदि लिखा है तो क्या? फिर हम ने देखा कि पिछले कई सालों से नागाओं के साथ शान्ति वार्ता चल रही है। यदि वे नहीं मानते तो क्या उन को अरेस्ट करने का सरकार का विचार है, और जो शान्ति वार्ता चल रही है...

अध्यक्ष महोदय : आप इतने सवाल

इकट्ठे न करें। एक सवाल आप ने कर लिया तब दूसरा करना मुनासिब नहीं है। उन्होंने ने कहा कि इस वक्त वार्ता चल रही है, तब यह कहना कि उन को अरेस्ट करने का खयाल है या नहीं, यह ठीक नहीं है।

श्री हुकम चन्द कछवाय : जो शान्ति वार्ता चल रही है, वह उन की भाषा में चल रही है या किसी और भाषा में चल रही है?

Shri Swaran Singh: According to our information, there is no help from the Governments of either the United Kingdom or the United States as was hinted at by the hon. Member. There was this allegation that they have got some help from Pakistan. The Pakistan Government have denied that they have given any support but we have a feeling from some sources that they did get arms, maybe, from Pakistan although Pakistan had denied it.

Shri Hem Barua (Gauhati): He has a feeling? The Chief Minister of Nagaland himself admitted that arms and ammunitions so far captured from the Naga hostiles show that they were from Pakistan. Why should he try to mislead the House?

Shri Swaran Singh: There is no question of trying to mislead the House. It is very easy for the hon. Member to use such strong expression.

Mr. Speaker: Members should realise that the Foreign Minister has to use some precise language and he has to be careful. He cannot use whatever language the Members could use; he has to be careful.

Shri Nath Pai (Rajapur): Whereas all great care should be taken to use a language of highest courtesy and politeness, I think equal regard should be shown to the truth. May I remind you that his worthy predecessor, the late lamented predecessor has told this House in categorical terms that Gov-

ernment have enough evidence to show that arms were supplied by Pakistan to the Nagas? I do not think that we should deviate from the truth.

Shri Swaran Singh: What I have said was that Pakistan Government have denied this. I did not say anything beyond this. Therefore, there is no contradiction.

Mr. Speaker: The objection was taken because subsequent to that, the hon. Minister said, "we have a feeling."

Shri Nath Pai: You have enough proof.

Shri Swaran Singh: Maybe the word "feeling" was not very happy. So far as the language that is used in the course of the discussion is concerned, the representatives of Naga hostiles do understand English, but there are others also who can interpret it to them.

श्री श्रीकार लाल बेरवा (कोटा) : नागा लैंड के राज्यपाल ने कोहिमा के आस-पास कुछ क्षेत्र को उपद्रवग्रस्त घोषित किया था । मैं जानना चाहूंगा कि वह कितना क्षेत्र है और उस के बारे में हमारी नीति क्या है ।

Shri Swaran Singh: That has been recently notified by the Governor and it is I think a strip of area. I forget now the exact width of that, but this is to enable the movement of troops so that the necessary protection of our territory and of our borders might be maintained.

श्री बड़े (खारगोन) : 1300 नागा पाकिस्तान हाल में चले गए हैं और वे पहले भी जा चुके हैं । क्या पाकिस्तान का बारडर अभी तक सील नहीं किया गया है और क्या हमारी सेना का कंट्रोल लूज है ?

Shri Swaran Singh: I think the hon. Member has not followed the facts that I have given in my statement.

There is a common border between Burma and Pakistan and according to what I have said, they have crossed over into the Burmese territory, and then they are travelling southwards, because there is that common border between Burma and Pakistan. Our information is that their entry is through that part. So, it is not a question of sealing the border between Pakistan and India, but it is a question of the Nagas who are on the periphery of our territory crossing into Burma.

Shri S. M. Banerjee (Kanpur): I would like to know how far it is true that Mr. Phizo is now in East Pakistan, during the peace talks and is guiding and directing these Naga hostiles to see that the whole thing is sabotaged. I would like to know whether he is in Pakistan.

Shri Swaran Singh: I have no information that Phizo is in Pakistan.

Shri S. M. Banerjee: This was stated by Shri Hem Barua and others long ago. We want some information about it.

Mr. Speaker: He says he has no information. Shri Banerjee would realise what I can do about it!

श्री यशपाल सिंह (कैराना) : जबकि नागा होस्टाइल्स ने इंडिपेंडेंट नागा लैंड की मांग को एक मिनट के लिए भी वापस नहीं लिया है तो उन के साथ बराबर के दर्जे पर पीस टाक्स का क्या मतलब है ?

श्री स्वर्ण सिंह : इस के मुताल्लिक दो राएं हो सकती हैं । जब तक हम अपनी बात में मजबूत हैं, तो महज यह बात कि दूसरी साइड एक बहुत लम्बी चौड़ी बात करती है, इससे हमें नहीं घबराना चाहिए ।

Shri P. C. Borooah (Sibsagar): After about one and a half years of Rev. Michael Scott's stay in Nagaland and after about two months of continuance of peace talks, there comes a

[Shri P. C. Borooah]

hand-out from the Naga hostiles that Nagaland is independent of India and for that we must agree to a referendum on the issue of independence of Nagaland. This is just akin to President Ayub Khans' demand in respect of Kashmir. May I know whether the Government have any reason to believe that in the drafting of the hand-out there is some unseen foreign hand?

Mr. Speaker: The hon. Member makes a speech instead of putting a question. I had advised him earlier that he should not make a speech before a question is put.

Shri P. C. Borooah: The question is whether, in drafting the hand-out, the Government suspects any unseen foreign hand to help the Naga hostiles' latest demand.

Shri Swaran Singh: I will be travelling beyond the factual position if I have to speculate if there is any foreign hand in the drafting or not. I have said that our position with regard to the issues is clear.

Shri Daji (Indore): Did the Government make it clear to the underground Naga leaders there that during the negotiations at least there should be no arms build-up and, if arms build-up has been going on during the talks, may I know whether it has been taken up during the talk itself that they should not continue with the arms build-up and also the talks?

Shri Swaran Singh: We have made it absolutely clear that any attempt to collect arms will be against the spirit of the agreement and we would not permit that.

श्री मोहन स्वरूप (पीलीभीत) : अभी मंत्री जी ने कहा कि नागाओं ने ऐसा कहा है कि ब्रिटिशर्स ने नागा लैंड को कभी कांकर नहीं किया था, इसलिए भारत सरकार को

वहां कोई अधिकार नहीं है। मैं यह जानना चाहता हूं कि किस आधार पर यह मान लिया गया कि वह मैक्सिमम लोकल आटानमी से खुश हो जायेंगे और टाक्स कामयाब रहेंगी। यह किस आधार पर मान लिया गया? पीस मिशन ने और भारत सरकार ने इस को किस आधार पर मान लिया?

श्री स्वर्ण सिंह : मैं समझ नहीं पाया कि सवाल का क्या मतलब है।

अध्यक्ष महोदय : उन्होंने कहा कि जब पूरी खुदमस्तारी मांगी थी तो पहले उन को जो आटानमी दी गयी उसके देने का क्या फायदा था, क्यों दी गयी?

Shri Swaran Singh: The Parliament in their wisdom agreed to do that, because it was considered that that will satisfy the legitimate demands of the people in Nagaland, for their aspiration for development and to run their own affairs to the best of their advantage. There are others who may not agree with that feeling, and they might put forward demands which, according to our thinking, are extremely unreasonable.

Shri P. Venkatasubbaiah (Adoni): Even before sitting for the peace conference negotiations with the hostile Nagas by the three-man Peace Commission, may I know whether the Government had any knowledge at any time whether the hostile Nagas had indicated to Rev. Michael Scott or Shri Jaya Prakash Narayan that they would be putting forward this demand of Independent Nagaland during the course of their talks and whether the Government was aware of it before they entered into negotiations with Naga hostiles?

Shri Swaran Singh: They had been saying earlier also about what their stand is. We also have made our stand clear, and it is known that this

august House has taken a particular decision and a particular stand. Beyond that, we did not have any clear indication what they are going to demand. I would again suggest that so long as we are clear about the stand that we take, we need not take too drastic a view with regard to the other party taking a view which, according to our stand, is unreasonable.

Shri Kapur Singh (Ludhiana): Has it not always been known ever since 1947 and was it not clearly known when our present negotiations started, that the Nagas claim the Naga territory to be a sovereign State and, if so, why was Parliament and the public kept in the dark through embellishments and duplicity, so far?

Shri Swaran Singh: I do not know whether it was known to everybody. I do not follow the connection between the two—the formulation which the hon. Member has put forward. Their demand may be one thing and the demand of the hostiles may be one thing. Then the Parliament had decided a certain set-up for Nagaland. It is worthwhile persuading even those who may not agree with that, that the best that could possibly be done for the people in Nagaland has been done. I do not see any contradiction between these.

Shri Kapur Singh: I want a clear answer to my question. My question is a simple one. Was the Government aware, when the negotiations started, that the Nagas claimed the Naga territory to be a sovereign State and, if so, why was not Parliament informed of it clearly?

Shri Swaran Singh: I am saying clearly that that is incorrect, because the hon. Member is confusing the Nagas with the hostile Nagas. There might be a section amongst the Nagas who may put forward a particular view-point, and we have, on the presumption that what we are doing is in the best interests of the Naga

people, have taken a decision. (*Interruption*).

Shri Bade: There is an underground government an underground President and an underground Foreign Minister! (*Interruption*).

13 hrs.

Shri Solanki (Kaira): The Nagas claim to be an independent State while we refute it. Will the Government of India ask the Nagas to accept the decision of the Hague International Court in this matter?

Some hon. Members: No, no.

Shri Swaran Singh: It is amazing that a suggestion of this type should be made by an hon. Member. Nagaland is part of India and there is no question of any international authority coming into this matter in any form.

Mr. Speaker: It is a suggestion; it need not be answered.

Shri Shinkre (Marmagao): It is very much similar to the suggestion made recently by a Central Minister that there should be plebiscite in Goa regarding its future. (*Interruptions*).

Shri D. C. Sharma (Gurdaspur): I take it that the negotiations going on between the Government of India and the hostile Nagas will result in the desired truce. But I want to ask the hon. Minister how he will meet those 1,300 hostile Nagas who have gone across to Pakistan and how he will be able to keep them from doing mischief again when the negotiations have fructified.

Shri Swaran Singh: When they return, they can be dealt with according to the best of our capacity by our forces.

Shri Hem Barua: What I gathered from two Naga underground leaders who met me recently somewhere in Assam was that they would be satisfied with a sort of political status-similar to that of Bhutan or Sikkim.

Mr. Speaker: Was the meeting with the hon. Member above ground or below ground?

Shri Hem Barua: It was underground.

Shri D. C. Sharma: He is the fourth wheel of the Peace Mission. (*Interruptions*).

Shri Hem Barua: In that connection, since our Government are going to continue negotiations with the Naga underground leaders, may I know whether our Government are in a position to tell them categorically or tell us categorically that our Government will never countenance a proposal of this sort?

Shri Swaran Singh: I think this is hypothetical. To expect the Government to commit themselves one way or the other on something which is hypothetical, I think, is not very fair.

Shri Hem Barua: I have not made any commitment; I have dismissed the suggestion. At the same time, when the Foreign Minister says like that, that he has no reply to this suggestion from the underground leaders who met me, I do not understand. What is your reaction to this?

Shri Swaran Singh: I am sorry I cannot accept the conveying of a message of the underground Nagas through the hon. Member, particularly when he puts a question here. He did not show me the courtesy of saying to me that they want to convey a message and if he had done this, then he could discuss it with me and I could give some reaction.

Shri Hem Barua: He may not accept my position as an emissary. But at the same time, we are interested in knowing what is the reaction of the Government to this.

Mr. Speaker: He has given his reaction already in an earlier answer.

Shri Hem Barua: He has not.

Shri Swaran Singh: May I say, Sir, that the hon. Member by raising this is doing the opposite of what is intended by him? That is all I can say. (*Interruptions*).

Mr. Speaker: This should be finished here. I have called the next Member.

Shri Hem Barua: This Government does not have the guts to say to the underground Naga leaders that the Government rejects this proposal. Here they boast of their power.

Mr. Speaker: Order, order.

Shri Swaran Singh: May I ask whether the hon. Member had the guts to say like that to them?

Shri Hem Barua: I said like that and I said many more things which I cannot divulge here. You do not have the guts to say all that. (*Interruptions*).

Mr. Speaker: Would he continue like that? Shrimati Barkataki.

Shrimati Renuka Barkataki (Barketa): May I know whether the insistence by the Naga hostiles on parity in the level of representation of negotiators, their refusal to talk in the presence of the Nagaland Chief Minister, and their insistence on the presence of an international observer to supervise the surrender of arms and subsequent withdrawal of security forces did not give the Government ample evidence to suspect that the objective of the Naga hostiles in continuing the talk was only to give implicit recognition....

Mr. Speaker: She is making a long speech. What is her question?

Shrimati Renuka Barkataki: ... of their claim for sovereignty and independence? May I know why the Government of India did not take steps to avoid this diplomatic trap

that was being prepared by the Naga
hostiles for us?

Shri Swaran Singh: I am sorry that
by using this expression, we give them
the type of authority or feeling which
probably they also do not claim. We
should never use expressions like
diplomacy when we are dealing with
our own people. It will be wrong to
make any such suggestion. We might
feel unhappy about various things
that they have said. But if we are
quite clear about the stand that we
take, we need not be unnecessarily
irritated if others pitch their demands
at a high note. We can take note of
it and can hold our own. Let us not
be irritated about small things. About
the various points mentioned by the
hon. Lady Member, they did raise
those points, but ultimately they did
not press them. For instance, Mr.
Shilu Ao is there in our team. We
do not accept any international autho-
rity of any type. So, let us not try
really to argue for them and create
a feeling in the country which is
certainly not countenanced by the
Government.

श्री प्रकाशबोर शास्त्री (बिजनौर) :
नागा नेताओं के जिस वर्ग विशेष के साथ
यह शान्ति वार्ता चल रही है उस की भारत
विरोधी गतिविधियों को ध्यान में रखते
हुए श्री गुणदेविया और असम के राज्य-
पाल श्री विष्णु सहाय ने अपनी राय
सरकार को दी है कि यह शान्ति वार्ता
सफल होने की आशा नहीं है जबकि
श्री जयप्रकाश नारायण और दूसरे राज-
नीतिक नेताओं की राय यह है कि नहीं, इस
वार्ता को चालू रखा जाय; सरकार दोनों
में से किस के सुझाव से प्रभावित है और
कब तक इस बारे में अन्तिम निर्णय ले लिया
जायगा ?

श्री स्वर्ण सिंह : इस तरह की कोई
बात नहीं हुई इसलिए दूसरा सवाल पैदा
नहीं होता है ।
1478(Ai) LSD—5.

Some hon. Members rose—

Mr. Speaker: Hon. Members know
that only those who have signed the
notice are allowed to put questions.

12.11 hrs.

RE. CALLING ATTENTION NOTICE

(Query)

श्री प्रकाशबोर शास्त्री (बिजनौर) :
अध्यक्ष महोदय, मैं एक दूसरी बात
निवेदन करना चाहता हूँ कि आज
दिल्ली में रात को बारह बजे से दिल्ली
के बड़े अस्पतालों के 350 डॉक्टर्स हड़ताल
करने जा रहे हैं जिस का कि प्रभाव हजारों
रोगियों के जीवन पर पड़ेगा . . .

अध्यक्ष महोदय : वह आप का नोटिस
मुझे मिला था मगर चूँकि केवल एक कॉलिंग
अटेंशन नोटिस एक दिन में रखा जा सकता
है, दो कॉलिंग अटेंशन नोटिसेज उसी दिन नहीं
रखे जा सकते थे लेकिन चूँकि मैं चाहता
था कि वह हो जाय इसलिए आज पांच बजे
हेल्थ मिनिस्टर साहब उस का यहां जवाब
देंगे ।

12.11½ hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER ALL INDIA SER-
VICES ACT AND SALARIES AND ALLOW-
ANCES OF MINISTERS ACT

The Minister of State in the Minis-
try of Home Affairs (Shri Hathi): I
beg to lay on the Table a copy each
of the following Notifications:—

(i) G.S.R. No. 1322 dated the 19th
September, 1964 making cer-

[Shri Hathi]

tain amendments to Schedule III to the Indian Administrative Service (Pay) Rules, 1954, under sub-section (2) of section 3 of the All India Services Act, 1951. [Placed in Library, See No. LT-3369/64].

- (ii) The Ministers' (Allowances, Medical Treatment and Other Privileges) Third Amendment Rules, 1964, published in Notification No. G.S.R. 1601 dated the 31st October, 1964, under sub-section (2) of section 11 of the Salaries and Allowances of Ministers Act, 1952. [Placed in Library, See No. LT-3370/64].

ANNUAL REPORT OF INDIAN MUSEUM, CALCUTTA

The Minister of Cultural Affairs in the Ministry of Education Shri Hajarnavis: I beg to lay on the Table a copy of Annual Report of the Indian Museum, Calcutta, for the year 1962-63. [Placed in Library. See No. LT-3335/64].

DISPLACED PERSONS (COMPENSATION AND REHABILITATION) SECOND AMEND- MENT RULES

The Deputy Minister in the Ministry of Rehabilitation (Dr. M. M. Das): I beg to lay on the Table a copy of the Displaced Persons (Compensation and Rehabilitation) Second Amendment Rules, 1964, published in Notification No. G.S.R. 1341 dated the 19th September, 1964 under sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1964. [Placed in Library. See No. LT-3371/64].

FOURTEENTH REPORT OF UPSC

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): I beg to lay on the Table a copy each of English and Hindi ver-

sions of the Fourteenth Report of the Union Public Service Commission for the period 1st April, 1963 to 31st March, 1964, under article 323 (1) of the Constitution. [Placed in Library. See No. LT-3372/64].

12.13 hrs.

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 17th November, 1964, has passed the following motion extending the time for the presentation of the Report of the Joint Committee of the Houses on the Press Council Bill, 1963:—

MOTION

"That the time appointed for the presentation of the Report of the Joint Committee of the Houses on the Bill to establish a Press Council for the purpose of preserving the liberty of the Press and of maintaining and improving the standards of newspapers in India be extended upto the first day of the next Session of the Rajya Sabha."

13.14 hrs.

COMMITTEE ON PRIVATE MEM- BERS' BILLS AND RESOLUTIONS

FIFTIETH REPORT

Shri Hem Raj (Kangra): Sir, I beg to present the Fiftieth Report of the Committee on Private Members' Bills and Resolutions.

12.14½ hrs. *

ANTI-CORRUPTION LAWS (AMENDMENT) BILL—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri Hathi on the 17th November, 1964, namely:—

"That the Bill further to amend the Indian Penal Code, 1860, the Code of Criminal Procedure, 1898, the Criminal Law (Amendment) Ordinance, 1944, the Delhi Special Police Establishment Act, 1946, the Prevention of Corruption Act, 1947, and the Criminal Law (Amendment) Act, 1952, be taken into consideration."

Shri Banerjee may continue his speech.

Shri M. R. Masani (Rajkot): May we know how much time is left for further consideration of this Bill?

Mr. Speaker: There were three hours.

Shri S. M. Banerjee (Kanpur): It should be five hours.

Mr. Speaker: No time was allotted. A time of three hours has been suggested. We will see. But I would like hon. Members to be short.

Shri S. M. Banerjee: 20 minutes may be allowed. There are three amendments.

Mr. Speaker: 15 is all right. He may continue his speech.

Shri S. M. Banerjee: Mr. Speaker, Sir, this Bill has been brought after considering the recommendations of the Committee on Prevention of Corruption which was appointed in 1962. In 1964, the Committee submitted its report and as promised by the Government, after going through the various recommendations of this report, this legislation has been

brought. I welcome this piece of legislation which is meant to curb and minimise cases of corruption. It gives powers to some of the officials to deal with those who are corrupt people with a strong hand.

Sir, between 1962, the date on which this Corruption Committee was appointed, and 1964, the year in which this report was submitted, much water has flowed. Let us analyse the whole thing from various levels—political level, moral level and social level. Let me, first of all, say something about the politicians in the country against whom there are serious charges of corruption. I congratulate the hon. Minister, Shri Nanda, and other Ministers who are concerned with his Ministry, for doing their best, to uproot corruption which has almost become a cancer in our country which, according to doctors, is incurable. But still I wish him all the good luck.

The real problem has not been tackled. What is the main problem? What is the root cause of corruption? In this House we have been mentioning from time to time that all the political parties, including the ruling party, should stop taking political donations. It was defended by the then Minister for Commerce and Industry, Shri Lal Bahadur Shastri who, fortunately, today is the Prime Minister of our country. He said: "After all, what is wrong there? We can make charity. We can take donations. We do not force the employers or the industrialists to give us more donations. We can take what is given by them." What is the outcome of it? We have seen in the Mundra episode that Shri Mundra made it absolutely clear that he paid some handsome amounts to the ruling party or to the UPCC during the elections. He also said that because the UPCC wanted more money and he could not pay it, he had to face those trials. There are many cases to prove that people who want to pay or who have paid handsome amounts to the election funds of the ruling party have been saved from

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many troubles. Now a time has come when, if we want to uproot corruption from political level, if we want to keep politics free from corruption, we will have to accept this that the ruling party or any other political party should not accept political donations from the top people.

There are three or four cases which I must bring to the notice of the hon. Minister. The audit report of the New Asiatic and Ruby General Insurance Companies is there. You know better than me, Sir, that I and my friends have been pressing that this report should be laid on the Table of the House. This was never laid on the Table of the House. When every audit report is placed on the Table, when every other report whether secret or open report, whether it is the report of a high-powered commission or any other report, is placed on the Table of the House where business houses have been mentioned, how is it that this audit report where two companies belonging to Shri G. D. Birla are involved has not been placed on the Table? Because they belong to Shri Birla, I am afraid, this audit report has not yet been laid on the Table of the House.

Inspectors were appointed to investigate into the affairs of Sahu Jain and Company. I welcome that. Why was no inspector appointed to go into the affairs of the Birla house and to expose the Birla house mysteries? Is the Government too weak to say something about the Birlas, or is it that they want to hide something? How is it that this audit report has not yet been laid on the Table?

There was the case of Bell and Company. The previous Communications Minister dealt with it. The replies given by the then Communications Minister, Shri A. K. Sen. are far from truth. I am almost sure that senior officers belonging to the Posts and Telegraphs Department were involved in it. One engineer was involved in it. We wanted this matter to be sent

to the Vigilance Commission or other commissions appointed by the Government. Let it at least go to the Sadachar Samiti. It should be properly investigated as to how this Bell and Company which was accused of doing sabotage in Tunisia was given this contract. There is a story behind it, but as the time at my disposal is very short, I do not want to go into it. I only request that this should be investigated.

The other thing is about the grant of licence to Messrs. T. V. Sundaram and Company of Madras. It was strange, as you know, that our Finance Minister came out with a story that he was not directly connected with it. This licence was sanctioned by our beloved late Prime Minister, Shri Nehru, only because the present Finance Minister is friendly to Shri T. V. Sundaram. How is it that a particular licence was sanctioned by the Prime Minister? This deserves a thorough investigation. This is a fit case which should go to the highest body for investigation.

The recent case is that of Messrs. Bird and Company. As I said in this House, one bird has flown to England and another bird is here. The Bird and Company has been fined with a petty amount of Rs. 67,000 only and that is the end of it. I do not know whether there is a case pending against them with the Sea Customs Authorities. But for foreign exchange violations and other things the fine is only Rs. 67,000. We were apprehensive of this. That is why we demanded immediate action. They went in writ to the Calcutta High Court and the net result was a fine of Rs. 67,000. Nothing else is pending against them. These are a few cases which I would like the hon. Minister to investigate because he is very sincere about rooting out corruption.

Then comes the question of Orissa. After Punjab comes Orissa. After the Das Commission in Punjab we have

seen that even the appointment of the Das Commission enhanced the prestige of the ruling party. Whether it is Kairon or his son in Punjab—in Punjab it is Kairons and in Bombay it is Bhais who are responsible for so many things—it does not make any difference. What is the report that is given in the newspapers about Orissa? I am reading from *Times of India* dated 16th November, 1964:

"Explanations sought from Mitra, Patnaik—CIB Report based on 'concrete evidence'—The Union Home Minister, Mr. Gulzarilal Nanda, has asked for explanations from the Orissa Chief Minister, Mr. Biren Mitra, and Mr. Biju Patnaik, former Chief Minister, who are believed to have been implicated in a preliminary inquiry conducted by the Central Investigation Bureau."

Then it says:

"Mr. Mitra and Mr. Patnaik had individually protested to the Central leaders against the CIB investigation. Mr. Mitra was also understood to have written to Mr. Nanda saying that an inquiry by the CIB against Ministers was improper and derogatory."

You can imagine the audacity of these Ministers. They did something wrong. They created their own empire known as Kalinga Empire. When there is some investigation, when a *prima facie* case has been established and the investigation is going on during which a report which runs into 250 pages has been submitted to the Home Ministry, they write a letter of this kind that this is something wrong and derogatory. Derogatory to whom? To whose prestige? Do you think the Chief Minister of Orissa has got any prestige left? I do not know. It is for this Government to decide. What is happening in Orissa today is the direct result of not only mismanagement but corruption. Otherwise, Orissa would not have become another Saigon.

Coming to the other cases, first of all, let me take up the case of Bakshi Ghulam Mohammad, ex-Prime Minister of Jammu and Kashmir. We are told that he has purchased six big palatial buildings in various parts of the country either in his name or in the name of his relatives. Therefore, I would suggest that if this Government is sincere about rooting out corruption, even before passing this legislation let it make a promise, let it make a bold announcement that no Minister or ex-Minister who has amassed wealth through corruption or in nefarious ways will be allowed to go scotfree.

I know that today in this country if I have got Rs. 50,000 in my pocket I can murder a man in broad daylight and yet be free. The prison is meant for the unsuccessful criminal. That is what the people say today. A successful criminal does not go to the prison. I want to know whether this is happening because the Government is powerless.

Mr. Speaker: I should appeal to Shri Banerjee not to give expression to such impressions. Every word that any hon. Member speaks here is given wide publicity. He can criticise and he is doing that by referring to cases but to give the impression that one can commit a murder and yet go unpunished . . .

Shri S. M. Banerjee: What is the objection, Sir?

Mr. Speaker: He is saying that anybody who has got Rs. 50,000 in his pocket can commit murder without being punished.

Shri S. M. Banerjee: That is the impression.

Mr. Speaker: It should not come from Shri Banerjee.

Shri S. M. Banerjee: All right. It was the impression. Now, I will change my impression.

Mr. Speaker: I have always found myself to be wrong when I have said anything to Shri Banerjee.

Shri S. M. Banerjee: I did not say so, Sir.

Mr. Speaker: I have always repented and regretted it.

Shri S. M. Banerjee: I have said that I will not say that now. But it was the general impression and people said so. Shri Bade has said that anybody who has got a *hundi* can have a *mundi* in the other hand.

I was referring to Bakshi Ghulam Mohammed. Then, there is Shri Shankar of Kerala. Will the simple dissolution of his Ministry make him innocent if he is corrupt? Then, what about the Chief Minister of Bihar? There were serious charges against him. There were serious charges against some of the Ministers of the Sukhadia Cabinet and the Home Minister said that those charges are not based on facts.

If this is the attitude that we adopt, I do not know how we can teach a lesson to those bureaucrats who are supposed to be corrupt. Actually, they get inspiration from such practices, such declarations. Let us not allow the wrong-doers to escape. If somebody is corrupt, even if he is highly placed, we should condemn him and there should be no place for him. Unless we do that, we cannot make politics clean and free from corruption.

Then, I come to the question of the services. What is happening there? All those officers who are holding important posts, whenever they resign or retire, are given decent jobs with handsome salaries in the private sector companies. This Government has taken no action so far to put a stop to such examples. Take the case of General B. M. Kaul, who miserably failed in his duties, who was the main cause for our disgrace during aggression by China. He was offered a decent job as Adviser by the Javanti Shipping Company in their Tokyo office on a fat salary of Rs. 10,000. What will be the morale of the peo-

ple in the armed forces when they see a General, who was the cause of humiliation for our country, who darkened the face of India, who fled from the scene of action when his presence was necessary and essential there by asking his Lieutenant to keep one aircraft ready for him to leave the place for New Delhi the next day, when such an officer is offered a job on a salary of Rs. 10,000 free of income-tax with all other amenities? The same thing has happened in the case of General Pathania. What is happening to those ICS officers who retire from service? They immediately take a good job in a company. It has to be changed. Let them be given good conditions of service, while they are in service; let them also be given good pensionary and retirement benefits so that they will have nice time after retirement. But they should not be allowed to take up appointments in big concerns, especially with those with which they had connections while they were in service. They should not be permitted to join concerns like Bird & Company. Even Ministers' sons are joining such firms. It is widely known that some Minister has said that Ministers' sons also have to take up appointments somewhere. That is perfectly true. Let them compete for IAS or some other competitive examination and not depend upon their father's ministership to get a salary of Rs. 5,000. These are some of the instances which are agitating our minds and they will continue to do so unless some bold steps are taken by Government.

When I am on services, I may mention that recently a big officer, one Deputy-Director General of Supplies and Disposals was dismissed from service for corruption. He had amassed wealth to the extent of Rs. 10 lakhs. Then, I have before me another news item which is much more disturbing and harmful to the nation. It has appeared in the *Statesman* of 16th November, 1964. It says:

"Calcutta police rescued a minor girl (16) from the residence of

a senior Central Government officer (50) in South Calcutta on Saturday.

The girl was restored to her parents in Pandua, Hooghly, where a case was immediately started. The police were said to have raided the officer's house on a complaint made by the girl's parents, it was learnt."

It is a slur on our services. So, it is seen that not only money but even girls are supplied to the officers and the parents of girls are forced to send their girls to such officers to get some favourable decisions. It is a pity that such officers are allowed to continue in service. In my view, they should be summarily dismissed whenever such instances come to the notice of Government.

Then, I will refer to another case. A note has been circulated to us by our friend, Shri Balraj Madhok, who was here with us for some time, which makes interesting and surprising reading. That case has appeared in some of the newspapers. One paper says:

"The more than three-months-old Delhi car theft case in which the sons of some VIPs are said to have been involved has taken a new turn. Home Minister Nanda is said to have ordered a fresh inquiry into the case."

What is the case? It is the case of a teen-aged girl who was interested in liquor and foreign imported cosmetics. Such girls, who are actually related to VIPs are being used as contacts for the theft of motor cycles and cars. I am told this case is being hushed up. Now, this note has been circulated by Shri Madhok. I am sure, many Members of Parliament have received this note. It does not matter whether it has appeared in *Observer*, *Current*, *Blitz* or some other newspaper; if there is some truth in

this news-item, there should be a proper investigation into the whole case.

Then I come to the Khadi Bhawan. There is a news-item in one paper:

"Khadi Bhawan Workers demanded enquiry into charges of misappropriation and mismanagement."

The whole case was brought to the notice of Shri Jaganatha Rao and other Ministers. There should be a proper enquiry into what is actually happening in the Khadi Bhawan. One ordinary clerk named Ram Babu Mehrotra reported this mismanagement and misappropriation at the highest quarters to the authorities. The net result was that he was given notice and was discharged. It is surprising that an employee should be discharged merely for reporting misappropriation to the proper authorities. I hope the hon. Minister will take necessary action in this matter.

One commission should be appointed to go into the working of big business houses. There should be a proper commission like the Das Commission to go into the working of various business houses like that of Birlas. The Birla mystery has to be exploded. Otherwise, industrialists will not function properly. Then, the licensing committee has to be changed. Now, one ICS officer is the Chairman of three committees. I will give an instance as to how licences are given. A special alloy steel licence was to be given to some industrialist in U.P. To whom was it given? It was given to one Shri Satya Narayan Bagla, who has only one jute mill employing 700 workers. To such a person a licence for a special alloy steel has been given. I was surprised to find it.

Mr. Speaker: Every time I point out something to Shri Banerjee I have to repent it. But there ought to be some limit. He has convicted certain officers. He wants certain people to be acquitted because they have been unjustly charged. Now, he is

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going after another person who has been given a licence. I cannot allow these individual cases to be referred to here and people discussed, condemned and maligned, some discharged, some acquitted and others convicted without getting enough facts on those cases. We cannot sit in judgment and give our decisions that this man ought to have been convicted or discharged or acquitted or punished.

Shri S. M. Banerjee: I do not think I have said that.

Mr. Speaker: In all the instances that he has given he has given his judgement on every individual case. That should not be done here.

Shri S. M. Banerjee: I say, Sir, that in such cases people should be convicted.

Mr. Speaker: It is on the evidence that the courts or the inquiry officers have to do this. Because he has got something from the report, he should be convicted?

Shri S. M. Banerjee: No. say. "How did he get the licence?" It is because he knows somebody in the Ministry.

Mr. Speaker: That is a different thing. So far as his knowledge or his contact is concerned, that might be why he has got it; but how do we know what the facts are?

Shri S. M. Banerjee: About the licences my paper says . . .

Mr. Speaker: Now he has to conclude. His 15 minutes are over.

Shri S. M. Banerjee: I would only request that there should be proper investigation into the grant of licences. The number of licences may be 1,400 and it may be said that the house of Birla and other houses have got only 14, 15 or 147. That may be the total number of licences with those houses, but what is the value of those

147 licences and what is the value of the 1,400 licences? That is to be seen. Udyog Bhavan is generally known as "kajal ki kothri"; that is what the people say. Anybody who has got the finance gets the licence.

With these words I will request the hon. Minister kindly to see that corruption is uprooted everywhere and before that, I think, politics should be free from corruption. That is my submission.

Mr. Speaker: Shri Dwivedy has written to me that he has to go and he might be allowed to speak earlier. I would have called Shri Kapur Singh. There ought not to be any reflection. Shri Dwivedy.

Shri Surendranath Dwivedy (Kendrapara): Thank you.

It will be a misnomer to call this Bill as the Anti-Corruption Bill. I think, with a design probably this title has been given to it. It will give a misleading impression to the country, as if by amending these laws the laws are made so perfect that there will be no room whatsoever, so far as the law is concerned, for anybody who indulges in corruption to go scotfree. I think, it has been done with a design because, as I find, this Bill has been brought here on the recommendations of the Santhanam Committee.

Mr. Speaker: Before I go I might just draw the attention of hon. Members to rule 353 of the Rules of Procedure which has been quoted here many a time before also. I have also drawn the attention of hon. Members to this. It says:—

"No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investiga-

tion into the matter for the purpose of a reply:

Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation."

Because this Bill is such that certain cases can be cited and hon. Members can bring them in, they ought to be careful that unnecessary allegations and such incriminatory remarks are not made.

Shri Surendranath Dwivedy: I do not make any such allegations.

Mr. Speaker: I am not talking of Shri Dwivedy. He should not take it that I read it only for him.

Shri P. R. Patel (Patan): In view of what you have said just now, may I submit that the remarks of Shri Banerjee may be removed?

Mr. Speaker: I shall look into it.

Shri S. M. Banerjee: How can it be removed? He is asking for their removal.

Mr. Speaker: Yes, he is asking for their removal.

Shri S. M. Banerjee: How?

Mr. Speaker: But why is he impatient? I have only said that I shall look into it. Have I not the right to look into it?

Shri S. M. Banerjee: Has it come from you?

Shri Kapur Singh (Ludhiana): No, no; he says that.

Shri S. M. Banerjee: He says many things.

Shri P. R. Patel: Yes; why not?

Mr. Speaker: Can he dictate to me also that I should not say that I shall look into it? What is the attitude that the hon. Member is taking? I have only said that I shall look into it. To that he takes objection. He ran from that seat. He has been offended by this.

Shri S. M. Banerjee: I heard something and I should know. After all, it is my duty and so I came to my seat.

Mr. Speaker: What did I say about it? I only said, when that objection was raised, that I shall look into it. That is all that I have said.

Shri Kapur Singh: Now he is clear in his mind.

Shri S. M. Banerjee: I came to my seat because I was going away.

Mr. Speaker: Shri Dwivedy might continue.

Shri Surendranath Dwivedy: This Bill, according to the statement of objects and reasons, is based on the recommendations of the Santhanam Committee. We have not discussed the report of the Santhanam Committee in this House, nor has the Government thought it proper to bring forward a formal motion for its discussion and then to decide on matters after hearing the Members of Parliament.

13.35 hrs.

[SHRI SONAVANE in the Chair]

They have taken some *ad-hoc* decisions and on the basis of that they are proceeding. They take decisions which are very convenient for their own purpose. Even in these amendments you will find that. They say that they are amending certain provisions in the Indian Penal Code. But if you will look at the recommendations of the Santhanam Committee, you will find that they clearly stated that "public

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servant" should include this-and-that category. Very vital things have been omitted purposely and intentionally. You will be accused like that. As I started by saying in the beginning, there is a design; there is a purpose. You do not want to go to the root of the problem of corruption, the fountainhead of corruption that lies in the top level of the administration, the Ministries.

The Santhanam Committee had stated that you bring in certain other mischief of the law. They had stated servant" is which will come under the mischief of the law. They had stated that it should be made clear that all Ministers, Ministers of State, Deputy Ministers, Parliamentary Secretaries and members of local authorities should come under the definition of "public servant". That has not been included in this amendment.

They had also stated because they knew where corruption lies today—it is in the knowledge of everybody today and we are sick of it—that President, Secretary or other office-bearers or a member of the managing committee of a registered Co-operative Society, office-bearers or employees of educational, social, religious and other institutions, in whatever manner established, which receive aid in any form from the Central or State Governments should be included here. Now, these three omissions are very significant. Everybody knows in this country today that some of these societies, these public men, who are in charge of large amounts of public funds, are misappropriating and they are misusing or abusing their authority. They have created a vicious atmosphere in the country as a result of which everyone in the administration of the country feels today that the real way of success is to indulge in corruption and malpractices. Therefore, this political aspect of the problem was given the most important

emphasis by the Santhanam Committee. And I am surprised that when they come forward with these Bills even this simple recommendation of the Santhanam Committee has not been included.

Further, they had recommended two things in Chapter IX. They had stated that there should be an additional provision in Chapter IX Instead of mere abetment; it should be the substantive offence so far as public servants and their relations are concerned. They had recommended the form in which the amendment should be brought forward, that is, a new section 161A. That also has been omitted. Further, they had stated that these offences committed by public servants or whoever they are should be made non-bailable. That was also one of their recommendations and they have not included that also here.

What does it show? Does it show a sincere, genuine desire of eradicating corruption either from the administration or from the political level? No, Sir. They want to give this misleading impression, as I said, by bringing forward this Bill that it is the anti-corruption law.

Shri Nanda had started well and we all wished him well. He had the support of the entire country when he started with a bold manner by saying that no matter whoever be the authority, he may be the highest, if he is accused of corruption and if cases are proved against him, the Government will not falter or hesitate to take the strongest possible action against him. But what has been the result? You cannot begin only with the menial servants here and there or some cases here and there. They have not tackled the main problem. Therefore, today what do we find? I am not going into the entire aspect of corruption as it exists today. There is a singular case before this House for the last two years. As I said to the hon. Speaker when he quoted the Rules, I can say with the

emphasis that I command that I have never made an allegation in this House which has not been proved by facts and by judicial inquiries. I have made this allegation, not today but two years back, that in Orissa there is a regular gang working in the name of Congress administration who are misusing the administration, who have abused the executive authority and who have made the entire Government machinery a mercantile corporation, a corporation to loot for the benefit of their own families, for their own benefits and for the benefit of a few exploiters. What do we find today? After great deliberations, in spite of the facts being brought before Parliament specifically and pointedly, the Government refused to do anything and ultimately it was for us to send a memorandum to the President saying, "You must act when the Government, knowing fully well, are shielding their own men." And it goes to the credit of the President that he advised the Ministry to go into this question. I am glad about it. There is the Punjab example where they wanted somehow or other to so shelve that matter. But ultimately when it came out to be true, they could not but under the circumstances make some inquiries. The results of inquiries are there for anyone to see.

Now, about Orissa, everybody knows—it is in the press—that the inquiry has been made by no less an authority than the Central Bureau of Investigation and it is also in the press that on as many as 150 points *prima facie* cases have been established against the Chief Minister of Orissa, ex-Chief Minister of Orissa, Mr. Patnaik, and others. How do they function? This was known much before. Nothing was done. It was stated in this House that if a *prima facie* case is established, the Minister has to tender his resignation. I will quote to you what the present Prime Minister said while replying to the No-Confidence Motion. This is what he said:

"...The Law is really not very effective in these matters. It is exceedingly difficult to prove a case or to prove the charge. Therefore, certain conventions have to be built up. In that regard, I would like to say that we, all the Ministers, will have to agree to this, that once the Prime Minister or the Chief Minister tells anyone of his colleagues that he feels there is a *prima facie* case or he feels that there is something which is not correct, the Minister should immediately tender his resignation."

And further he said:

"...I would like that the Chief Ministers should remain above board and there should be no finger pointed towards them".

These are the words of our present Prime Minister. He said these words on 18th September while replying to the No-Confidence Motion. What do we find here? These facts have been brought out and proved to the hilt. The Ministers do not want to resign. They resign for some other reason and then by some dubious means come back again. I say: Can you have any respect for the Congress Party? Please excuse me when I say this. I know you and many members of the Party who have nothing to do with these matters. But knowing fully well that the Chief Minister is almost involved in the matter of corruption and against whom inquiries are going on and cases against him have been proved as well, you want that man to continue in power. And here is the Central authority which want the support of the entire country under the leadership of Mr. Lal Bahadur Shastri. It hesitates and it does not ask this Ministry to go. It dilly dallies this question by saying whether they have the authority or whether they have not got the authority. What is the authority you want? How do you want to tackle this problem? If a gang of dacoits by

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taking recourse to constitutional methods form a majority and wants to subvert the Constitution in a most open and illegal manner, are the Central authority going to tolerate these things for ever or are they going to act?

Mr. Chairman: May I request the hon. Member that he will stick to the scope of the Bill?

Shri Surendranath Dwivedy: It is entirely within the scope of the Bill. Please tell me where it is not in the scope of the Bill. I have not taken up any individual case. It is entirely within the scope of the Bill. If you point out where it is not within the scope of the Bill, I shall certainly correct myself.

Mr. Chairman: The provisions of the Bill relate to the amendment of the various Acts. He should restrict himself to the scope of the Bill.

Shri Surendranath Dwivedy: The Bills are not discussed that way. I humbly submit to you that it is entirely within the scope of the Bill. It is an unnecessary interruption.

I must say that this political matter is the most important factor today. And you have omitted it in spite of the recommendations of the Santhanam Committee. You hesitate to take action. If you do not act at the proper time, then there is no grace left for laws like these or regulations like these.

Now, I have a fear and probably there may be reasons to believe that in this matter the Government of India is taking an altogether unusual attitude. Probably, the political pressure is so great that where facts are in their favour, to act promptly and immediately they refuse to act. Here is a statement made by Mr. Patnaik published in Oriya papers, after he met Mr. Nanda at Guntur, to say that this commission of inquiry, if it is at all coming, is not coming before six

months. He has made this blatant statement. When I put it to Mr. Nanda this morning that papers say that it may take months, he said, no, it may come sooner. When are you going to act? This has to be made perfectly clear. All the apprehensions must be removed from the public mind. It is said that Mr. Patnaik says that if he is accused and a commission of inquiry is appointed, he is going to expose men enjoying highest positions in the Congress and the Government.

Shri C. K. Bhattacharyya (Raiganj): Where does he say?

Shri Surendranath Dwivedy: That is why they are afraid of him.

Shri C. K. Bhattacharyya: Is that statement of Mr. Patnaik recorded anywhere?

Shri Surendranath Dwivedy: I say it now. You record it in your mind.

Shri C. K. Bhattacharyya: We cannot accept it from you unless he himself has said it. (*Interruption*).

Shri Surendranath Dwivedy: I do not want unnecessary interruptions. He has said it.

Mr. Chairman: The hon. Member should restrict himself to the scope of the Bill.

Shri Surendranath Dwivedy: He has said this before responsible persons. There is no doubt about that.

Shri Sham Lal Saraf (Nominated—Jammu and Kashmir): I seek your guidance, Sir.

Shri Surendranath Dwivedy: I am not yielding. If you want me to sit, I will sit down.

Shri Sham Lal Saraf: I seek your guidance on one point. Mr. Dwivedy is a very responsible leader of his Party. I have great respect and regard

for him. He has made such a statement. I do not agree with him in the way in which he expressed it. I would request you to ask him to refrain from making references like that.

Shri Surendranath Dwivedy: I know many like you may not agree. They do not agree at the beginning but ultimately it comes out to be true. If I had not that much of faith in the source and where it has been said, if it had not been from a very responsible authority, I would not have made this remark in the Parliament.

What I was pointing out is this. Here is the Home Ministry which declare that they have launched a campaign against corruption and within two years they are going to eradicate this corruption from this country. I would say most humbly—I would beg of Mr. Nanda—that our patience has a limit. Now the political pressure is there. Therefore they refuse to act. It has gone out in the country, it has gone out everywhere, it is the talk in everybody's mouth that if you appoint an enquiry commission against the Orissa Ministers, there are always against nine or ten Chief Ministers and State Ministers and you will have also to appoint enquiry commissions against all of them, and as a result the Congress will be finished. That is another reason why they refuse to act where they ought to act.

These are things which I wanted to bring to the notice of the House—and I want the Home Minister, either Shri Hathi who is piloting this Bill or his senior, to make it clear. Is it not a fact that the Central Intelligence report, the interim report, was received in October, and Shri Patnaik met him and he explained, and is it not a fact that you have changed because of these forebodings; and, as has been hinted in press releases you are thinking of dealing with this matter like the Malaviya matter, that is privately sending it to a judge? Why do you ask for explanations, a position which actually the enquiry commission should have taken? It was for the enquiry commission to ask for explanation and

their points of view. When we had made specific allegations with documentary proof, after which enquiries were made and a *prima facie* case was proved, what was the occasion for delaying and giving them months to explain? I find there is something going on that they will just refer it to some judge. I say, nothing like that. Let them be very clear in their minds and let them make it very clear in this House that they are going to appoint an enquiry commission. If they are true to their professions, if the Prime Minister Shri Lal Bahadur Shastri's words have any meaning, then without waiting for any explanations they should appoint an enquiry commission.

You have yourself heard in the morning, what is happening in that part of the country? Lawlessness, goondaism; there is no rule of law, no respect for authority; the democratic machinery is failing. When that is the situation in the country, are we here Members of Parliament just going to proceed on technicalities to find out how to get over the difficulties? Are we not affected by these things? Every one is affected.

My friends will be surprised to learn; there is an election petition—Mr. Chairman, it is a personal matter and I am just referring to it with your permission to show how things are going on—there is an election petition against me. The judgment will be delivered on the 23rd. The two lawyers who have been engaged by me and who have nothing much to do with active politics or with any political party, have been detained, so that if any adverse judgment is there they will not be able to file a case in the High Court. (An Hon. Member: Shame). That is the state of affairs which is going on there. I have told the Home Minister to find out whether this lawyer of mine belonged to any political party or actively worked for any political party. There is that sort of desperate authority. You know, a wounded tiger wants to kill everybody. Similarly, in a state of desperateness they do not know what they are going to do.

[Shri Surendranath Dwivedy]

If we tolerate this sort of atmosphere, these laws will have no meaning. The Prime Minister said that if there is a *prima facie* case they will tender their resignation. But they are not prepared. It is for the Home Minister now to act. Whatever explanations they may be giving, they will be considered later; immediately they should be asked to resign and get out of the administration. That is the minimum that has to be done if Shri Nanda is actually serious, if he wants to prove his genuineness. I feel and I believe he is a sincere man. Therefore I have some faith. But, after all, he is a part of a big machinery, the Congress Party which is not going to leave all its power and privilege and pelf in this manner.

Therefore, Mr. Chairman, I am not against this Bill as such. But I would again, most respectfully urge upon the Home Minister and his Ministry: do not mislead the people by such laws. If these laws are to be made perfect, the recommendations of the Santhanam Committee must be implemented fully. What objection have you got? I now find why they did not agree to the simple recommendation that if there is a petition by ten Members of the Legislatures or ten Members of Parliament then automatically an enquiry would be held about their affairs. Why? It is only because they know that most of their own men will fall a victim in such a case. Here this Bill again shows that they do not want to include Ministers, Parliamentary Secretaries and others, which was the specific recommendation made by the Santhanam Committee.

Mr. Chairman: Shri Oza.

श्री हुकम चन्व कक्षाय (देवास) :
अध्यक्ष महोदय, मेरा एक व्यवस्था का
सवाल है। सदन में जब ऐसे महत्वपूर्ण
विषय पर बहस हो रही हो तो वह बैर
कोरम के चले इसे मैं कुछ उचित नहीं
समझता।

Mr. Chairman: The Quorum Bell is being rung—Now there is quorum. Shri Oza.

Shri Oza (Surendranagar): Mr. Chairman, looking at the trends of the speeches of the last speakers from the opposition benches we could see that they have utilised this opportunity to give vent to their wrath—with which I have no quarrel—against corruption, but perhaps more against particular persons.

Shri C. K. Bhattacharyya: More against persons than against corruption.

Shri Oza: When Mr. Banerjee, who does not happen to be present now, participated in this debate, as usual, he brought out many cases before us. We do not know whether they can stand the test of proof. As was rightly pointed out by the hon. the Speaker, it was not fair on his part to make sweeping allegations against any person, however high or however humble he may be in this country.

I do not hold any brief for any person, more particularly for a person like Mr. Birla with whom I have not the remotest concern, but I would certainly say that every citizen of this country has a right to defend himself and his reputation. If we indulge in all sorts of allegations, sometimes very cheaply, I think we will make these allegations at the cost of some vital values which we cherish so much in this country. We all know that Shri Surendranath Dwivedy is obsessed very much with matters connected with Orissa, and more particularly with Shri Biju Patnaik against whom he seems to have been pitched in a battle royal. I do not hold any brief for Shri Patnaik; he can defend himself very much, and I know he can defend himself better than I can do. But I expected that when we were discussing the Anti-Corruption Laws

(Amendment) Bill, my hon. friend would make some more constructive suggestions so that the law courts and the executive can combat this evil more effectively. I expected that he would make some observations on the various clauses in this Bill which according to him might be short of his expectations. But I must admit that I was sorely disappointed.

14 hrs.

While speaking on a previous occasion, I had observed that corruption was a social evil. As such, I would submit that it has got to be tackled mostly or mainly on a social level. I do not want to exonerate either the executive or the Government from their functions; of course, they have also got to be vigilant. But when I say that it is a social evil, I want to point out to the Opposition Benches one thing very humbly. Is this corruption pervading only the Government departments? If we cast our eyes around in society, can we say confidently that our social institutions, whether they be educational institutions, or religious institutions, or institutions relating to health, which are run purely by registered societies, are free from corruption? I do not want to defend the failings of this Government. I am at one with my hon. friends in condemning . . .

Shri P. R. Patel: What does my hon. friend want? He wants no legislation?

Shri Oza: Let my hon. friend have patience and then he will know if he wants to learn more.

I say that we do want this legislation, but we should not forget that in this country we have accepted a Constitution which guarantees the rule of law to all the citizens. What are the rights and the obligations flowing from this rule of law? The Opposition Benches, in season and out of season, whenever the question of Fundamental Rights comes in, when-

ever we discuss even in the emergency a thing like the Defence of India Act, come out vehemently against the encroachments made by Government on the Fundamental Rights in various ways. I entirely appreciate their arguments. But when it comes to corruption, they forget that we are having a rule of law which gives protection to every citizen, namely that he cannot be punished or fined without being hauled up before an independent judiciary, without an opportunity being given to him to defend himself perfectly, and without bringing home the charge completely to him so that he may prove his innocence. Unless all these safeguards are properly observed, there will be an end to the rule of law. We have cast our Constitution in this fashion that let 99 criminals go scot-free, but let not one innocent person suffer if he is really innocent. Unless we safeguard those fundamental laws, I am afraid that in our over-enthusiasm to root out corruption, we shall be encroaching upon certain fields which will ultimately be to our woe and repentance.

So, I would submit that we have to strike a balance, a balance of convenience, between making the laws and the procedures more strict and going at the evil. I quite agree that we must root out the evils. I am absolutely at one with the proposition of the Opposition Benches that corruption is an evil that corrodes our social life and it should be wiped out as early as possible. But I would not concede that it must be at the cost of our Fundamental Rights. As regards Fundamental Rights, the judiciary should be the supreme authority; every citizen when he is hauled up before a court of law should be presumed to be innocent and every opportunity should be given to him to defend himself. If we allow those principles to be encroached upon even indirectly by this legislation because of our over-enthusiasm to wipe out corruption, we shall be doing something wrong. I think that that would

[Shri Oza]

militate against the very Constitution
that we have accepted.

I shall now point out certain provisions of this Bill which will militate against those Fundamental Rights, and the tenets which we have enshrined in the Constitution by which we are swearing day in and day out. Therefore, I would request my hon. friends in the Opposition and also on this side of the House to always keep a proper perspective of the whole thing and to take a proportional view and decide whether we should at all put our foot on the Fundamental Rights and fundamental liberties while we are going at another evil. We have to strike a balance on the basis of how effectively we shall be able to wipe off these evils while encroaching upon those rights, and then only accept whatever amendments are consistent with our Fundamental Rights of having a supreme judiciary and the rule of law in this country.

I would like to know one thing from the hon. Minister in this connection. After the Prevention of Corruption Act, 1947 was passed, how many cases have been brought up before the law courts? And what is the percentage of conviction that has resulted? If he could provide us with any figures in that respect, even tentative figures, or approximate figures, we shall be able to put it in balance and then find out whether we can sacrifice our rights under the rule of law, in order to go at this evil. From what I have been able to gather, I find that the cases brought under the Prevention of Corruption Act are mainly against the small fry like *talatis* etc. Therefore, it means that we want to sacrifice the rights of these poor individuals only, and we cannot go at persons who are high-ups. Of course, the law becomes ineffective in their cases. I am not in agreement if it is indirectly suggested that the high-ups are let free; that is not at all so. But the law as it is framed is not effective enough against the high-ups and against the

big fish as one might call them, but only the small fry are brought before the law courts. Then, what has been the number of convictions? And what have we sacrificed in order to gain what? If the hon. Minister could provide us with those figures, I think that we shall be able to find out how many convictions we have been able to secure after amending the law in 1947. But as I was pointing out, we are sacrificing certain fundamental principles, particularly of criminal jurisprudence, in order to achieve an end which I doubt whether we shall be able to achieve effectively at all. In this connection, I would like to point out that I have tabled an amendment to clause 6, particularly to the proposed new section 7A of the Prevention of Corruption Act, wherein I have sought to provide that an accused is supposed to be innocent, and no procedure should come in the way of his complete defence. If you are going to jeopardise him in his full defence, if you are going to put him, under any pretext, in such a position as where he cannot defend himself properly at any stage, then I am afraid that you are going to do harm to the very principles of natural justice and criminal jurisprudence which we have adopted in our country. I am sure the hon. Minister will accept my amendment when we come to that clause.

There is also another principle which I am afraid he has sacrificed in the amendments that he has brought forward. At page 7, lines 29 to 35 we find:

"Notwithstanding anything contained in sub-section (1) or sub-section (2), the judge or magistrate may, if he thinks fit and for reasons to be recorded by him, proceed with inquiry or trial in the absence of the accused or his pleader . . ."

I would submit that this is very wrong. I am very sorry that the hon.

Minister should have even thought of such a thing. The taking of evidence of every witness of the prosecution and everything else should be done in the presence of the accused. Only the accused can ask for an exemption from being present. But according to the proposed provision, the courts *suo motu* can go against that principle and can hold trial in the absence of the accused. It is a wonderful thing. I would remind my hon. friend that not only should justice be rendered but it should appear to be rendered. That is the principle that we have accepted in the Constitution and the laws that we have put on the statute-book. But, here, by this amendment, the accused shall have to face a music which went on in his absence. I think that that is not fair at all. I would request the hon. Minister to drop this. After all, one or two adjournments would not matter very much; suppose the accused cannot come, we can give him an adjournment. But for expediting a case, say, by a month or two, I do not think we should sacrifice such a principle that no criminal trial should be held in the absence of the accused. Here whether the accused is present or is not, the court, *suo motu*, can give an exemption. I think this is a very sad thing and am sure the hon. Minister will give a second thought to the whole thing.

Then the law presumes that every accused is innocent so long as not proved guilty. We are letting go that very sacred principle. We are raising several presumptions, I do not know to what effect. I am sure many innocent persons will suffer under this law. My hon. friends, Shri Banerjee and Shri Dwivedy may thunder and roar against Shri Patnaik and whoever they may have some grievances against, but I am sure that in their over-enthusiasm they are goading Government in a direction in which poor citizens who cannot go to a court of law and defend themselves properly by engaging eminent counsel will stand to suffer. Let us safeguard the

fundamental principles flowing from the rules of law that we have established in this country. Take a proper perspective. Do not take views out of all proportion and sacrifice things for gaining what—I do not know. That was why I was requesting the hon. Minister for statistics. I want to find out how many convictions have been brought home. I would again and again urge, particularly Opposition Members always to take a balanced view of the whole thing. We know that they are eager to safeguard fundamental rights because whenever an opportunity comes, whether we are discussing the DIR or emergency, they thunder. But when these things come, they in their over-enthusiasm condemn this Government, bringing out individual cases of corruption. Out of thousands and lakhs, they can point out only that number which can be counted on one's fingers. Therefore, let us not lose sight of perspective and sacrifice things which are very sacred to us.

At the amendment stage, I would seek another opportunity to move my amendment.

Shri Kapur Singh (Ludhiana): It is with a certain amount of diffidence, which has not altogether been removed after listening to the speeches of some of my hon. friends who have preceded me, that I rise to express my disapproval of the Bill before the House.

This Bill is the result of a certain amount of conditioning which has been going on in this country for the last 15-16 years. This conditioning has affected the moods of the ruling party, it seems to have affected the moods of those who have made the report, and those conditioned moods are amply reflected in the Bill we are now considering. Thus, not only have issues been obscured, but a great deal of objectivity has been taken out of a balanced judgment of the report. The Bill now before us has consequently been vitiated.

[Shri Kapur Singh]

In particular, I have in mind certain clauses of the Bill—cl. 2 which refers to sec. 21, IPC. cl. 6(7) (a) relating to sec. 7 of the Prevention of Corruption Act and sec. 251A of the Code of Criminal Procedure and cl. 6 (7) (d) relating to sec. 540 of the Code of Criminal Procedure—because these clauses are calculated to defeat the whole purpose of the Bill and to protect corrupt politicians and destroy the morale of public servants.

The problem of corruption is by common consensus a big problem. It has been exhaustively dealt with by the Report of the Committee on Prevention of Corruption which goes by the name of the "Santhanam Committee." We can best consider a problem of this kind, a problem which is basic to our social fabric, by employing the methodology which was taught to us by Gautam, the Buddha, when he was dealing with a basic axiom which he had enunciated as *sab dukh*. This he formulated by way of analysis of this proposition, as चतुरार्याणि सत्यम् (*Chatur-Aryaani Satyam*), the four noble truths. These four truths implicate and show a methodology which tells us that the first problem in such cases always is as to what is it that we have to consider. The second problem is always as to how what we have to consider has arisen. The third problem is as to how what we are considering is to be eradicated, if its eradication is desirable, and the fourth problem is its eradication.

We remember that *Chatur-Aryaani Satyam*, the Four Noble Truths, comprise of दुःख, संसृदाय, निरध, मार्ग । It is by this method of analysis that I would like to consider this Bill and the Report out of which this Bill arises. This Bill tells us that it is in implementation of the proposals and recommendations made by the Santhanam Committee. Out of these four problems which emerge before us by use of the methodology I have

referred to, about prevalence of corruption in public life and the desirability and possibility of its eradication, we are all agreed. So really speaking, only two problems remain—the causes of this corruption and the way to eradicate it. It is here that the Santhanam Committee Report comes before us. After conceding in para 2:3 that "corruption in one form or another has always existed", the Report lists about five major causes of the alarming growth of corruption in independent India. The first is maladjustment of social conscience with rapid economic growth; it is referred to in para 2:7 where they say:

"After independence, a conscious and deliberate effort is being made to change these conditions by undertaking reforms and reconstruction on all directions simultaneously, the emphasis, however, being on the economic sector. The attempt is to accelerate the pace of development in such a manner as to make good the loss of time, the loss having been spread over two centuries. The direction of change is modernisation. A society that goes for a purposively initiated process of a fast rate of change has to pay a social price, the price being higher where the pace of change excludes the possibility of leisurely adjustment which is possible only in societies where change is gradual".

The second cause of the prevalence of a large amount of corruption has been listed in para 2:9, where it says that it is the multiplication of the administrative processes which is responsible for it. The third cause is the unwillingness, as they say, to deal drastically with corrupt public servants and excessive legal protection enjoyed by public servants. I wish to dwell on this in some detail. It is given in para 2:12 where it says:

"We are of the opinion that two of the major contributory factors

for the growth of corruption are, firstly, the partially acknowledged unwillingness to deal drastically with corrupt and inefficient public servants, and secondly, the protection given to the services in India, which is greater than that available in the more advanced countries. It was distressing to hear heads of departments confess, that even where they were morally convinced that one of the officials working under them was corrupt, they were unable to do anything because of the difficulties in obtaining formal proof, finding or conviction. They could not even make an adverse entry in the confidential roll without their being required to justify such an entry with proof when it was challenged after its communication to the government servant concerned".

"Article 311 of the Constitution as interpreted by our courts has made it very difficult to deal effectively with corrupt public servants. When the question of amendment of article 311 came up before Parliament the issue of corruption was altogether ignored and overwhelming stress was laid upon protection of the individual Government servant."

The linguistic animal is most dangerous in Government reports. Government reports formulate policy and they give rise to institutions. Institutions arise out of the words of Government reports. It is for this reason that I want to analyse and examine this paragraph of the report to show how it is based on a particular attitude of mind which abhors objectivity and which substitutes sentiments, heresay and conditioned opinions for balanced judgment.

Firstly, they say "we are of the opinion". Is this opinion based on evidence, heresay, or personal prejudice? The writer has not taken us into confidence, and he has sought to overwhelm us into acceptance by the royal "we".

Further on, they say "partially acknowledged unwillingness to deal drastically with". Acknowledged by whom? What causes this unwillingness, incompetence or corrupt influence? The report is completely silent on this. They leave us to guess, or leave us just in confusion so as to fall in line with the proposals and the recommendations that are to follow. Without making this point clear, the road has been cleared for proposing measures to make the life of self-respecting public servants more impossible than it already is.

Again, it is said "it was distressing to hear heads of departments confess that, even where they were morally convinced. . ." What is the difference between a 'moral conviction', would of any good evidence of proof, and a gross prejudice or personal vendetta? The report finds it unnecessary to go into this inconvenient question, though this is the basic question which should have been taken into consideration when writing a phrase of this kind.

Further on, they say—this is with regard to the heads of departments of the Government whose statements have distressed the makers of the report—"They could not even make an adverse entry in the confidential roll without their being required to justify such an entry." Would the makers of this report or these heads of department who have distressed them, like to be condemned and put into jeopardy on the basis of 'moral convictions', or on any basis whatsoever that cannot be justified or that cannot be objectively enquired into by other than those who accuse them and who traduce them? If they themselves would not like this to happen to them, why is it that they suggest and they propose that this should happen to the permanent services of this country? This inconvenient question they have not gone into carefully. They have not cared to answer it, and they have merely presumed an answer to it which lies dormant in their minds owing to the conditioning to which everybody in this country has been subjected dur-

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ing the last 15 or 16 years in so far as the public services are concerned, and yet this observation of the report is being made the sole justification for the extraordinary and pernicious provisions of the Bill which we are now considering.

It is said that it is always a mark of a man of decision that life is less complex than it is, and of a man of authority that those subject to his authority are somehow less human than he is. If any proof in support of this remark was required, that proof is amply furnished by the makers of the report on corruption. They have made much about article 311. They say:

"Article 311 of the Constitution as interpreted by our courts has made it very difficult to deal effectively with corrupt public servants."

Does the report insinuate that our courts have somehow perversely interpreted the article? No other meaning can be attached to the qualifying phrase, "as interpreted by our courts".

I may refer to paragraph 5.4 of this report where they enumerate about 15 requirements of law which, according to our courts, must be complied with, if the provisions of article 311 are to be satisfied. I would not waste the time of the House by going through these 15 requirements verbatim, but I must make a cursory reference to them with a view to make the point which I propose to make.

The first requirement is:

"The opportunity provided can be considered reasonable only if it gives to the Government servant—

- (a) an opportunity to deny his guilt and establish his innocence;
- (b) an opportunity to defend himself;

- (c) an opportunity to make representations as to why the proposed punishment should not be inflicted on him."

Again, the breach of rules of evidence in some cases may also amount to a non-compliance with the requirements of article 311.

Again, if a delinquent official is asked to defend himself before a person who is already biased against him or who has already prejudged the issue, article 311 must be deemed to have been contravened.

Further, if an enquiry officer puts on record his own evidence as against that of another witness, article 311 must be deemed to have been contravened.

Again, the enquiring officer should not prejudice the case of the accused by looking into unspecified documents.

Again, if the inquiring authority has the duty to come to a conclusion as to the guilt of the delinquent upon an evaluation or assessment of the evidence, then he should himself hear the evidence.

Further, the charge should not be vague.

Again, reasonable period should elapse between the date of the delivery of charges and the commencement of the inquiry.

Copies of the statements made by the witnesses prior to the regular inquiry should be furnished to the person who is being proceeded against.

Non-production of relevant documents asked for by the delinquent officials and non-examination of relevant witnesses called for, would amount to a denial of adequate opportunity.

Again, the statement of the witnesses must be recorded in the presence of the delinquent official.

Non-supply of inquiry officer's report when demanded by delinquent official would constitute denial of reasonable opportunity.

The show-cause notice should be in the name of the punishing authority, or with its authority, consent or approval.

Also, proper opportunity must be afforded to a Government servant at the stage of the inquiry after the charge is supplied to him.

Lastly, the disciplinary authority is entitled to take into consideration the record of the past service of a civil servant in order to determine the appropriate punishment but before taking this into consideration, the civil servant must be appraised of the record of his past service and of the fact that it would be taken into account to decide the question of punishment.

About this, the report complains that the interpretation of the courts of this article has made the task of the Ministers, the task of the Government, most difficult in dealing with those public servants who fall under their displeasure. I ask simply this: is a single one of these requirements such as shocks the human conscience? Is a single requirement which has been listed here, is such that it is opposed to natural justice? Is a single requirement which has been listed here on the authority of the interpretation of the law by our courts such which, leaving the rulers of this country apart and leaving the makers of this report apart, would be considered as unfair by the community of Indian citizens? If that is not so, what justification is there for making a grievance which is sought to be made against the courts that the rules of justice are being applied in the case of public servants also, when the rules of natural justice are still applicable to all the citizens of this country?

While still on article 311, I take this opportunity of putting the record

straight by showing and revealing to this House another facet of article 311 as it has been interpreted by our courts, about which a grievance has been made out in paragraph 5.4 of the report. This facet is completely out of concordance with the story which has been revealed in this report, on the basis of which story, not only this Bill has been brought forth, and on the basis of which all types of restrictive measures, all types of strangulating measures against public servants have been brought into existence during the last so many years. I refer to a paper back edition, the *Sikh Unrest*, authored by Sardar Gurnam Singh, B.A., Barrister-at-law, Judge of the Punjab High Court, (retired) but I would not read the whole story as he has given in this book, printed on pages 63 to 71. I will lay this Book on the Table of the House so that the relevant portions of it become a part of speech. [Placed in Library. See No. LT-3454/64]. I must, however, read pages 68 to 70 where this learned retired judge of the High Court and now an eminent politician has given, on the basis of certain cases which have been decided in our Courts and which he has carefully examined, certain information. There he says that the Courts also lay down that under article 311 certain things can be done to the public servants of which no notice has been taken in this report and of which the Government and the public generally seem to be unaware. On page 68, he says:

"Let us take the following material propositions of law that are further extractable from this case. Interpreting the vital clause in the Article 311, "affording a reasonable opportunity of showing cause against action proposed", the Supreme Court in this case has proceeded on the following propositions.

1. The Government, which in practice means, the group of politicians in power, have a legal right, the free and uncontrolled

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exercise of which is also reasonable to handpick and choose at pleasure, a particular person to judge allegations of misconduct against a particular public servant, despite his written and plaintive protests that thus the dice is already loaded against him.

2. They have such a legal right to frame any charges of misconduct, the term 'misconduct' to mean any conduct *post factum* disapproved by the government in that particular case, even though such alleged conduct may be shown to contravene no already existing rule or directive, or any practice, established precedents or requirements of common sense, good conscience or of decorous behaviour.

3. They have such a legal right to inflict any punishment contemplated under the law for any 'misconduct' thus conceived, despite the requirements of statutory rules that all penalties must be reasonable and just in relation to the facts of the case. Whatever a government may choose to do, in their sweet will, in this matter the courts will not go into the reasonableness and justness of the penalty. This is the law.

4. They have such a legal right to obtain adverse findings through their own handpicked tribunals on the tacit presumption that by leading evidence on one ingredient only, out of the many ingredients that legally constitute a charge, all the necessary ingredients are, by some logico-mystical necessary implication, proved and established. The legal principle of this proposition obviously is that, a part includes the whole, on the analogy of the Hindu metaphysical postulate that all microcosms are, severally and in all respects, the same as the Macrocosm.

5. They have such a legal right to thus obtain findings on matters in addition to the charges formally inquired into, and there is, further, such a legal right vested in government not to allow the victim to defend himself against any of these wholly new accusations, understand this....

Mr. Chairman: The hon. Member should conclude now.

Shri Kapur Singh: We have more time at our disposal and I have already written to the hon. Speaker and the hon. Speaker gave me to understand this . . .

Mr. Chairman: You have taken 23 minutes; you may take two minutes.

Shri Kapur Singh: In two minutes, I will not conclude anything. It is a very important matter and this is the basic and central point of my whole attack against this Bill and I am making an attack which has not so far been made or understood. I shall try to hurry up. It continues:

"6. They have such a legal right to regard all such findings as final and irrevocably established, without affording any opportunity of appeal against them before an independent and impartial forum.

7. Where, however, such a legal right of appeal clearly exists as it did in the case of a particular officer, in view of his having been prosecuted before a judicial tribunal the highest court in the land may decline leave to appeal at the first stage on the ground that the report of the enquiry against him amounts, in law, merely to formulation of *prima facie* 'opinions' against which there can be no legal appeal, just as these opinions cannot form any legal basis for imposing a penalty, and at the final stage, when the party approaches the same highest court,

in referral to the same impugned statute, the respondents remaining the same, in the same case, on the same facts, that the penalty imposed on the basis of these mere 'opinion' may be declared as illegal, his prayer may be rejected by silently assuming that 'Opinions' means after all, the same, in law, as 'findings'. This is legal as well as reasonable.

8. They have such a legal right to prohibit, by fiat, a public servant to have any access to places and documents from where alone he can ascertain his likely defence.

9. They have such a legal right to refuse to produce any documentary material such as is in the possession of the government, even though it is shown to be necessary and vital for the case of the defence.

10. They have such a legal right to refuse to examine any items of the defence evidence as they please not to, even though the findings that would be eventually obtained, demonstrably derive their plausibility precisely from the fact of absence on record of this disallowed defence evidence.

11. They have such a legal right to prohibit the accused public servant from choosing the nature and form of his own defence and he may plead only such defence as meets with their prior approval.

12. They have such a legal right to refuse to allow any opportunity to the public servant to defend himself against the imputations of misconduct except through a written statement after the action is proposed against him.

13. They have such a legal right to refuse the public servant any personal hearing, even though he repeatedly begs for it, and has never been so heard at any stage by the authority concerned."

I trust that a perusal of this along with para 5.4 of the report might assuage the troubled feelings of those who are intent on digging in their knife deeper and deeper into the public services.

To proceed with the causes of corruption that have been set out in the report, the fourth cause which they have set out is given in para 2.14. It is named as industrial and commercial classes. This para concludes:

"If anti-corruption activities are to be successful, it must be recognised that it is as important to fight these unscrupulous agencies of corruption as to eliminate corruption in the public services. In fact they go together."

But there is no mention whatsoever in the whole of this big voluminous report of the New Class of publicmen and workers who have arisen in this country after 1947 who swell the ranks of corruptors.

The fifth cause given in this report says that Ministers and legislators as a possible element in the prevention of corruption might also be considered. But they do so with a reluctance and finesse which does much credit to the report-makers! It is given in para 2.16 and I will read out the words so that the House knows with what reluctance and circumspection and pain they are obliged to say so.

It says:

"We wish we could confidently and without reservation assert that at the political level, Ministers, Legislators, party officials were free from this malady."

Further on, in paras 11.1 and 11.2, however, the report somewhat warms up and becomes a little more communicative, wherein it is said:

"There is a large consensus of opinion that a new tradition of integrity can be established only

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if the example is set by those who have the ultimate responsibility for the governance of India, namely, the Ministers of the Central and State Governments.... There is a widespread impression that failure of integrity is not uncommon among Ministers and that—

Mark this indirect way of making a statement—

“some Ministers who have held office during the last 16 years have enriched themselves illegitimately, obtained good jobs for their sons and relations through nepotism, and have reaped other advantages inconsistent with any notion of purity in public life.”

Mr. Chairman: The hon. Member's time is up.

Shri Kapur Singh: So as not to be outdone in courtesy, I will simply skip over, particularly in view of the bell which you have rung, the story of the Das Commission, the ugly revelations being continuously made in all the States from Kashmir to Kerala and the current talk about Orissa. The House knows them so well that in any case it would be unnecessarily taking time to dwell upon the facts in detail. To counteract these five major causes of corruption, the report has proposed certain measures against public servants and against Ministers. But the proposals against public servants are accepted and they have resulted in the Bill which we are now considering, while the proposals against Ministers are not accepted and they are not in this Bill.

I can make no better comment on this except that made by Gautam, the Buddha, and Nanak the Fifth. In the Pali *Dhammapada*, Gautama the

Buddha is recorded to have said as follows:

“अतानम् एवा पथमम् पतिरूपे निवेस्य ।
निवेस्य अथ अन्नम् अनुशास्य न क्लेषय
पडिप्पो ॥

“First, adopt the path of rectitude yourself, and then legislate for others: there is no other trouble-free path for a wise man.”

Then, in the *Guru Granth*, Nanak the Fifth says:

“अवर उद्देशहि आप न करिहि
आवत जावत जन्महि मरिहि ॥

“To lay down a statute for others, without first coming upto it oneself, leads to recurrent confusion and frustration.”

In section 11 of the report, while discussing the social climate necessary for the eradication of corruption, the report observes: “Change in social outlook and traditions is necessarily slow and the more immediate measures cannot be neglected in its favour.” In this one sentence, there are present three premises; one is that this slow change is all right; the second is that immediate measures must be taken against public servants and the third is that similar measure need not be taken against the Ministers. All these three premises are basically misconceived and ill-conceived.

The Minister of State in the Ministry of Home Affairs (Shri Hathi): Is he quoting any paragraph from the report?

Shri Kapur Singh: No, Sir. When I am quoting, I will tell you.

Mr. Chairman: He is quoting himself!

Shri Nath Pai (Rajapur): It says that you cannot rectify malpractices on the part of civil servants unless you set right the Ministers.

Shri Kapur Singh: All these three premises are basically ill-conceived and misconceived. I assert that neither slow change in social climate and drastic measures against public servants can go together, nor double standards in respect of Ministers and public servants can go together. To fortify my arguments, I will quote with your permission from a very recent book entitled *Corruption in Developing Countries* by Ronald Wraith and Edgar Simpkins. At page 10, it begins by saying:

"Throughout the fabric of public life in newly independent States runs the scarlet thread of bribery and corruption. This is admitted by everybody; very little can ever be proved about it."

And then, it goes on to say:

"...financial buccaneering, even when the public sector is involved, is less soul-destroying in itself than in combination with the pervasive, petty corruption of the poor and the quiet, cynical corruption of the influential; both of which tend to be common, not remarkable, in newly independent countries."

The authors go on to say that "it is the boast of these countries that they are telescoping the centuries." Upon which he comments:

"...What Britain did in 500 years, Africans in particular are determined to do in fifty. This is legitimate: what is not legitimate is to be selective—to say that for certain purposes they will move at ten times the pace of her former guardians in education, the right to vote, parliamentary democracy and technological progress, but reserves the right to travel at a more convenient pace in public honesty."

The same book, which makes a rewarding reading on the subject of

this Bill, emphatically concludes that there are certain developments without which corruption cannot be removed, in the newly developing countries, at all. These conclusions are given at page 208. I will not read them but I will merely refer them to the Minister for going through them and if and when he does it, he will find that there are mentioned certain developments, without which corruption cannot be removed. The author does not mention protection to Ministers and strangulation of public servants as necessary steps for the eradication of corruption.

I now conclude by referring to the clauses to which I objected in the beginning of my speech. I object to them by raising some questions: Why the Ministers cannot be treated on par with public servants in the matter of eradication of corruption? Secondly, Why must a public servant disclose his defence evidence immediately and to the prosecution, as good reasons for not doing so exist: one is to protect against subversion of witnesses by prosecuting agency; the second is to allow for discovery and production of defence evidence as and when desired during the proceedings. Why is this salutary and just protection which is still enjoyed by all the other citizens of the country being denied to the public servants through this Bill.

Then third question is, Why must evidence ever be recorded in absence of the accused public servant when he is contesting the case? Is it known to any civilised judicial process? Lastly, What ethical justification is there to afford the Ministers the protection contemplated in section 198-B(1) of the Code of Criminal Procedure when the Bill omits to include them in section 21 of the Indian Penal Code? For the purpose of punishment, the Ministers are not deemed to be public servants, but for the purpose of protecting them against the people who may level

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charges against them they are deemed to be public servants. It seems that according to our rulers, the Ministers must have the cake and eat it too.

As far as the public servants are concerned, according to the famous saying, those who have, they shall be given more, and those who have not, from them even the little that they have shall be taken away.

Sir, I conclude by saying that this Bill is misnamed. It is a Bill for Perpetuating the Powers and Pleasures of the Ministers over the Public and the Public Servants.

Shri Himatsingka (Godda): Mr. Chairman, Sir, I heard the previous speakers who have dealt with this Bill and also with various other matters not connected with the Bill in spite of the Chair's admonition. This Anti-Corruption Laws (Amendment) Bill is an attempt by the Ministry to adopt some of the recommendations made by the Santhanam Committee. The hon. Minister, while moving the Bill, made it clear that this Bill deals with only some of the recommendations and other recommendations are being considered by the appropriate authorities to whom the matters have been referred. Therefore, to make any grievance that certain matters have not been included in this Bill does not appear to be justified. Some of the provisions that have been included in the Bill have been criticised very ably by my hon. friend, Shri Oza, when he pointed out that some of the provisions in the Bill go too far and should be considered afresh. After all, if we want to punish anybody, we must give that person the right and opportunity to defend himself properly; simply because there are certain allegations against a person, he should not be treated as a criminal from the very start. He should be given an opportunity as any other person is given an opportunity.

Certainly the provisions that have been made provide for speedy trial. That was absolutely necessary, because prolongation of trial in these cases sometimes affects the merits of the case and also gives an opportunity to the persons concerned to interfere with the process of justice. So, the provisions for speedy trial are welcome. At the same time, they should not be carried so far as to say that even evidence can be recorded in the absence of the accused, unless it appears that he is absconding. There is already provision in our penal codes that if a person is absconding, evidence can be gone into in *absentia*. But if an accused has justifiable grounds for not being able to be present on a particular day, the court should not be given the authority to proceed in his absence, because in that case, he may not be in a position to instruct his lawyers and to have his case properly presented.

While talking of corruption, I feel that we in this country are making too much noise. If we accept the allegations that are thrown about from time to time, almost without any interruption, then we have to come to the conclusion that the whole of India is corrupt. I have been to foreign countries recently and I may say that from enquiries made, what we call corruption in most of the cases is very much more prevalent in some of the Foreign countries and they never talk of corruption in the sense we do.

An Hon. Member: According to you what is existing is not enough!

Shri Shinkre (Marmagoa): Why did the Government appoint the Santhanam Committee then?

Shri Himatsingka: Government appointed the committee to make enquiries and the report is there. I do not say there is no corruption. But to exaggerate it and go on talking

about corruption really creates an atmosphere which brings down the standard of morality. This kind of talk is having the effect of producing a kind of inferiority complex in a large number of persons. So, we should be careful in making these allegations.

Some Members of the House are allergic to certain names. One of them is Mr. Banerjee, who is not in the House at the moment. He is always allergic to certain names and he must bring forward those names somehow or other. He brought forward the name of a firm and said licences are being given to that firm and enquiries should be made. As my friend here says, he always does it at his convenience, without going into the facts or truth and ascertaining the reasonableness or otherwise of the remarks. He went on dragging in certain names, in spite of the wishes of the Speaker. But when a person stands to speak and wants to go on, it is rather difficult for the Chair to pull him up. He forgets conveniently that the name about which he was allergic was very welcome to the communist ministry when it was in power in Kerala. That Ministry cajoled that firm to start a factory in Kerala when the communists were in power. Now simply because a certain licence is given to that business house, he wants an enquiry to be made. That shows the kind of allegations we are prepared to make without any justification.

People outside make certain allegations against Members of Parliament and Members of State Legislatures. They say, certain members are on the pay roll of some firm to run down other firms whom they do not like. Should we accept those statements and make allegations against those Members? That kind of allegation is made though it is not proved. Certainly we should be careful in putting forward allegations of corruption against persons who cannot

defend themselves in this House. That is how we are exaggerating small matters into big stories of corruption. Therefore, what I feel is whenever we find there is corruption, we should put our foot against it and try to stop it. But it cannot be stopped unless there is co-operation from all sides. I might emphatically say that there is no co-operation from the side of the public or from MPs or MLAs. If we do our duty and try to bring these facts to the notice of the Government, I have no doubt that a lot of corruption can be stopped. In most cases, a large number of our friends are themselves parties in helping certain persons in getting something which they are not entitled to get.

Shri Umanath (Pudukkottai): You can bring such cases to the notice of Government.

Shri Himatsingka: Whenever such cases come to my knowledge, I do bring them to the notice of the Government. I wish my friend who has been interrupting will have the courage to do so. If he does it, he will see that a large number of corruption cases will stop, but he has not got the courage to do so.

As a matter of fact, I find that some of the officers also are allergic when you give them certain facts. I was in Churu very recently. When I heard certain persons alleged that certain inspectors of certain departments always give trouble and they have to pay money to them, I mentioned it to the magistrate in a meeting which I had the opportunity to address. But the magistrate grew furious. He said that I ought not to have mentioned it at a meeting. I asked, what is wrong? I simply wanted to draw his attention to what people have been saying here. I do not know whether the allegation is true or not, but if certain allegations are made against the officers by certain persons who have no axe to grind, why should the magistrate be not in a position to enquire when he

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is being requested to make enquiries? Therefore, officers also should not be allergic to any allegations being brought to their notice for enquiry.

If we co-operate with the authorities at the proper time and give them timely information, I have no doubt that a lot of these things can be curtailed. But the opposition members want only to speak in the House and not take any steps to stop these things. No action can be successful in this direction unless the public come forward to co-operate with the authorities. Laws alone will not be sufficient. The laws will be effective only if they are administered with the help of the people.

With these words, I support the Bill to the extent it goes and I also appeal to our friends to do their part of the job by bringing cases of corruption to the notice of the authorities in proper time and not exaggerate them and give a false picture to the outside world.

Shri K. L. More (Hatakanangle): Sir, I am grateful to you for giving me this opportunity. I welcome this measure and I congratulate the Minister on bringing in this measure before this august House.

15 hrs.

But, Sir, I have some observations to make with regard to some provisions. As you are aware, I have given notice of amendments to clauses 3 and 6 of the Bill. My first amendment relates to clause 3 of the Bill. Clause 3 of the Bill seeks to amend section 198B of the Code of Criminal Procedure, 1898. I am opposing this clause (3) entirely on certain grounds. Firstly, this clause does not fit in with the framework of the corruption laws. As we find, it is true that the clause relates to the amendment of procedures with regard to the offence of defamation. But in the Statement of Objects and

Reasons given in the Bill, the hon. Minister has not given any reason regarding the relevancy of bringing in this clause along with the clauses dealing with the corruption laws. The object of the recommendation of the Committee on Prevention of Corruption—the Santhanam Committee—with regard to Section 198B was only, as has been stated on page 64, para 7.29(a) “to create social climate” Secondly, the inclusion of defamation by spoken words will cover a very wide and unlimited field of activities and is likely to create unhealthy social atmosphere. The offence of defamation by spoken words is likely to encroach upon the domain of every private and public expression of thoughts. Who can guarantee that the offence of spoken words will restrict itself to defamatory statements made in public meetings as is envisaged by the Committee on Prevention of Corruption? There is nothing in the present clause to restrict its import to defamatory statements made in public meetings. My third reason for objecting to this clause (3) is because this clause seeks to dispense with the consent of the party defamed for instituting the complaint in the court. It is quite strange that the public prosecutor is to file a defamatory case without ascertaining the wish of the person defamed and even without ascertaining the truth of the matter. Lastly, this clause is likely to create doubts that the Government is devising a way to shield ministers, which I do not like.

Now, with regard to clause 6(7), I am opposing this clause with all the power at my command. My object in opposing this clause is that the principle involved goes to the very root of the criminal law. This clause is going to take away entirely the fundamental privilege of the accused. This clause makes it obligatory for the accused to file a list of witnesses and documents he proposes to rely upon in his defence all at once. The

present clause does not recognise even the privilege recognised and recommended by the Santhanam Committee. The Committee has said:

"We have, however, no objection if he gives such a list at a subsequent stage provided it is done immediately on the closing of the evidence for the prosecution."

I am quoting from page 63, para 7.18. It is quite strange that prosecution desires to base its case on the defence evidence. At least this recommendation of the Committee should have been taken into consideration before this measure was brought in.

As regards the objection of the Bill I will say a word or two. In my humble opinion, the Bill will not go a long way in achieving the object of uprooting corruption in this country. As has been admitted by the hon. Minister, the present Bill is not a comprehensive Bill. No doubt, the Bill when passed into law will create fear in the minds of corrupt persons, but it will not achieve the desired effect.

In my humble view, there is a dire necessity of bringing in some sort of a measure which will curb the selfishness or greed of a man to acquire unlimited property. For this purpose, the Government must seriously think of bringing in a legislation to put a ceiling on man's property. If limitation has been put on agricultural land, why not there be a limitation on man's property, moveable as well as immoveable. The very thing that there exists unlimited liberty to possess any amount of property and money is the cause which leads largely to breeding of corruption.

There is another root cause of corruption and that is, according to me, the fact that there is a lack of security of living for a man. Man's greed or selfishness will cause great misery.

Man tries to get money and property by hook or crook and provide for his family and his later life. If, therefore, conditions are created to give security of living to every individual, then I hope much of the greed or selfishness will vanish and there will be no tendency towards corruption. It appears that Government is not coming forward to bring a legislation in execution of the spirit of the Directive Principles to guarantee adequate means of livelihood.

Shri Nambiar (Tiruchirapalli): He is making very good proposals and they must be accepted.

Shri K. L. More: Thank you for the support.

The Santhanam Committee has made some observations and they are worthy of taking note. They are on page 5 and I do not want to take the time of the House by reading them.

Lastly, I do not agree with the hon. Member, Shri Oza who spoke before me. He pleaded for tackling the problem on merely social and moral grounds. These grounds are not quite enough. Therefore, I am not in agreement with him.

With these few remarks, Sir, I support the measure that is before us.

Shri Gauri Shankar Kakkar (Fatehpur): Mr. Chairman, while I stand to oppose the provisions of the Bill I am surprised to find that the object of the Bill as has been put is to incorporate certain recommendations made by the Santhanam Committee. I fail to understand how even at this stage the Home Ministry is reluctant to implement the report of the Santhanam Committee as a whole when after so much time and so much labour that report has come. I fail to understand why there has been this discrimination in treatment between Government servants on the one hand and Ministers and political figures on the other. It is manifest in this

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amendment. Political figures, Ministers, Deputy Ministers and Parliamentary Secretaries and ex-Ministers have not been brought within the scope of this Bill. When a Bill is brought forward for amending Section 21 of IPC for including certain category of persons under that section, I fail to understand why Ministers, ex-Ministers, Deputy Ministers, Parliamentary Secretaries and office-bearers of co-operative societies have not been included in that category, as recommended by the Santhanam Committee, to treat them on the same footing as public servants. This is really step-motherly treatment, because on one side you do not bring them on equal footing with Government servants and you do not treat them as public servants so that they may not run the risk of being hit by the provisions of this Act; by the same enactment you are giving them privileges. When you do not want to include them in section 21, why should you give them privileges in the case of defamatory statements, even in the case of spoken words, by specifically referring to Ministers, President and Vice-President. It is a clear and manifest case of giving step-motherly treatment or practising discrimination between politicians and government servants in this country.

I am very sorry to say that there is a feeling fast growing amongst Government servants in this country that sometimes they are being harassed for no fault of their own. I, of course, welcome all that has happened in Punjab State and the action taken on the Das Commission report. But I would like to ask the Home Ministry one question. When Shri Kairon was the Chief Minister, when he was at the helm of affairs, suppose the Government servants who were working under him did not comply with his mandate or command, they would have been sacked then and there: there

would have been the immediate risk of their services being terminated. Now those cases are being looked into and those who have complied with his orders are being punished. What does this show? This shows that a stage has come when the ruling party cannot deny that there is interference there is favouritism and nepotism at every stage, from the district level to the Secretariat by the privileged political figures. When there is so much of interference and nepotism and what not, you cannot imagine for a moment that the Government servants can still remain independent or discharge their functions without fear or favour. That is the basic reason for my suggestion that there should be a change of tactics. The political figures should be treated on par with Government servants. Without a strict code of conduct for Ministers and politicians you cannot think of rooting out corruption in this country.

The Minister of Rehabilitation (Shri Tyagi): Does my hon. friend want Ministers to be treated on par with public servants? In that case, the Ministers should have the right to continue in office so long as there are no charges proved against them.

Shri Gauri Shankar Kakkar: I am referring to the provisions of this Bill.

Shri Tyagi: If you want to treat them on par with Government servants, you should give them security of tenure.

Shri Gauri Shankar Kakkar: So, I want to bring them within the grip of this Bill.

Shri Tyagi: The reason for their non-inclusion is, in the case of Ministers by means of a political decision quick action could be taken to remove them without following any detailed procedure of show cause notices.

Shri Gauri Shankar Kakkar: But the law courts cannot touch them. I hope Shri Tyagi would appreciate my point without being technical. If you want to treat them on an equal footing in the matter of rooting out corruption, why should there be hesitation on the part of Home Ministry to include them in section 21 so that they may be brought within the grip of law courts?

Shri Bade (Khargone): Then there will be an advertisement wanting Ministers!

Shri Gauri Shankar Kakkar: Then I come to my second objection. I agree with Shri Oza when he says that you cannot take a step which is a clear breach of the fundamental rights of the citizens, and a clear breach of the cardinal principles of criminal law and criminal jurisprudence. One cannot think for a moment how a trial can take place in the absence of the accused. There are clear provisions in the Code of Criminal Procedure on how to bring the accused before the court, what is to be done if he is absconding or he is not coming forth, how his property is to be attached and so on. Now it is said that in order to save time evidence can be recorded in the absence of the accused. This is a clear negation of the cardinal principles of justice and criminal jurisprudence.

Then, why should there be any presumption against the accused before he is actually convicted? So far we have read that the accused should be deemed to be innocent unless he is convicted. Here there is a clause which says that a certain thing will be presumed against the accused. This goes against the cardinal principles of criminal law.

Then, in clause 6 of the Bill it is stated that in the Prevention of Corruption Act the following shall be inserted as section 6A:

"Notwithstanding anything contained in the Code of Criminal Procedure, 1898, when an accused

is charged with an offence under clause (c) of sub-section (1) of section 5, it shall be sufficient to describe in the charge the property in respect of which the offence is alleged to have been committed, and the dates between which the offence is alleged to have been committed, without specifying particular items or exact dates,"

There is a clear provision in the Code of Criminal Procedure that whenever an accused is brought before the court a specific charge will be framed against him. He has to defend himself on the basis of the specific charge brought against him. Now by this provision you say that it is enough to bring a general charge without details or even the dates. It is something very serious. As long as this provision is in the statute book you cannot expect to get justice for citizen or the fundamental rights guaranteed by the Constitution.

I fail to understand how you can root out corruption by resorting to these methods. I would have welcomed it if the Home Minister had brought forward a comprehensive piece of legislation, covering both public servants and political figures, as recommended by the Santhanam Committee in its report. They should have all been incorporated in a Bill which should have been brought before the House. Then that would have been some sort of an effective measure and would have gone a long way in rooting out corruption to a great extent.

Then, I object to another thing here and that is this. It has been laid down here that if property, money or anything has been acquired by any public servant which is dis-proportionate, there will be a presumption against him. I fail to understand why you do not legislate and bring it on the statute book that there will be such a presumption in the case of those political figures who are made ministers.

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deputy ministers, ministers of state, parliamentary secretaries and those who enjoy the sanctioning power and authority every day.

Shri Bade: 'Proportionate' is a vague word. It may be ten times; it may be 20 times.

Shri Gauri Shankar Kakkar: There should be universal and indiscriminate dealing with these two classes, the Government employees and the political figures. The Government should come forward with definite measures to be put on the statute book for a strict code of conduct and rules with regard to legislators and all those political figures who have got the reins of Government in their hands; otherwise, I submit that this will add further to their dis-satisfaction—there is already great dis-satisfaction amongst Government employees—and they would feel that there is definite discrimination and step-motherly treatment, as I have submitted earlier before you.

Then, there is a difference between criminal law and civil law. According to the cardinal principle of civil law, both the plaintiff and the defendant stand on equal footing and both have to disclose their cause, their documents, in their pleadings. But here there is a provision that when the accused is brought forward for trial, as soon as the charge-sheet is submitted, he has to give a list of his defence witnesses and all the documents on which he is going to place reliance. There is a very great danger if at the outset he is called upon to give the names of the witnesses whom he is going to examine or of the documents on which he is going to rely. There will be very great influence brought on behalf of the prosecution, the police and the executive authority to win over those witnesses and justice will not be meted out to the accused. That is why in the Cri-

iminal Procedure Code, the Indian Penal Code and the Evidence Act, it has been the established practice that the accused is required to disclose the names of defence witnesses or documents at the conclusion of the trial and when the prosecution has closed. But here you are going to introduce a new thing whereby the person who is hauled up or who is an accused has got to give the names of his defence witnesses earlier. In such cases, I assure you, no justice will be meted out if the accused is mandatorily required to do all that. It would not be a law court but it would be a farce and negation of justice given to such an accused.

In the end, in the name that there should be speedy disposal of cases of corruption against public servants, these measures are alleged to have been incorporated in this Bill. When you are going to introduce such strict measures in the case of Government employees, what about the political figures against whom, if *prima facie* cases have been established as a result of inquiries, the slightest and the primary thing of their removal or dismissal has not been resorted to? I do not call for any conviction according to the criminal law, but even that is not resorted to. Then, how can you have the courage to have such strict measures in the case of Government servants when you are not dealing in the same manner in the case of your own ministers and other political figures?

Mr. Chairman: I have no ministers.

Shri Gauri Shankar Kakkar: Whenever I say "You", I always mean "the Government". Please excuse me. I never mean the hon. Chairman; I mean the Government, the Home Ministry and the ruling party.

My submission is that you cannot have both the sides going together. If you are really strict in rooting out corruption, for God's sake, have a non-discriminatory and universal policy. The Government should resort to such legislation whereby justice may be shown to be meted out both to the Government servants and to the political figures in the country.

Shri Tyagi: If no minister is corrupt, how can you take action?

Shri H. N. Mukerjee: (Calcutta Central): Mr. Chairman, Sir, we are discussing a matter of great importance, but I have a suspicion that the listless way in which the House is dealing with it is some indication of the lack of genuine seriousness on the part of Government in tackling the problem of corruption. I have no grouse, particularly against anybody in the Ministry, but I have been noticing all day that except for Shri Hathi who, with conspicuous conscientiousness has been here almost throughout—he is out only for a short while: maybe, for very essential reason—the Treasury Benches have been completely empty except for the sudden emergence—I do not know for what reasons—of Shri Tyagi.

An Hon. Member: He is the lone representative.

Shri H. N. Mukerjee: I would like to see him as often as possible; but that is another point. I do resent that Shri Nanda, who has made a name for himself as the paladin of the fight against corruption—and I believe in his sincerity; no doubt about it—even he has been kept away by heaven knows what particular State occasion. I shall not mention any other name, not even of the Prime Minister, but, unfortunately, again perhaps for overriding State reasons which we are not in the know about, he is hardly ever seen in the Lok Sabha these days.

An Hon. Member: There is the Chief Ministers' Conference.

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Shri H. N. Mukerjee: I say this because Shri Nanda definitely has shown genuine signs of earnestness about this matter. He said the other day—I read it in the papers—that we cannot afford to fail and he has put before the country a kind of perspective. He says that in the next couple of years or so he is going to adopt such measures as would really make a qualitative change in the situation. I do not see evidence, factual evidence, of any serious effort to deal effectively with the problem of corruption in a couple of years' time. I do hope that he was not merely playing to the gallery. I do hope that Shri Nanda will realise his responsibility to the country. I do hope that the esteem in which he is held in Parliament and the belief in his sincerity that we all share comes to be justified by results.

I do not wish to say, as perhaps some people do from time to time, that our country is seething with corruption. I think, we should be a little more careful about the use of words, specially in Parliament—when my hon. friend, Shri Prabhu Dayal Himatsingka, was talking he said that we should not talk too much about corruption—I feel, at the same time, that the problem of corruption is at least so serious and in recent times has assumed certain dimensions in such a way that we should apply our minds very carefully and take some drastic steps in order to stop the rot that appears to have emerged.

And that is why a great deal of seriousness is wanted.

Shri Himatsingka: If you have too many controls and too many laws, there will be more opportunities for that.

Shri H. N. Mukerjee: I do not want to pick a quarrel but I feel that it is better in the interest of the country that we do not exaggerate the extent of corruption and at the same time it is necessary that we try to tackle the

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problem which has appeared in rather extra-ordinary shape from time to time.

The appointment of the Santhanam Committee itself was evidence of the fact that something drastic had got to be done. It is a pity that the Government has thought fit not to follow up the report of the Santhanam Committee in the manner in which it should have been done. The Santhanam Committee has very correctly pointed out that the problem is essentially one of the entire system of moral values and of the socio-economic structure. This means that perhaps no basic change may be expected until the system of values and the structure of society are changed. But while fundamentally speaking that is so, there is not much point in our being fundamentalists in this matter. We should take whatever concrete steps we can adopt at the moment for the eradication of corruption from public life. Therefore, while we should keep the ideal of a change in the social structure which Mr. More was pointing out as the most important instrumentality for the eradication of corruption, at the same time short-term remedies have got to be adopted as quick as they are possible. Even from that point of view, however, the Government's Bill falls very short and the more significant aspects of the Santhanam Committee Report are left in the lurch. That is something against which we hope this House if left to itself, would certainly raise its voice. I say this because a point which has been made over and over again is that the definition of a public servant has not been expanded in the way in which the Santhanam Committee wanted it to be done, from Cabinet Ministers to Chairman of Cooperative Societies who are in the employ of the Government in some way or the other. The Santhanam Committee had recommended that they should come under the purview of legislation. When Mr. Hathi spoke yesterday he said that certain categories suggested by the Committee were not included as it

was feared that would make those people hesitant to bear their responsibilities. It is rather a very dubious and a dangerous proposition. Possibly the idea in the mind of Mr. Hathi—he is not here—was that when a man becomes a Minister or something else, he should be absolved of all anxiety on the score of attack on his integrity. I do not quite understand it. Like Caesar's wife, somebody who becomes a high dignitary in our Republic has got to be above suspicion. If he cannot be, he has no business to be on the Treasury Benches. It is no reason for the Government to imagine that there are people in this country who should adorn the Treasury Benches and should be absolved of all anxiety in regard to any accusations against them being put up. I do not understand this at all. I say this because it is a melancholy fact that it is particularly Ministers of the country at the highest level who have come in recently for adverse criticism, to put it very mildly, and very serious charges have been made against them, brought out publicly, bruited about noised about and agitated all over the place. I do not say that every charge brought against the Minister and published in some paper or other is a correct charge. I am not in a position to pronounce upon it. But the fact of the matter is that these charges against Ministers in the very highest position in our country in the Centre as well as in the States are noised about, talked about very freely. I was in Bombay only the other day and in the most reputable company, company of people who had no political axe to grind, of any sort who had no political convictions of a particular category, I heard open talk in regard to the corruption which is reported to have been practised very high up and the acquisition of properties by a person who was a son of a Cabinet Minister. We have been sent documents about the veracity of which I am not in a position to vouch in which it is stated that bodies of Congressmen have examined these charges against the son of a very important former Cabinet Minister in Bombay.

Everybody talks about it in Bombay. As a Member of the highest legislative body in the country—I am not going to mention the names even here—I am not in a position to know what is being done in regard to this matter. The charges appear in the papers. The Ministers themselves sometimes give statements to the newspapers which reflect upon their own conduct. But nothing is done regarding this kind of a thing.

Sir, during the last session, I had the occasion to refer to some instances of Ministers alleged to be misbehaving. I am not in a position to pronounce upon this aspect of the matter. But these things are thrown about and it is very unfair, on many occasions, to the persons concerned. Possibly, the charges are absolutely baseless; possibly they are malicious. There is no apparatus for examining those charges. And now, what is suggested is that the Prime Minister will look into the allegations against the conduct of Ministers at the highest level—here in Delhi. I do not know. I do not reflect on anybody. But I am not going to be satisfied with a provision that the Prime Minister is going to look into the allegations against any of his own colleagues. I say this because I recall what was said by a man for whom all of us have had the highest conceivable respect, the late Pandit Jawaharlal Nehru—he was here till the other day. When the charges against the former Chief Minister of Punjab accumulated, everybody was shouting about it. Reflection of that noise outside came inside the House also. It was the former Prime Minister who got up to tell us that he had examined that position and that he had given a clean bill of health to the former Chief Minister of Punjab. I cannot understand it. Even earlier, the former Chief Minister of Punjab was in trouble and the Congress appointed a committee under Shri Dhebar for whom we still have the greatest respect. He produced a report exonerating the former Chief Minister of Punjab. Naturally, if I have to deal with some allegations against a colleague of mine, there are certain pre-

suppositions, certain conceptions in my own mind which with the best will in the world I cannot get over.

Shri Kapur Singh: On a point of correction. He was not exonerated by Mr. Dhebar. Mr. Dhebar held that Shri Pratap Singh Kairon was constructively guilty.

Shri H. N. Mukerjee: The former Prime Minister had told us that he had examined the position and that he had given a clean bill of health. It was only later, when great pressure was put upon the Government that the Das Commission was appointed. My point is that when the examination of the charges against a Minister or a person in comparably exalted position is done by a colleague of his even in a superior position, it cannot be done properly. It has to be done on a different basis. A little over ago, Mr. Tyagi suggested that it would mean quick results. We do not want quick results if they are likely to be the wrong results. I want the ascertainment of facts and it is only fair to the person concerned against whom these charges are made. It is no pleasure for us to refer to charges made against our colleagues, whether on this side of the House or on that side of the House, because we meet here on terms of friendship, as much of intimacy as can grow between us, as between one man and another. It is no pleasure for us to refer to the charges having been made elsewhere. But these charges are always being made.

In regard to the province, the States, we have been told that the Chief Minister of the State would examine the allegations against other Ministers.

Now, what is happening in Orissa? The Siamese twins of Orissan politics have created a situation in the country which is a disgrace to the entire political structure of India. They are behaving in such a fashion, and everything appears in the papers. The present Chief Minister of Orissa sent out a circular for all the world to read that he and his wife could give over all their assets to anybody for the sum of one rupee. Is this kind of

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joke to be practised by people very high up in political life? And that kind of person who naturally renders himself liable to be considered to be either an insolvent or a criminal, that kind of person continues to be in power, and that kind of person is vested by the code of conduct suggested by Government with the power to examine allegations against his colleagues. This kind of thing goes on. It passes muster. I cannot understand it. I am not bringing allegations against anybody. I am not saying that X or Y is guilty. I am not in a position to say it. Even if I feel like saying it, I cannot say it, I will not say it; it is not right, it is not proper for me to say it. But this kind of thing is taking place. It is complete anarchy in morals. And why should this happen? Why should this kind of thing happen?

We find, for instance, Congress Party lawyers going about as an investigating team. They went to Bhubaneshwar, they went to Cuttack, and God knows where else. We never heard of teams of the Labour Party or Conservative Party lawyers or other people going round to investigate charges against their colleagues and flinging their own certificates in the face of a clamorous public. What is the good of this kind of certificate? It is only fair that the Ministers concerned, against whom certain allegations are made, sometimes may be wrongly, it is only fair to them also that their cases are brought up properly and they are examined.

Now, the Santhanam Committee wanted section 21 to be amended so that Ministers could be brought in and described as 'public servants'. But this has not been done. Then again, the Santhanam Committee had recommended that if ten Members of Parliament or ten Members of a State Legislature could bring charges against certain Ministers in that case they would be examined by members of the National Panel to be appointed by the

President. But that also has not been incorporated here.

I do not understand. I say this because you cannot tackle the problem of corruption merely by landing small fry in your net and punishing a few inconsequential persons who might have behaved rather badly. You can fight corruption in two ways; but the two ways must go together. One is moral exhortation which the Sadachar Committee of Shri Nanda might very well carry on. But moral exhortation alone will not have any effect. Moral exhortation plus some concrete action, action which would show that even those who are in high positions would be touched, and touched effectively, if they have gone wrong, is required.

Therefore, you have to make an example of those people who are in positions of high authority and who have been proved after proper investigation to have done something which they ought not to have done. This is the only principle on the basis of which you can go ahead. But Government does not proceed in that fashion at all. Government brings legislation only to bring about some footling little change in procedure.

I do not say that this Bill is altogether bad. In so far as it goes ahead it is something which is good. But it does not go anywhere near far enough and does not tackle the basic aspects of the problem. And I am perfectly convinced from what I see, from what my experience has been, even in the time when Pandit Jawaharlal Nehru was Prime Minister I have seen how when people in high places are found to have done something which at least is doubtful and which requires investigation, the lapses or the alleged lapses have a tendency to be covered up because they are people in positions of high authority.

It gives me great sorrow to have to say this because I have sometimes felt, in this House, in the Lobby and

elsewhere, I have felt embarrassed in speaking about them, some member of Government or former member of Government with whom I have been quite friendly but about whom I have heard some allegations, about whom having heard those allegations I have tried to convey them to people higher up. But nothing happens. Mr. Santhanam wanted me to tell him something about my views and I gave him some details about that kind of thing. He also expressed his complete inability to do anything in the matter.

But I think it is a terribly intolerable situation, because, morally speaking, we meet here and we have to be sure about each other's bona fides at least to an extent which is absolutely essential. Sometimes we hear these complaints against people; as I told you in Bombay, when somebody asks, what can I say about this; somebody says "what do you think about so-and-so about whose son all these things are circulating?" And they have been printed in papers which have never been prosecuted so far. And why does this happen?

Then again, Sir, I feel that when these allegations are made and if they are pending investigation, the Ministers concerned should step down at once. In Orissa, for instance, how can the present Chief Minister continue for so long? Where is the morality about it? Where is the political ethics? Has it vanished altogether? What is the good of talking about *sadachar*? What is the good of punishing even a Deputy Director-General of Supplies or someone who was hauled up the other day? It was a good thing he was hauled up; but what is the good of doing that when the Chief Minister of a State who obviously has behaved wrongly is let off scot-free? Mr. Nanda told us this morning in answer to a question that the allegations in regard to the Orissa people run into many volumes. Here are people against whom allegations made apparently by respectable people run into many volumes; here are people against whom the Central Investigating Bureau and

the Special Police Establishment are busy ferreting out documents and finding out the truth about them; and they are still in positions of pomp and power and they occupy the position of head of government in a particular State.

What is the point in this? What is the point in talking about corruption? What is the good in saying that Government is really keen on eradicating corruption when you keep these things hanging fire, when all these reports are there and nothing is done about it? I am very sorry, Sir, that I have to speak in this strain. And I cannot go into details in regard to this matter, because I feel it is quite useless.

In so far as these little measures are concerned, they are all right. Mr. Hathji and Mr. Nanda are welcome to them; we do not mind at all. But this is not the way in which you should proceed in order to tackle the problem of corruption. Let *sadachar* be preached by any amount of moral exhortation, I am with them. We are always prepared to support Mr. Nanda, even against some of his colleagues who have been reported in the papers—rightly or wrongly, I do not know—to be rather against the idea of this crusade against corruption. We are ready to back every effort on the part of Government to root out corruption. But we are waiting and waiting and waiting to see what steps, concrete steps, courageous steps, are taken by Government in order to make an example of people in the highest places against whom these allegations are made. We are waiting to see those steps being taken. They have not been taken—ever since the day when the late Pandit Jawaharlal Nehru said that he would have the hoarders and profiteers hung up on the nearest lamp-post. Nothing was done about it. He was never stern enough to be the real leader of a movement which could have brought about a definite change in the socio-economic structure of our country. Ever since those days we hear this talk. But this talk

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is never implemented. Between conception and execution falls a dark shadow. That shadow is looming behind Mr. Nanda's exertions. Unless that shadow is removed, nothing will take place.

That is why I say that though I support the Bill as far as it goes, it does not go anywhere near far enough, and that is why it does not

श्रीमती तारकेश्वरी सिन्हा (बाढ़) : सभापति महोदय, मैं आज सुबह से यहाँ बैठी हूँ। सभी सदस्यों के मुख से जो बातें सुन रही हूँ, उन के यहाँ सुनने की इतनी जरूरत नहीं है। चर्चा इतना हुआ है। सवेरे उठ कर इस के अलावा दूसरा मंत्री न देखने को मिलता है, न सुनने को मिलता है। इस लिए सुना तो बहुत है—देखा कितना है, कह नहीं सकती (Interruptions). सुना बहुत है—सुनाती भी हूँ—लेकिन देखा कितना है, यह पता नहीं है। परन्तु एक नतीजे पर मैं जरूर पहुँची हूँ और वह यह है कि बचपन में एक कहानी हम ने पढ़ी थी एक मालिक की और उस के बहुत वफादार नौकर की। मालिक सो रहा था। दोपहर का वक्त था। नौकर से कहा कि जरा पहरा देना, कोई आ न जाये, नौकर बहुत वफादार था। पहरा देने लगा। और वह इतना वफादार था कि तलवार ले कर पहरा देने लगा। एक मक्खी आ कर नाक पर बैठी मालिक के। वफादार नौकर यह भूल गया कि मक्खी को मारने के लिए तलवार का इस्तेमाल नहीं होता और न होना चाहिये। अपनी वफादारी में उस ने तलवार चलाई। मक्खी तो उड़ गई लेकिन मालिक की नाक कट गई

श्री त्यागी : बड़ी प्यारी हिन्दी धोलती

श्रीमती तारकेश्वरी सिन्हा : मैं आप से एक सवाल पूछना चाहती हूँ और वही सवाल मैं आप के द्वारा इस सदन के माननीय सदस्यों से भी पूछना चाहती हूँ और मुल्क से भी पूछना चाहती हूँ। कानून बनाने से और कानून को किताबों में लिख कर रख देने से अगर सभी विवादों का फैसला हो जाया करता, सभी समस्याएँ हल हो जाया करतीं तो क्या वे सब सवाल जिन का जवाब नहीं मिलता है वे पैदा होते ? कभी नहीं होते। कानून बनते जाते हैं और सवाल भी बढ़ते जाते हैं, प्रश्न भी बढ़ते जाते हैं। मुझे एक शेर याद आता है। उर्दू के एक शायर ने कहा है :

तुम्हारी जुबान ने आबरू रख ली
न जाने कितने सवालों की।

इस बिल में जो कुछ लिखा गया है क्या उस से सभी सवालों का जवाब मिल जाता है, यह मैं पूछना चाहती हूँ ? बहुत से नए सवाल खड़े हो जाते हैं जिन का अभी जवाब सरकार को देना है। और यह जवाब उस को आज नहीं तो कल अवश्य देना पड़ेगा।

यह बिल आया है कुछ सुझावों को ले कर। संतानम कमेटी की रिपोर्ट वफादार नौकर की तरह इस्तेमाल की जा रही है जिस के हाथ में तलवार मक्खी उड़ाने के लिए भी है और मालिक की रक्षा करने के लिए भी। वह रक्षा मालिक की कर सकता है, इस में कोई शक नहीं है देश की इज्जत आबरू और अमानत की रक्षा कर सकता है, इस में कोई सन्देह नहीं। परन्तु तलवार जब इस्तेमाल नहीं करनी आती तो नाक पर बैठी हुई मक्खी को उड़ाने के लिए नाक को भी वह काट सकता है। इस कमेटी की सिफारिशों का परिणाम, इन का अंजाम कहीं यह न हो जाय, इस की सावधानी आप को बरतनी है। कमेटी की रिपोर्ट क्या है, इस को आप देखें। मुझे अखबारों में चन्द अपनी लाइनें लिखवानी हैं, इसलिए मैं बोलना

नहीं चाहती हूँ। लोगों में हिम्मत नहीं हो रही है कि लोगों की बात कहें, गंगा की धारा के खिलाफ उलटे मुंह खड़े हो कर चलने के लिए कोई भी तैयार नहीं होता है। कोई यह नहीं चाहता कि समुद्र के थपेड़ों को नाव में बैठ कर पार करे। सब यही चाहते हैं कि धारा अच्छी हो और सहूलियत से उसे ले जा कर के पार उतरा जाय। यही हालत आज हमारे देश में कुर्रप्शन की बाबत हो रही है। हम इस कानून को बना कर के किताबों में रखना तो चाहते हैं परन्तु यह भूल जाते हैं कि दुनिया के इतिहास में न जाने कितना कुछ लिखा गया है, न जाने कितने कानून बने हैं किसी मकसद को ले कर के, लेकिन उन का अंजाम कुछ और ही हुआ है। एमीली जोला की एक बहुत बड़ी किताब है फ्रांस की। वहाँ की सरकार ने एक गरीब आदमी पर मुकदमा चलाया, गलत मुकदमा चलाया और मुकदमा चला कर के उस को तबाह और बरबाद कर दिया। कोई आदमी बोलने के लिए तैयार नहीं हुआ। आज की सरकार हमारे यहाँ तो प्रजातन्त्रीय सरकार है। लेकिन उस समय वहाँ की जो सरकार थी वह तानाशाही सरकार थी। वह सरकार उन लोगों की जबान खींच लिया करती थी जो लोग कि सरकार के खिलाफ बोलते थे या लिखते थे। परन्तु एक लेखक ऐसा हुआ जिस ने उस केस का ब्योरा जनता और देश के सामने रखा और वह ट्राइफस केस के नाम से बड़ा मशहूर हुआ। एमीली जोला की एक किताब है। उस को देखने से मालूम हुआ है कि फ्रांस में एक क्रान्ति मच गई थी, आन्दोलन मच गया था इस को ले कर कि एक गरीब, निरीह आदमी को इस तरह से फंसाया गया था, इस तरह से मारा गया था, इस तरह से तबाह और बरबाद किया गया था।

माननीय सदस्य कानून को दो तरह से देखते हैं। उन्हीं माननीय सदस्यों को जब कोई कानून बनता है, जिससे उन को चोट पहुँचती है उनके रास्ते में अड़चन पैदा होती

है, तो वह कानून अच्छा नहीं लगता है। परन्तु अगर कानून कोई बनता है जिस से उन को सरकार के ऊपर लकड़ी चलाने का मौका मिलता है, सरकार के ऊपर आसानी से उंगली उठाने का मौका मिलता है तो वह कानून उन को बड़ा अच्छा लगता है। दो जवानों और दो आँखों और हम इस्तेमाल करें तो सही तसवीर नहीं देख पायेंगे। प्रिवेंटिव डिटेन्शन का कानून आया, मौजूद आया, जरूरत थी, इसलिए आया, मगर मैं समझती हूँ कि किसी भी विरोधी दल के माननीय सदस्य ने उसकी चर्चा करते समय यह नहीं समझा कि मुल्क को जरूरत है ऐसे कानून की इसलिए इस कानून को पास किया जाना चाहिये। किसी ने उन में से यह नहीं कहा कि यह जो कानून पास किया गया था अच्छा किया गया था। परन्तु आज मैं किसी के मुँह से विरोधी दल के माननीय सदस्य के इस तरह की बात नहीं सुनती हूँ। सरकार को लकड़ी मारने का एक बड़ा अच्छा मौका मिला है इस वास्ते जोर जोर से लकड़ी बे चलाते जाते हैं, उस के बाद अंजाम चाहे कुछ भी हो। वह जिम्मेवारी हमारी नहीं है। वह जिम्मेवारी तो आने वाले भविष्य की है, आप की नहीं है। इस वास्ते जितनी भी लकड़ी चला सकें, चलाते रहें और चलाते रहेंगे। सरकार न जाने चुप क्यों है। मैं पूछना चाहती हूँ सरकार से कि सवाल क्या आप ने पैदा किये हैं या नहीं किये हैं? आप देखें अच्छी तरह से उन बातों को। क्यों आप हिचकिचाते हैं? क्यों खामोश रह जाते हैं? लेकिन जवाब देने के लिए मैं जानती हूँ कुछ लोगों के बारे में कि . . .

Shri Nambiar: Will the hon. Member speak something about the Bill under discussion, or will she be speaking only in a general manner?

Shrimati Tarkeshwari Sinha: I am sorry. If my hon. friend would have been attentive to my Hindi speech, he would have understood.

Shri Nambiar: We are listening to the translation.

Shrimati Tarkeshwari Sinha: My hon. friend's interruption shows not lack of appreciation but lack of intelligence. I am sorry.

Shri Koya (Kozhikode): The hon. Member is too intelligent. She says that we have no intelligence. She should withdraw it.

श्रीमती तारकेश्वरी सिन्हा : जो प्रश्न इस बिल के साथ उठाये गये हैं, मैं समझती हूँ कि वे यहीं समाप्त नहीं हो जाते हैं, मामला यहीं खत्म नहीं हो जाता है। संतानम कमेटी की रिपोर्ट के बाद गृह मंत्री महोदय ने कहा कि हम बहुत सोच विचार कर के एक ऐसा कानून ला रहे हैं कि जितने मर्ज हैं उन सब का इलाज हो जायेगा, उन सब का इलाज होने की उम्मीद हो जायेगी। परन्तु हम देखते तो यह है कि ज्यों ज्यों दबा होती जाती है, मर्ज त्यों त्यों बढ़ता जाता है। आज जो देश में वातावरण है वह कल और परसों नहीं था। क्यों आज यह वातावरण पैदा हुआ है? क्या यह बात है कि एक दिन या एक रात या आधी रात के समय हम उठे और हम ने देखा कि मुल्क में करप्शन ही कुरप्शन है? अगर करप्शन है तो पहले भी थी। पहले थी तो इतने जोर से आवाज उठाते क्यों नहीं थे? आज ही इतने जोर की आवाज क्यों उठाने लग गये हैं? मैं कहती हूँ और मैं जानती हूँ इस बात को कि आज करप्शन कम नहीं हुई है बड़ी है और जितनी भी हम आवाज उठाते जाते हैं उतनी ही बढ़ती जाती है और बढ़ती जायेगी।

सवाल यह उठता है कि आप किस के हाथ में हथियार दे रहे हैं? यहां पर कहा गया है कि हम स्पेशल पुलिस एस्टेबलिशमेंट के हाथ में अधिक अधिकार दे रहे हैं। साथ ही हम इंडियन पीनल कोड को बदलने की कोशिश कर रहे हैं और करप्शन के प्रिवेंशन के बारे में जो कानून बने हुए हैं उन को और अधिक अच्छा बना रहे हैं, और मौजूं बना

रहे हैं। मैं एक सवाल पूछना चाहती हूँ। जितने भी कानून हमारे मुल्क में आज तक करप्शन के खिलाफ बने हैं, उन के इस्तेमाल में जो लोग गलतियां करते हैं क्या उन को सजा देने की भी कोशिश की गई है, क्या यह देखने की भी कोशिश की गई है कि उन का सही इस्तेमाल हो? जितने भी कानून बनते हैं क्या उन का पूरा इस्तेमाल हुआ है कि हम को दिन-प्रति-दिन और कानून बनाने की जरूरत पड़ती जा रही है? अगर हम उन को अच्छी तरह से इस्तेमाल करते हैं, अच्छे और बुरे का खयाल करते हैं तब तो किसी को कोई आपत्ति नहीं हो सकती है। दूध को पानी से अलग कर के दूध का दूध बनाते हैं और पानी का पानी बनाते हैं तब यह कहा जा सकता है कि हमें और कानूनों की जरूरत नहीं है। परन्तु जिस तरह से कानून का प्रयोग होता है जिस तरह से कभी उन का उपयोग होता है और कभी दुरुपयोग होता है, वैसी हालत में मैं कैसे कहूँ कि ये चन्द कानून अगर और बन जायेंगे तो हमारी समस्याओं का समाधान हो जायेगा।

मैं आपका ध्यान उत्तर प्रदेश की हाई कोर्ट के एक जज की एक जजमेंट की ओर दिलाना चाहती हूँ, श्री मुल्ला की जजमेंट की तरफ दिलाना चाहती हूँ जिसमें उन्होंने कहा था कि पुलिस ने ईमानदारी से काम नहीं किया और जांच पड़ताल में उस ने व्यक्तिगत प्रजुडिसिस का मौका दिया। मेरे पास वे शब्द नहीं हैं जिन का उन्होंने प्रयोग किया था। बहुतही खोरदार शब्दों में वह जजमेंट लि 11 गया था। बहुत खोरदार शब्दों में कुछ हल्ला भी हुआ था कि हाई कोर्ट के जज की हैसियत से उन्होंने पुलिस पर जो इस तरह का आरोप किया वह उनको नहीं करना चाहिये था। परन्तु उनके सामने यह खयाल नहीं था। यहां पर एक संस्था का सवाल था जिस के हाथ में अधिकार दिये गये हैं और उन अधिकारों के अखिर इस्तेमाल होने का सवाल उनके सामने

था। उन अधिकारों का गलत इस्तेमाल होना भी एक बहुत बड़ा कुरप्शन है। कुरप्शन सिर्फ यह नहीं है कि किसी ने दो हजार रुपये ले लिये या दो हजार रुपये दे दिये। जो हम बेईमानी करते हैं वह सब से बड़ा कुरप्शन है, सब से बड़ा कुरप्शन वह है जब दस आदमियों में से फेजरिटिज्म की बात करते हैं। कुरप्शन क्यों होता है, उसकी मां क्या है, बाप क्या है? कुरप्शन इसलिए होता है कि जहां दस आदमी हैं पाने की आकांक्षा रखने वाले वहां नौ को हम छोड़ देते हैं और एक को चुन लेते हैं और इसलिए चुन लेते हैं कि वह हमारा अजीब है, जिस को हम अंग्रेजी में नपोटिज्म कहते हैं। कुरप्शन की बात वहां से शुरू होती। कुरप्शन की बात शुरू होती है वहां से जहां देर होती है। केन्द्रीय सरकार के सम्पर्क में और राज्य सरकारों के सम्पर्क में लोग आते हैं। आज हमारे यहां कंट्रोल हैं, लाइसेंस लेने के लिए बे आते हैं, परमिट लेने के लिए आते हैं। वे यहां पर पैसे खर्च करके आते हैं, यहां रहते हैं तो उनको पैसा खर्च करना पड़ता है। मान लीजिये कि पैरवी न हो, हाथ गर्म न किया जाये, तो लोगों का काम नहीं होता है। इसलिए हाथ गर्म करने की जरूरत होती है, मुट्ठी गर्म करने की उनको जरूरत पड़ती है। वे पैरवी करते हैं और उस पैरवी में उनका काम हो जाता है। इसलिये कुरप्शन की पैदाइश न संसद् में होती है न मिनिस्ट्रों के घरों में होती है। कुरप्शन की पैदाइश होती है जो हमारी संस्था का ढांचा है उसके अन्दर। किसी की बातों को उड़ा देना बहुत आसान होता है, अगर उन बातों को थोड़ी सी ग्रहणियत भी जाये तो मैं समझूंगी कि बहुत अच्छा होगा। श्री हिम्मतसिंहका ने कहा कि जितने कानून बनते जा रहे हैं उतनी ही लालफीतसाही बढ़ती जा रही है और कुरप्शन तो इस से होगा ही। आज हम गांवों में जाते हैं तो देखते हैं कि जब ग्रामपूजी आदमी का काम नहीं हो पाता तो ग्राम तौर पर इतनी बात कही जाती है कि कौन इतनी मुसीबत उठाये, चलो दो रुपये उसे दोगे और काम हो जायेगा। कोई आदमी

इस क; कुरप्शन नहीं मानता। यह रोजमर्रा की जिनगी का हिसाब किताब हो गया है। कुरप्शन की शुरुआत वास्तव में वहां से होती है। इसलिये मैं समझती हूं कि अगर कुरप्शन को खत्म करना है तो पहले आप को अपने शासन के ढांचे को बदलना पड़ेगा।

16 hrs.

बहुत चर्चा की जाती है और रोज-रोज कहा जाता है कि शासन के ढांचे को बदला जायेगा। न जाने कितनी रिपोर्टें तैयार हो चुकी हैं, हिन्दुस्तान की सरकार की आर्काइव्स, जिन में ये रिपोर्टें रखी जाती हैं, रिपोर्टों से भर गये हैं। अगर उन पर कार्रवाई नहीं होती है। मैंने सुना अपेलबी साहब ने रिपोर्ट दी, उस के बाद न जाने कितने और लोगों ने रिपोर्ट दी, उस के पहिले से भी रिपोर्टें आ रही हैं। क्या उन रिपोर्टों का अचार डाला गया। कहां हैं वह रिपोर्टें जिन में कहा गया था कि शासन में ऐसा-ऐसा सुधार होना चाहिये। उस पर कौन सी कार्रवाई हुई है। कहने में और करने में बड़ा अन्तर होता है। अगर कहना ही करना होता तो हमें कुछ करने की जरूरत नहीं थी, सिर्फ कहने की जरूरत थी। अगर हम शासन का ढांचा बदलने का प्रयत्न करें और गली गलीज कुछ कम कर के करें, तो बहुत ज्यादा इस मुल्क का फायदा आज भी होगा और आने वाले कल में भी होगा। इसलिये मैं सरकार से प्रार्थना करती हूं कि कुरप्शन को हटाने के लिये सिर्फ कानून बना कर और जिक्रों में देश को नहीं कसें, बल्कि कुछ अपने शासन को भी ठीक करे।

शासन में आज नेप टिज्म होता है, अपने जो नजदीकी होते हैं, भाई-बन्द होते हैं, अपने गुट में होते हैं, उन को हमेशा तरजीह दी जाती है। मैं इस बात को जानती हूं, राजनीति में रहती हूं। राज्य सरकारों का जो बरताव है उसे भी जानती हूं और यहां जो होता है उसे भी जानती हूं और समझती हूं। मैं कहना चाहती हूं कि अगर गुटबन्दी के नाम पर

[श्रीमती तारकेश्वरी सिन्हा]

लोगों को प्रोत्साहित न किया जाये, अगर दोस्ताना बरताव के नाम पर लोगों को तरजीह न दी जाये, फेवरिटीज्म न किया जाये, नेपोटिज्म न किया जाये, तो करप्शन आप से आप दूर हो जायेगा। शासन में मैं देखती हूँ कि अगर कोई किसी विभाग का अध्यक्ष होता है, किसी विभाग में जाता है, किसी फौट्री में जाता है, उद्योग धन्ये में जाता है तो पहले अपने आदमियों को बटोरने की कोशिश करता है, सारे देश में जो उस के आदमी होते हैं उन को इकट्ठा करने की कोशिश करता है। अगर उस का भाई भतीजा न हो तो कम से कम दोस्त अवश्य होता है जो उसकी मदद करने वाला हो सकता है। वह कहता है कि वह उसे चाहता है। मैं पूछना चाहती हूँ कि अगर कोई आदमी एक विभाग में जाता है तो क्या उस विभाग में कहीं पर कोई ऐसा व्यक्ति नहीं होता जिससे वह अपना काम चला सके। क्यों जरूरत पड़ती है उस विभाग में जाते जाते कि उस आदमी की मर्जी के लोग वहां इकट्ठा किये जायें और दूसरे लोग सारी ज़िन्दगी काम करने के बाद भी बिल्कुल बेकार हो जाते हैं। दूसरे लोगों में हज़ारों अवगुण हो जाते हैं और सिर्फ वे जिन को अधिकारी चाहे सब गुणों के अवतार हो जाते हैं, इस बात को मैं मानने के लिये तैयार नहीं हूँ। इसलिये सब से बड़ी लड़ाई हम को व्यक्तियों को निगाह में रखते हुए भी इन बातों से करनी है। यह मैं नहीं कहती कि व्यक्तियों को निगाह में न रखा जाये, लेकिन इन मौलिक बातों को हमें देखना चाहिये।

ठीक है, अगर करप्शन है तो आप उस को सामने लायें, सामने ला कर उसका पर्दा फाश करें, जिस ने इस तरह का काम किया है उसको आप सजा दें, परन्तु जिस तरह से आप किसी के सफेद कपड़ों पर दाग लगायें उसी तरह से उस के दाग को पोंछने का भी इन्तज़ाम करें।

मैं नहीं चाहती कि किसी व्यक्ति को पर्दे के आड़ में छिपाया जाये, पर्दा उठा कर जितनी कार्रवाई आप कर सकें उस को कीजिये और उस का पर्दा फाश कीजिये, लेकिन मैं कहना चाहती हूँ कि आज नेपोटिज्म और डिले के नाम पर जो करप्शन होता है उस को बन्द करने के लिये कानून को बदलने की जरूरत नहीं है, शासन पद्धति में ही आमूल परिवर्तन करने की जरूरत है।

दूसरी बात यह है कि पुलिस के हाथ में अधिकार दे कर आप एक ऐसी तलवार पुलिस को दे रहे हैं जिस का अंजाम बहुत बुरा होगा। मैं पूछना चाहती हूँ कि ब्रिटिश सल्तनत के जमाने को क्या हम भूल गये। ब्रिटिश सल्तनत के जमाने में अंग्रेज सिपाही, अंग्रेज डी० एस० पी०, अंग्रेज अफसर क्या-क्या खुराफात करते रहे हैं, हम उसे भूले नहीं हैं। गलत वारन्ट आते थे, गलत इल्जाम लगाये जाते थे, बेईमानी के इल्जाम लगाये जाते थे, चोरी के इल्जाम लगाये जाते थे, डकैती के इल्जाम लगाये जाते थे। आज भी हम देखते हैं तो पता चलता है कि गांवों में कभी-कभी ऐसा होता है। जब मैं मंत्रालय में थी तो मेरे एक अधिकारी के साथ क्या हुआ, यह मैं आप को बतलाना चाहती हूँ। गृह मंत्री के पास मेरे एक अधिकारी के नाम पर किसी आदमी का एक पत्र चला गया। हमारे यहां के लिये नोटिस जारी की गई कि इस मामले की छान बीन की जाये। खैर, मुझ तक तो यह बात आती नहीं थी, जो अधिकारी सम्बन्धित होते थे उन के पास तक आती थी। वह यू० पी० का मामला था। जांच की गई। अधिकारी ने कुछ नहीं पाया और उस ने रिपोर्ट भेज दी वित्त मंत्रालय को कि कुछ नहीं निकला। लेकिन तसल्ली नहीं हुई क्योंकि आम तौर पर जब बातें आ जाती हैं तो कलंक छूटना नहीं है, पर्दा सफेद नहीं हो पाता। जब इस मामले में तसल्ली नहीं हुई तो

एस० पी० ई० का एक आदमी गया। दो बार उस अफसर की तलाशी ली गई। वह ट्रान्सफर पर जा रहा था, उस का सामान ट्रक पर लदा हुआ था। वह सामान उतारा गया यह कह कर कि हम जांच पड़ताल करेंगे। सारे इलाके में शोर हुआ, उस की बहुत चर्चा हुई। लेकिन अधिकारी को कुछ नहीं मिला तलाशी में, लेकिन उस की बेइज्जती हुई। उस बेइज्जती की जिम्मेदार यह सरकार है। यह ठीक है कि वह उसे बेइज्जती से बरी कर सकती है, यह ठीक है कि कानून की दृष्टि में वह अधिकारी नहीं फंस सका, परन्तु जो उस की बेइज्जती हुई, जो उस पर छींटाकशी हुई, जो उस की मिट्टी पलीद हुई, जिस तरह से उस पर कीचड़ उछाला गया, सरकार इसकी जिम्मेदारी नहीं लेती है कि उसकी आस्तीन में जो दाग लग चुका है वह उसे धोकर बिल्कुल सफेद करे और उसे सामने लाये। यह बात हर सतह पर होती आई है।

मुझे ताज्जुब होता है यह देख कर कि आज सी० बी० आई० की रिपोर्ट को बिल्कुल बाइबिल की तरह माना जाने लगा है। रामायण की तरह पर माना जाने लगा है। जैसे रामायण के हर पन्ने पर लिखी हुई हर पंक्ति और हर शब्द हमारे लिये ब्रह्म वाक्य हैं उसी तरह से आज सी० बी० आई० की रिपोर्ट भी ब्रह्म वाक्य हो गई है और पुलिस को इतनी तरजीह देने का हिसाब किताब और एक नया सिलसिला शुरू हुआ है। इस में आमूल परिवर्तन करना पड़ेगा। श्री चटर्जी मेरी तरफ मुस्कराते हुए देख रहे हैं। उन्हें मालूम है कि पुलिस की डायरी को जज तरजीह नहीं देता है। एविडेंस में उसकी कदर नहीं की जाती है। अगर पुलिस की डायरी वकील साहब जज के सामने रखेंगे तो कानून से चटर्जी साहब मुकदमा जीत जायेंगे क्योंकि उस डायरी की कोई कीमत नहीं है। यह है पुलिस की डायरी का अंजाम। उसी पुलिस तबके को

हम इतनी मान्यता दे रहे हैं और बाइबिल की तरह वह रिपोर्ट कोट की जाती है। आप सबरे अखबार को उठा कर देखें सी० बी० आई० के अलावा और कोई चर्चा उसमें नहीं होती। आज राम नाम के बदले सी० बी० आई० चल रही है। पहले सुबह उठते थे तो राम, राम और हरे, हरे करते थे, लेकिन अब सुबह उठते हैं तो सी० बी० आई० के अलावा उसमें कोई चर्चा नहीं होती। आज आपने जिस तरह से उसको उठा कर सामने रख दिया है, मैं संसद् को तो नहीं लेकिन सरकार को इस बात के लिये चेतावनी देना चाहती हूँ कि कहीं मकार्थी का पन्ना यहां भी न उलट जाये। मकार्थी ने लड़ाई लड़ी। कम्युनिस्ट पार्टी के लोग यहां बैठे हैं उन को मालूम होगा कि कम्युनिस्टों से लड़ाई मोल लेने के लिये मकार्थी ने कानून में संशोधन करवाया। उसके संशोधन का असर यह हुआ कि मकार्थीज्म के नाम पर बूका जाने लगा अमरीका में और हालत यह हो गई कि अगर मकार्थी किसी आदमी को नापसन्द करते थे तो उसे लाकर शिकंजे में बांध देते थे। इतनी तबाही मच गई अमरीका में कि मकार्थी को छोड़ना पड़ा। मैं कहना चाहती हूँ कि कहीं हम फिर उन बातों को तरजीह न दें जिससे कि हमें वह जमाना देखना पड़ जाये कि जिसके मन में जो आये वह कह दे और उसकी बातों पर कार्रवाई हो जाये। इस तरह से हम यहां एक दलदल पदा करें जिसमें हम डूबते चले जाये और उससे निकलने की गुंजाइश न रहे।

मुझे याद है कि एक बार श्री माथुर का एक प्रस्ताव चर्चा का विषय था संसद् में। उन्होंने कहा कि किसी एक ऐसी संस्था को रचना होनी चाहिये जिसमें गृह मन्त्रालय का अधिकार न हो, जिस पर किसी आदमी का अधिकार न हो। जिस तरह से एलेक्शन कमीशन काम करता है, जिस तरह से और संस्थाएँ काम करती हैं, कंट्रोलर एण्ड आडिटर जनरल की संस्था काम करती है अगर, हम करप्शन को दूर करने की बात करते हैं तो एक ऐसी

[श्रीमती ताराकेश्वरी सिन्हा]

संस्था को जन्म दें और उस संस्था के हाथ में अधिकार दें कि जहाँ पर वह करप्शन को देखे, उसकी जांच पड़ताल करे। कोई फैसला करे और फैसला दे। जब तक हम किसी ऐसी संस्था का प्रादुर्भाव नहीं करेंगे और पुलिस के द्वारा अपना काम करते रहेंगे, मैं इस बात पर विश्वास नहीं करती कि कभी भी करप्शन दूर हो सकेगा। आज तो यहाँ पर हालत यह हो गई है कि :

हम आह भी करते हैं,

तो हो जाते हैं बदनाम।

वह कत्ल भी करते हैं,

तो चर्चा नहीं होती ॥

Shri P. R. Patel: After the very able and spirited speech of the hon. young lady Member, my task has become very difficult, and I think I will not be able to attract the sympathy that she could.

I support the Bill. The Bill is an attempt on the part of Government to curb corruption. Is it a bad Bill that it should be criticised? After all, if it is not perfect enough, suggestions may be put forward, but what is the point in criticising the whole Bill?

Instead of making suggestions, my hon. friend Shri S. M. Banerjee thought fit to abuse some individuals and the private sector. He has got an allergy for the private sector, being a fellow traveller of the communist ideology. They do not want in this country prosperity contributed by the private sector, and they want to create trouble in the public sector, and thereby stop the progress of the country, and it is as per that move that he indulged in abuses against some individuals, and referred to the New Asiatic Insurance Co. Questions were put in this House and answers given. Then also, Government were good enough

to seek the opinion of the Solicitor-General, and gave out the opinion of the Solicitor-General, and yet he is not satisfied. Then, who is going to satisfy him? I think even God will not be able to satisfy him.

Then, Shri Surendranath Dwivedy, a good old friend of mine criticised the Bill, and he showed his allergy for Mr. Patnaik. Individual questions should be put aside when we discuss the Bill. The question before the country is whether corruption has or has not increased in the last 15 years, and what are the causes for the increase in corruption. These are the two important questions, and our attempt should be to curb the causes, then the disease will be cured.

It is a fact, an admitted fact, that corruption has increased in the last 15 years, whatever be the reasons. It has become omnipotent and omnipresent, like God, in all departments. I do admit that in the administration there are good honest servants, but the number of bad servants is more than the good, and my experience is that if there is an honest man, the bad elements of the department try to throw away that good man. I know of one case in my district. A PSI because of his honesty, was thrown out by a circle of dishonest PSIs, and the man had to suffer.

I have talked with honest Government servants, and they have this grievance. They say that honesty is a curse when one has to serve the Government, because most of the people in Government service are dishonest, and they do not tolerate an honest man.

We have to improve our administration. We should leave the Dhritrashtra mentality. He could see all the ills of the Pandavas, but even though the Kauravas were full of evils, he could not see a single one of them. So, if we want to improve the administration, those at the top, may be at the district level, the State level, or at the Central level, must see that there is

no nepotism. There are cases where corrupt servants are protected, and less corrupt persons are prosecuted. I have even got cases of dishonest corrupt workers of co-operative societies not being prosecuted but being protected, while a poor man who commits a mistake in accounts for Rs. 50 or Rs. 100 is prosecuted. So, unless the administration gives up the *Dhritarashtra* mentality, this problem is not going to be solved.

Secondly, our laws also contribute to corruption, encourage corruption. I give you one instance, the Tenancy law of Bombay. There, the compensation to be given to the land-owner is 20 to 200 times the assessment, and this is to be decided by a *Mamlatdar*, drawing round about hundred rupees. I have seen that it has benefited only the *Mamlatdars*, and has done no good to the landowner and the tenant. Are we not responsible for encouraging corruption because we pass such laws? You will find many laws like this. So, we have to curb such laws if we desire to curb corruption.

Thirdly, the report says on page 7:

"The immense war efforts during 1939 to 1945 which involved an annual expenditure of hundreds of crores of rupees over all kinds of war supplies and contracts created unprecedented opportunities for acquisition of wealth by doubtful means. The war time controls and scarcities provided ample opportunities for bribery, corruption, favouritism etc."

If we keep these things as they are, and add some more to them, shall we be able to control or curb corruption? Today we are spending on our plans—much more than they were spending in war time. Controls are much more than we had at that time, as also licences, permits and all these things, and we create opportunities to make money, and the Government servants do.

The report also says:

"Yet, various factors have operated to nullify in some measure the anti-corruption drive. The sudden extension of the economic activities of the Government with a large armoury of regulations, controls, licences and permits provided new and large opportunities."

So, large opportunities have been provided, and this is admitted in this report.

The report continues:

"The quest for political power at different levels made successful achievement of the objective more important than the means adopted. Complaints against the highly placed in public life were not dealt with in the manner that they should have been dealt with if public confidence had to be maintained. Weakness in this respect created cynicism and the growth of the belief that while Governments were against corruption they were not against corrupt individuals, if such individuals had the requisite amount of power, influence and protection."

In a democracy we have to go for votes, and those who are corrupt gather more votes than good persons, and these corrupt persons who collect votes are protected even by State Ministers. Are we going to curb corruption even by stricter laws than the present Bill? Let us look to the causes of the disease. Let us try to remove them. But we go on adding to the causes. What about the zonal system? We are crying hoarse but some Chief Ministers and Shri Swaran Singh did not hear us. We told him on the floor of the House that it had encouraged corruption and smuggling. Today we are helpless before some Chief Ministers of some States and we are unable to remove zones. So long as we do not remove the zones will there not be smuggling, corruption and profiteering? We say that black money is collecting and some people have got

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large unaccounted money. Perhaps it is so. But what made them to collect large amounts? There are agents in Delhi who get licences. There is a proverb in our language which says that behind the light there is darkness. Of course we use electric light. Corruption, in a much larger amount than could be imagined prevails in the Central Secretariat than anywhere else. Licences are given and then sold and seller gets double or treble the amount without investing a pie. Are these not ways which encourage corruption? So we must remove the causes of corruption.

In this connection, I am reminded of a story told me by Dr. Sumant Mehta when I was working under him. There was a rajah, and everybody was disgusted with him and his actions and his administration. The dearest to him was a dog. So, his wise minister advised him to cut off the tail of the dog. Instead of discussing or criticising the king's administration, people began to talk why the ruler cut off the tail of the dog. Nandaji is a wise-man. He cut the tail and he had Sadachar Samiti and Sadhu Samaj and people went on talking about the Samiti and the Samaj and all the other things were lost in that. This is not the way of curbing corruption. I support the Bill and I wish that Government should look deep into the causes of corruption rather than merely talking of removal of corruption.

Shri N. Dandekar (Gonda): Sir, I will not be very long. But I would like to say right at the outset that a Bill that only partially covers a subject such as this and in doing so selects only a certain section of those supposed to be corrupt and in regard to them chooses methods of attempting to stop corruption which are draconian would be worse than the disease it seeks to cure. Having read the newspapers and heard a number of speeches here, I do not think there can be any doubt whatever in the minds of anyone that there are two principal

reasons or rather principal focal points, of corruption. The first and most important focal point is the one about which a good deal has already been said, namely, the growing mass of regulatory legislation, a whole a jungle, as I described it on another occasion, of growing laws, rules, regulations and orders, coupled with multifarious controls regarding licences and quotas and permits,—in the midst of which the only way in which people can get through the jungle is by means of corruption. The breeding ground of corruption, the basic cause of corruption, the basic circumstance which almost necessitates corruption is this jungle of restrictive and regulatory laws and rules and regulation and their continual addition and amendment, but never any reduction.

The other principal cause and focal point of corruption is the leadership in the matter of corruption that is, most unfortunately provided by those very people in public life who ought to set an example of integrity and honesty. I do not want to name any particular ministers or indeed any particular State or Government. But I do not think, if one has a look at the newspapers over the last few months that there could be any doubt in the minds of either the Government or of the public or of the legislators here that a pretty low and all-persuasive standard in the matter of corruption has been set by many men in public life at the political level, and particularly at the governmental political level. The lead in the matter of exposing this was indeed given last year by Mr. Sanjivayya, now a minister but then the President of the Indian National Congress; he said at Indore I think that he was both astonished and horrified at the extent to which his colleagues in the party, who over the years had occupied various positions of influence and power either officially or in a non-official capacity had amassed wealth and there have been many specific cases brought to

light since then. I do not think there is need to specify or name them. From all of which, however, it is perfectly clear that the second focal point from which corruption emanates is the political leadership in the country. It is a sad thing to have to say, but it is necessary that we should say it, so that we can get down to the brass-tacks on a question like this.

Now with that background I am unable to understand at all why a particular manifestation of this evil of corruption, namely its manifestation in public services has been singled out for an attack of the most drastic kind in this Bill. In the first place I have no doubt whatever that there is considerable amount of propaganda purpose in this Bill. Secondly there is a good deal of anti-corruption legislation already on the statute book, thirdly there is a good deal of power already both with the police and with the governmental authority which should be adequate to root out most, if not all, of the corruption in the public services such as it exists. I do not therefore, think there is any call at all for legislation of this kind which sweepingly draws into its net another large categories of public services, which sweepingly puts aside all the elementary rights of an accused person, which sweepingly seems to imply a range and depth of corruption in public services that I certainly assert does not exist. I have been a public servant myself for very nearly twenty-two years and after that for nearly 12 years I have been on the other side of the table. During these last twelve years, I had occasion, on very important and large economic and commercial and industrial issues, to deal with public servants at all levels, and I would like to vouch for the fact that if there is corruption it is not as rampant nor as widespread as has been made out and as is implied by this extraordinary piece of legislation. I think the public servants in this country are being made the subject of attack propaganda-wise. They are reviled; they are abused; they are

ill-paid and they are overworked. They are also overloaded with responsibilities. They are exposed to great temptations but are exposed to be the paragons of virtues in an atmosphere in which virtue has been the first casualty.

Sir, I for my part cannot countenance legislation of this kind. There are provisions in this Bill which are odious. For instance, one of the provisions says, "if on information received or otherwise,"—in other words, if, for any reason whatever or even without reason—some one is suspected of corruption, the police can go all over his affairs and into his bank accounts. The lady Member who made a speech earlier graphically described what happened to an innocent person on mere suspicion and how he was subjected to what was virtually an assault of the kind she described. There is no remedy for restoring his reputation; there is no remedy available by which he could vindicate his honour. All that happens is, "on information received or otherwise," the police can go all over the affairs and search his baggages and look into his bank accounts and if they come to no conclusion at all, even if they find nothing against him they have not the decency, nor do the Government concerned have the decency to come out openly with an apology and say, "we are sorry; this public servant whom we have assaulted in the matter of his reputation was not guilty. We have found nothing against him." I think any Government that comes to a stage at which it desires virtually to assault its public servants, is a Government that is already facing a calamitous end.

I would urge the Government, with the utmost gravity, to consider the consequences of a one-sided legislation of this kind. I know that most self-respecting public servants, if only they have some little alternative means of existence would resign from this Government, if legislation of this kind were passed. Per-

[Shri N. Dandekar]

sonally had I been in the public service now and if this legislation were passed, I would not accept to serve one day longer, notwithstanding that I would lose my pension or any other rights. I think Government are making the life of self-respecting public servants impossible. I think they are adding to their armoury against public servants without cause. They are taking draconian powers for the police, for themselves, and for all sorts of special officers and special establishments; they are powers which are quite unwarranted.

They are making offences out of circumstances which are not offences but mere evidence. For instance, it may be good evidence upon which to presume that if a person has got unaccounted wealth he must have got it in some fashion that was not legitimate. But to convert that evidence itself into a criminal offence, the unaccounted wealth itself becoming an offence of corruption, is something I cannot understand. I am unable to understand how any evidence which may be adequate—even on a presumptive basis—for the inference that possibly that officer was corrupt, evidence which could perhaps afford adequate ground or a justifiable basis on which his services could be terminated—how that presumptive evidence could itself become a substantive criminal offence is something I do not understand. I have administered the law in the districts. I have administered the law in the customs; and I have administered the law in income-tax. But never have I come across a situation of this kind. If I had to administer this kind of thing myself, I would look upon it with horror.

There are various other obnoxious provisions; in particular, the provision that an accused can be tried in his absence. It shatters my confidence in

the whole judicial structure of this country, that we are going to introduce a provision of this kind for the first time; for once you introduce it in one law, believe me, this Government will not hesitate to introduce it in every other law. The necessity for the accused to be present when people are giving evidence against him is fundamental to the very concept of justice. I do not know Sir, whether you are aware—that it is a difficult business for a man to tell a lie against another while looking him in the face. It is easy for a man to tell lies against me, in my absence; but it is very difficult for him to look me in the eye and say: "He did this" or "he knows that I did this" or whatever he has got to say.

16.35 hrs.

[SHRI KHADILKAR in the Chair]

I have been a magistrate myself. I have been an Income-tax Commissioner. But never have I thought of taking judicial evidence of alleged crime in the absence of the person against whom that evidence is tendered, because I know for a fact that one of the things that prevents people from telling lies is to have to look at the other man in the eye and say whatever they wish to say. I think it is a most dreadful provision. I cannot possibly understand how anybody in his senses could think of a provision of this kind.

Then there is another extraordinary provision in this Bill. Immediately on the framing of a charge, the accused must disclose his witnesses, his documents and disclose his evidence! It is monstrous; with the enormous powers in the hands of the police and of the Government and in hundreds of officials and their unions—if a man has to disclose his defence at the earliest possible stage so that the evidence can be got at, the witnesses can be got at, and we know that they are got at—that is

an incredible mockery of justice. I do not understand how, in any civilised country, this could be done. I hope we are not trying to ape one of those African countries where the President or the Premier or whatever he is called, has taken the power to dismiss High Court judges if they do not decide a case in the way he wants them to decide it. But we are making a beginning with this; we are beginning with an organised, legalised assault on our public servants. I really think this is a most dreadful and uncivilised piece of legislation. There are enough powers already in the armoury of Government to tackle the problem of corruption if they only wish to tackle it in a spirit of public service.

However, if the Govt. wish to take such draconian powers, why do they make an exception? Why do they not, attack one of the main focal points of corruption? As I said earlier, since the last 18 months at any rate, there has never been any doubt in the mind of anyone in this country that there is a very strong focal point of corruption in certain political circles and at certain official political levels. Why are the master hands at corruption being ignored? Why do they want to tackle this problem one sidedly? Why this propaganda legislation? Why this deliberate assault only on public servants? Sir I submit that this whole thing is bad; it is bad *ab initio*. The Government would do wisely to think this whole thing over once again and then either drop it altogether or bring in a less obnoxious legislation covering everybody concerned in this business of corruption—Ministers and all legislators if you like. MPs and every one. If they think corruption can be stamped out by law let them bring in a more reasonably drafted legislation on the one hand and more comprehensive one on the other.

It is a bad thought that this House should be considering with unanimity a piece of legislation which is going to make an assault also on fundamental rights. In this respect I agree with what the Member over there—

I cannot recall his name—said namely that we are in this way going to make a serious inroad in a quiet little way into fundamental rights. This Bill aims at the destruction of certain fundamental rights of public servants as citizens. Just as fundamental rights grow from precedent to precedent their destruction also proceeds from precedent to precedent. Once we begin in this particular way in the matter of alleged criminal offence by public servants what will happen? Where shall we end? I am not now talking about the procedure for departmental enquiries against public servants. I am not talking of what facts can be presumed and what procedure and evidence are necessary for the purpose of disciplinary action against officers even for their removal from service. I am not concerned with that. Indeed I would be willing, again drawing upon my experience, to go a considerable way with Government, when it is a matter of disciplinary action or departmental enquiry, to say that you could have a certain measure of extra judicial executive discretion. But when it comes to the trial of public servants for alleged criminal offences, when it comes to offences for which a man may be sent to jail, when it comes to offences for which a man and his family and everybody connected with him could be disgraced even if he is finally acquitted, this kind of monstrous law and procedure cannot be allowed. I would therefore, earnestly appeal to the Home Minister to re-think this legislation in terms of all the things that have been said here in this House in this regard.

I think the lady Member who spoke earlier about this,—who referred to the public servant whose baggage was taken out and searched while he was moving on transfer from one station to the other and nothing incriminating was found in it but to whom not one word of public apology was uttered—is quite right. What recompense can there ever be in a case of that kind? I know from my experience that there are hundreds of honest officers; hund-

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reds of decent public servants all over the country. No doubt the number of those who are corrupt is probably increasing; I believe it is. But there still remains a corps of public servants, but for whose hard work this country would not have got to where it has. Let me emphasise that point; when the transfer of power took place in 1947, and when in the following year I had the honour of serving in the States Ministry with the then Deputy Prime Minister Sardar Vallabhbhai Patel, he, above all, was greatly conscious of the fact that the Country's capacity to take the shock of the transfer of power, and to fulfil the hopes that the country then eagerly entertained for its future progress and development,—all these were dependent upon first-class administrative cadre with high morale in all branches of the civil services. I am not talking here of the administrative personnel only. I have in mind all the services in all branches—civil, police, engineering, medical, educational and others. Much of the progress of the country during the last 17 years has been dependent. I say with great respect, not upon Ministers, but upon the honest and hard-working civil servant; the man who has maintained and operated the framework of all branches of administration in this country. Please for Heaven's sake, do not destroy their morale. Do not dishearten them. If you go ahead with this legislation, I assure you, it would be the biggest morale destroying event that will have happened in the country so far as its Public Services are concerned. I beg of the Government, through you, Sir, to withdraw this Bill.

श्री प्रकाशवीर शास्त्री (बिजनौर) :
समाप्ति महोदय, द्वितीय महायुद्ध की समाप्ति पर भारत के सेक्रेटरी आफ स्टेट लार्ड एमरी के लड़के को फांसी दी गई थी और उसका कारण यह था कि लार्ड एमरी का लड़का जर्मनी की ओर से इंग्लैंड के खिलाफ बाइकस्ट द्वितीय महायुद्ध में किया करता था।

फांसी की सजा घोषित होने पर लार्ड एमरी के साथियों ने सोचा कि वृद्धावस्था में उनको पुत्र शोक का कष्ट होगा, इसलिए अच्छा यह है कि लार्ड एमरी अपनी ओर से क्षमा दान की अपील करें तो उनके लड़के को फांसी के बजाय आजीवन कारावास की सजा दे दी जाए। लार्ड एमरी के सामने जिस समय यह प्रस्ताव रखा गया तो उन्होंने बिना किसी हिचकिचाहट के यह उत्तर दिया कि लड़के से देश बड़ा होता है, अगर देश के गौरव की रक्षा के लिए मेरे लड़के को फांसी लगती है तो उसको लगनी चाहिये क्योंकि उसने देश के साथ विश्वासघात किया है। इस घटना को सुनाने का मेरा अभिप्राय केवलमात्र यह है कि जब आप किसी राष्ट्र को इतना ऊंचा उठा लेते हैं कि राष्ट्र के हित को सर्वोपरि मान कर व्यक्ति के हित को उससे नीचा समझते हैं तो वहां पर भ्रष्टाचार स्वतः समाप्त हो जाता है।

हमारे देश में भ्रष्टाचार बढ़ने का एक बहुत बड़ा कारण यह है कि जब भ्रष्टाचार छोटे स्तरों पर होता है तो चारों ओर वह दिखाई देने लगता है लेकिन वही भ्रष्टाचार जब बड़े बड़े व्यक्तियों में होता है, विशेष कर राजनीतियों में तो उसकी ओर से आंख फेर ली जाती है। मुझे अच्छी तरह से स्मरण है कि हमारे गृह मंत्री श्री नन्दा ने अब से ठीक एक वर्ष पहले दिल्ली में यह घोषणा की थी कि दो वर्ष में यदि भ्रष्टाचार को वह समाप्त नहीं कर देंगे तो वह राजनीतिक जीवन से सन्यास ले लेंगे। इसी नवम्बर महीने में पिछले साल उन्होंने यह घोषणा की थी। इस घोषणा को अब एक वर्ष समाप्त होने को आया है। पर कुछ दिन पहले जब भ्रष्टाचार सम्बन्धी इसी प्रकार का एक प्रसंग संसद् में आया था तो मैंने एक प्रश्न उनसे पूछा था कि क्या भ्रष्टाचार की समाप्ति के लिए अब आप जो निर्णय ले रहे हैं वह क्या अन्तिम पग है? गृह मंत्री जी ने कहा था कि अभी ओर भी बहुत सी बातें सोचनी होंगी। कुछ ही दिन पहले इसी सदन में एक और चर्चा उठी थी दिल्ली

के एक सेंट्रल कोऑपरेटिव स्टोर की जिसके सम्बन्ध में पार्लिमेंट के मੈम्बरों ने यह कहा था कि होम मिनिस्टर के लिए यह एक टेस्ट केस है, देखना यह है कि गृह मन्त्री जी इस केस के अन्दर कहां तक निष्पक्षता बरतते हैं। उस समय यह कह कर उस चीज को टाल दिया गया था कि अभी पुलिस इसकी जांच कर रही है और जांच होने के बाद ही कुछ किया जा सकता है। मैं अपनी निजी जानकारी के आधार पर आपको बतलाना चाहता हूं कि क्योंकि उस कोऑपरेटिव स्टोर और उससे सम्बन्धित दूसरे स्टोरों से पार्लिमेंट के दो मੈम्बर सम्बन्धित हैं और पुलिस की जांच के बाद वे दोनों ही अपराधी भी पाये गये हैं लेकिन चूंकि वे एक दल विशेष से सम्बन्धित हैं, इसलिए उनको वहां से निकाला जा रहा है। अगर भ्रष्टाचार को देश से समाप्त करने के लिए यही उपाय बरता जाएगा तो मेरा अपना अनुमान है कि इस प्रकार के कानून जैसा कि हाथी साहब ने पेश किया है, अगर सो भी पास हो जायें तब भी देश से भ्रष्टाचार समाप्त आप नहीं कर पायेंगे।

अभी कुछ दिन पहले इसी प्रकार की एक और घटना दिल्ली में घटी थी। गत मई महीने में एक मिलीटरी के बहुत बड़े अधिकाारी की एक गाड़ी चोरी गई थी जिसमें ज्वायंट सेक्रेटरी के एक लड़के का हाथ था और कुछ बड़े राजनीतिज्ञों के लड़के भी उसमें सम्मिलित थे। उस केस को दबा दिया गया। लेकिन बाद में जब समाचार पत्रों ने उस केस को उठाया तो फिर किसी तरह से सुरसराहट शुरू हुई। इतना होने के बाद भी अभी तक अपराधियों पर खुल कर हाथ नहीं डाला जा रहा है क्योंकि वे बड़े आदमियों के बच्चे हैं। अगर इसी तरह से आप देश से भ्रष्टाचार को समाप्त करना चाहते हैं तो आप कभी समाप्त नहीं कर सकेंगे।

कई बार प्रश्न उठता है कि भ्रष्टाचार की परिभाषा क्या है, क्या रिश्वत लेना

भ्रष्टाचार है, किसी की सिफारिश करना भ्रष्टाचार है, अपने आदमियों को नौकरी में रखना भ्रष्टाचार है? मैं अपनी दृष्टि से भ्रष्टाचार की छोटे से शब्दों में इस तरह से परिभाषा किया करता हूं। यमुना में स्नान करके पंडित जी जब अपने घर को लौट रहे थे तो चौराहे पर कहीं मरा हुआ गधा उनको दिखाई दिया। उन्होंने एक दम अपने हाथ की माला फेंक दी और कहा कि जिसने इस गधे की हत्या की है उसको नरक मिलेगा। पीछे से किसी समझदार आदमी ने कहा कि पंडितजी गधे को मारने वाला तो आपका ही पुत्र है। यह सुन कर उन्होंने झट से माला उठा ली और कहने लगे गये कि अगर ब्राह्मण पुत्र से गर्दभ हत्या हुई है तो स्वर्ग तो मिलेगा। इसका नाम है भ्रष्टाचार जिसमें दूसरों के दोष दिखाई देते हैं उस समय तो वह वह भ्रष्टाचार, भ्रष्टाचार है लेकिन जब अपनी पार्टी बातों के, अपने सम्बन्धियों के, अपने रिश्तेदारों के, अपने परिवार वालों के दोष होते हैं, तब वह बुराई, भलाई दिखाई देने लग जाती है, यह भ्रष्टाचार है। छोटी छोटी मछलियों को तो पकड़ लिया जाता है और बड़े बड़े मगरमच्छ निकल भागते हैं। इस तरह से आप अगर आप भ्रष्टाचार को समाप्त करना चाहेंगे तो नहीं कर सकेंगे।

दूसरी बात भ्रष्टाचार को समाप्त करने के लिए यह जरूरी है कि जो बुराई राजनीतिक स्तर पर चल रही है, जैसा कि पहले भी एक बार मैं कह चुका हूं, उसको पहले समाप्त किया जाए। इसके लिए सबसे पहला पग हमें यह उठाना पड़ेगा कि जो बड़े बड़े राजनीतिज्ञ हैं, मिनिस्टर हैं, विधान सभाओं और संसद के सदस्य हैं, उनके स्तर पर पवित्रता को जब तक स्थापित नहीं किया जाता है, तब तक सरकारी मशीनरी को हम सांछित नहीं कर सकते हैं। इसलिए पहले पवित्रता उनमें अपेक्षित है। उनको चाहिये कि वे दूसरों के सामने आदर्श उपस्थित करें। अगर व आदर्श

[श्री प्रकाशवार शास्त्री]

उपस्थित कर सकें तो नीचे के स्तर पर मशीनरी अपने आप पवित्र होती हुई चली जाएगी।

जहाँ तक सरकारी मशीनरी का भ्रष्टाचार में फँसने का प्रश्न है, उसका एक बहुत बड़ा उदाहरण मैंने पीछे इसी सदन में इस विषय पर हो रही बहस में दिया था। जब यह प्रस्ताव यहाँ आया था, तब मैंने कहा था कि सरकारी अफसरों में से अगर भ्रष्टाचार को हम समाप्त करना चाहते हैं तो उसका एक उपाय यह किया जाए कि फाइलें जो महीनों महीनों तक मेजों पर पड़ी रहती हैं, अगर एक नियम बना दिया जाए कि तीन दिन से अधिक कोई फाइल किसी मेज पर नहीं रहेगी, तो मेरा अपना अनुमान है कि देश से भ्रष्टाचार की समाप्ति में बहुत बड़ी सहायता हम को मिल सकती है। एक फाइल एक मेज पर जब महीनों महीनों पड़ी रहती है, तब सम्बन्धित अधिकारी की उस व्यक्ति से बात होती है तो वह उसको बतला देता है कि फाइल यहाँ है, अब तक उस पर यह आर्डर हो चुका है, आगे इसको इस रूप में बढ़ाना है और तब वहीं से बीच में लेन देन की परम्परा शुरू हो जाती है।

भ्रष्टाचार को प्रोत्साहन देने का एक बहुत बड़ा कारण यह भी है कि स्वतन्त्रता के बाद से हमारे देश में दायित्व को अनुभव करने की प्रवृत्ति समाप्त होती चली जा रही है। मिनिस्टर साहब को शिकायत अगर कोई जाती है तो वह उसे सैक्रेटरी के पास भज देते हैं, सैक्रेटरी ज्वायंट सैक्रेटरी के पास भज देता है, वह डिप्टी सैक्रेटरी के पास भज देता है, वहाँ से वह अण्डर सैक्रेटरी के पास आती है और इस तरह से नीचे चलती जाती है। इसी तरह से उस पर रिपोर्ट होकर वह इन सब स्तरों से ही ऊपर जाती है। ऊपर से अगर कोई सवाल और पूछा जाएगा तो फिर वह नीचे इसी तरह से आती है। आप यह निर्धारित कर दें कि सैक्रेटरी के लेवल पर इस तरह के केसिस तय होंगे, ज्वायंट सैक्रेटरी के लेवल पर

इस तरह के केस तय होंगे, डिप्टी सैक्रेटरी के लेवल पर इस तरह के और अण्डर सैक्रेटरी के लेवल पर इस तरह के। एक दूसरे पर दायित्व फेंकने वाली जो आदत है यह भी हमारे देश में भ्रष्टाचार को बहुत बड़ा प्रोत्साहन दे रही है।

एक बड़ी बात जिसको मैं मुख्य रूप से कहना चाहता हूँ और बलवान बलवती भाषा के अन्दर कहना चाहता हूँ यह है कि हमारे देश में भ्रष्टाचार को प्रोत्साहन मिलने का एक बहुत बड़ा कारण यह है कि स्वतन्त्र होने के बाद से ईश्वर और धर्म से हमारी नई पीढ़ी की आस्था समाप्त की जा रही है। अब तक हमारे देश में भ्रष्टाचार की समाप्ति में जो बहुत बड़ा योग दिया था वह हमारी सामाजिक परम्पराओं ने, हमारी उन भावनाओं ने जो हमको पूर्वजों से वसीयत के रूप में मिली थीं, दिया था। आज व्यक्ति के मस्तिष्क से ईश्वर का डर उठ गया है, धर्म का डर हट गया है। जब ईश्वर और धर्म का डर हट गया तो समाज और मोमाइटी का शासन का डर क्या रहना था। मैं चाहता हूँ कि गवर्नमेंट इस बात का दायित्व अपने कंधों पर ले और प्रयत्न करे कि हमारे स्कूलों और कालेजों में, सामाजिक संगठनों में धार्मिक परम्पराओं को समाप्त न होने दिया जाय। देखने में आ रहा है कि प्रगति के नाम पर, ईश्वर और धर्म से नाक भी सिकोड़ने की प्रवृत्ति नई पीढ़ी में हो नहीं बल्कि हमारे देश में बड़े लोगों में भी आरम्भ हो रही है। इसका परिणाम यह है कि नीचे के स्तर पर वह भावना समाप्त होती जा रही है। यह जो पीढ़ी अब चल रही है इसमें फिर भी कुछ थोड़े बहुत अंश में ईश्वर और धर्म में आस्था है। लेकिन अगर यही प्रवृत्ति चलती रही और गवर्नमेंट का यही रुख रहा तो मैं कहना चाहता हूँ कि आज से पन्द्रह वर्ष बाद का जो भारत होगा, वह ईश्वर और धर्म को भूल चुका होगा। उस समय

भारत में भ्रष्टाचार को गवर्नमेंट के डंडे से कभी नहीं रोका जा सकेगा। गवर्नमेंट का डंडा प्रत्यक्ष अपराध को तो रोक सकता है लेकिन अप्रत्यक्ष अपराध को कहीं कोई नहीं रोक सकता है। इसलिए हमारी सरकार को चाहिये कि शिक्षा में धर्म का स्थान अनिवार्य रूप से रखा जाये। श्री प्रकाश समिति ने अपने प्रतिवेदन में यह सुझाव दिया था कि शिक्षा में धर्म का स्थान अनिवार्य कर दिया जाय। सवाल पैदा होता है कि कौन से धर्म का स्थान अनिवार्य करे। सम्भाषित महोदय, इस सम्बन्ध में पहली बात तो मैं यह कहना चाहता हूँ कि हमारे देश के नेताओं ने धर्म को जब से सम्प्रदाय और रिलीजन के साथ तोलना शुरू कर दिया है, तब से धर्म के साथ बहुत बड़ा अन्याय होने लग गया है। धर्म को सम्प्रदाय के साथ तराजू में रख कर तोला नहीं जा सकता है। धर्म के सिद्धान्त तो विश्व जनीन हैं जो सारे संसार के लिए एक जैसे हैं और सब पर समान रूप से लागू होते हैं। भारतवर्ष के पास इस प्रकार का धार्मिक साहित्य भी है जिस में किसी व्यक्ति अथवा दंग विशेष अथवा समूह को ही अपना मान कर चला नहीं जाता। उसको हमारी शिक्षा विधि में, पाठ्य विधि में रखा जा सकता है। फिर भी अगर किसी समुदाय विशेष को आपत्ति हो तो मुझे इससे स्वीकार करने में भी कोई आपत्ति नहीं है कि जिस तरह से हमारी नई पाठ्य विधियों में बहुत सी इस प्रकार की पुस्तकें हैं कि एक ही विषय पर भिन्न भिन्न पुस्तकों से परीक्षा होती है, उसी प्रकार से देश के बड़े बड़े धर्मों के सम्बन्ध में उन धर्मों के संचालकों से आप यह कहें कि आप अपने धर्म के अनुसार अच्छी एक पाठ्यविधि तैयार करके दें। फिर इसके सम्बन्ध में आप एक सम्मिलित कोर्स तैयार करें और उस पाठ्य विधि से विद्यार्थी वार्षिक परीक्षा दें। अगर मुसलमान बच्चा अपनी मुसलमान पाठ्य विधि से परीक्षा देना चाहे तो उस विधि से दे, हिन्दू बच्चा हिन्दू पाठ्य विधि से परीक्षा दे और

दूसरे भी अपनी पाठ्य विधि से चाहें तो परीक्षा दें। लेकिन धर्म और ईश्वर के नाम को हिन्दुस्तान से मिटा देना भारतीय परम्पराओं के साथ बहुत बड़ा अन्याय करना है। गवर्नमेंट के डंडे से केवल आप भ्रष्टाचार को नहीं हटा सकेंगे। सामाजिक स्तर पर इस देश के धार्मिक रूप को और सांस्कृतिक रूप को, जो कि इस देश का पवित्र रूप है, स्थापित किया जाये। तभी आप इस देश से भ्रष्टाचार को समाप्त कर सकेंगे, ऐसा मेरा विश्वास है।

Shri K. C. Sharma (Sardhana): Mr. Chairman, Sir, I am sorry I have to say something very unpleasant about this subject. My respectful submission is that the problem that this country faces or, rather, the world faces, has not been properly understood. My hon. friend, Shri Prakash Vir Dasari, was talking about religion. I may inform him that nowadays religion, whether, it be Hindu religion, Muslim religion or Christianity as a dogma, has gone. There is such a thing as religion in science. If you read James Cared on *Introduction of Religion*, it does not deal with Hinduism or Christianity. It deals with the fundamentals of truth as they act on the human life and human development. This is the essence of every religion in the world. Those days of going to the temples or throwing flowers in Ganges water are gone. Now the man has grown in intelligence. He has got rationality behind him. From animal parenthood he has passed on to human evolution. Now there exists nothing superior to him. Now human being is the creator. There is no necessary God. The man creates God. Therefore those old days of religion and God are dead. Now are the days of man and his destiny.

What is the essential characteristic of a human being. It is his intelligence. Therefore, the fundamental problem before India, as it is before the whole world, is intelligence. The problem is

[Shri K. C. Sharma]

one of intelligence in the scientific aspects of questions, scientific procedure and creating new institutions. That will eliminate corruption. If you put there a man who believes in superstition, who believes in astrology, who believes in traditions, do you think he can carry on? Do you think in any revolutionary government a man who believes in astrology, in tradition and in superstition can sit on the Cabinet bench? This is the highest corruption, the highest crime against people.

Therefore, as I said, the fundamental question is that of intelligence. I would ask the Prime Minister to judge the intelligence of other ministers. Do you want the country to be ruled by cattle? Only intelligence will rule. The difference between a man and animal is that the man has got intelligence. The cattle has its own pedigree. When you go for a horse you consider its pedigree. For taking a man in the administrative service you do not ask who his father or mother was. You judge his intelligence. The same is the case in every walk of life and in every cadre of service. Whether it be a minister or a chaprasi you have to deal with intelligence. Where you fail in intelligence, you are corrupt.

You are responsible for corruption. You give equal right of citizenship, equal right of opportunity, equal right of freedom and other rights. You give a chaprasi Rs. 80. Do you want him to murder his children? It is human for him to help himself. It is a crime to say that a chaprasi is corrupt because he somehow manages to send his children to school. There is a saying in Rig Veda. The crow said to the eagle—Vishnu's chariot: "Strong is the pain of hunger." Now the hunger is not of starvation but the hunger is about the future of one's children. A chaprasi is as much entitled to see that his children come up as the Prime Minister or the President of India is entitled to see.

Therefore, if crime exists, it exists in the lack of scientific institutions to

guarantee the growth and development of every child in India. Till this problem is solved you cannot say that a chaprasi did this or a sub-inspector did that.

I shall put one question. In New York there were floods and lot of people died some years back. But have you seen a report that a policeman died while saving a beggar woman? In India two police constables sacrificed their lives to save a beggar woman and a child. Is it not a proof that the kernel of the service is good. Where is the man in the whole world who can give his life in order to save a citizen whom he does not know?

Therefore, if there is corruption it is the result of the environment, it is the result of circumstances, it is the result of conditions. The Government is responsible for it because we have failed to create new institutions to guarantee equal opportunity for the fullest growth of every child in India. Till you guarantee that there is no question of corruption, it exists not only in India but in the whole world.

I can say with confidence that barring perhaps the administration in the United Kingdom, India has the best administration in the world. Even small people in our administration work hard, work honestly and work with sincerity. There was one Tehsildar Singh, a head constable. He risked his life to save 4000 refugee Mahammadans. Shri Shastri was the Home Minister then in Uttar Pradesh. Some big officer reported to him that everything was done by him. But I went to Shri Shastri and told him that it was the poor head constable who did everything. With great difficulty he was rewarded for it.

17 hrs.

(iii) A single seated furnished room free of rent be provided to each House Surgeon.

BUSINESS ADVISORY COMMITTEE

THIRTY-FIRST REPORT

Shri Rane (Buldana): Sir, I beg to present the Thirty-first Report of the Business Advisory Committee

17.0½ hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

STRIKE THREAT BY HOUSE SURGEONS OF HOSPITALS IN DELHI

Shri D. C. Sharma (Gurdaspur): I call the attention of the Minister of Health to the strike threat by House Surgeons of hospitals in Delhi to press their demands.

The Minister of Health (Dr. Sushila Nayar): On the 16th of November, the Interns and House Surgeons of the Irwin Hospital and G. B. Pant Hospital made a representation to the Chief Commissioner of Delhi in respect of demands for increase in their monthly allowance and alterations of their working conditions. They wanted an increase in the monthly allowance from Rs. 150/- to Rs. 250/- p.m. for House Surgeons and from Rs. 100/- to Rs. 150/- p.m. for Interns with effect from the current session. On the same day, the House Surgeons of Safdarjang Hospital and House Surgeons and Interns of the Lady Hardinge Hospital and Registrars of the Willingdon Hospital made representation to their Superintendents along similar lines. They asked for time to see me and I received a deputation of House Surgeons on the 17th evening. Demands in their working conditions made by some of them were as follows:—

- (i) Duty hours should not be more than 48 hours and not more than 8 hours a day.
- (ii) One holiday every week

There were various other demands relating to casual leave, medical care, linen, moderate rate of boarding, recreation centre etc. The representatives of the House surgeons and Interns saw me yesterday and explained their difficulties and grievances. I might mention that this was the first time that they had brought up this subject, so far as I am concerned. I gave them a sympathetic hearing and told them that their demands would be considered carefully but it was not proper for them to put forth their demands together with their threat of strike. I explained to them that doctors belonged to a noble profession and were not expected to resort to trade union methods and that such conduct was in fact a breach of the Code of Ethics which every doctor was expected to observe. The House Surgeons' representatives told me that the newspaper report was incorrect and they had not given any notice of a strike at all. I advised them to withdraw whatever notice they had given after which they went away to consult their colleagues. I had expected that they would take the advice to heart and refrain from strike but was painfully surprised to learn today that some of them have served a strike notice from mid-night tonight.

The Interns or Rotating Housemen as they are now called, are graduates under training and are all allowed full registration under the Indian Medical Council Act only after completing this period of training.

The House Surgeons who have completed their year of compulsory housemanship are people undergoing a period of further training during which they develop self-confidence and acquire clinical experience required to fit them for joining Post-graduate course if they so desire. The rotating housemen and the House Surgeons are also employed for a period of 12 months in two spells of six months each, get Rs. 100 and Rs. 150 p.m. respectively along with free furnished

[Dr. Sushila Nayar]

single bachelor accommodation as far as practicable within the hospital premises with free water and electricity. The House Surgeons are also entitled to the services of Class IV staff and the use of cutlery, crockery and other items in the mess. They get a weekly off day and 12 days casual leave in a year is also allowed subject to the exigencies of service. Medical and Welfare measures, library facilities etc. are provided as for other medical officers in the hospital.

The House Surgeons, I might mention, are not regular Government servants. The House Surgeonship is in the nature of extended training so that they are generally anxious to spend as much time as possible in the wards etc. and the mention of a 48 hour week is obviously based on some misconception. They are free not to join as House Surgeons if they do not wish to do so. They however have to go through a period of internship or rotating Housemanship as a compulsory period of training.

I am aware that the cost of living is showing rising trend and realise the hardship experienced by the young doctors on that account. That is why I have promised sympathetic consideration of their difficulties. But I do feel strongly that it would be wrong for the House Surgeons to resort to strike to enforce their demands. Strikes by those who have to deal with life and death would indicate a lack of due sense of responsibility imposed on them by the profession, which they have chosen for themselves. I hope and pray that they will desist from taking this very ill-advised step, which might even be construed as serious misconduct in terms of the Code of medical ethics adopted by the medical profession.

Shri D. C. Sharma: Besides giving this long lecture of medical ethics to House Surgeons and the interns, may

I know whether the hon. Minister has given them any assurance that within a reasonable time, say one month or two months, their pay will be upgraded in terms of the rising prices to which she has referred, because at least to some of us the demands seemed very reasonable?

Dr. Sushila Nayar: They have been assured that it will be done in the shortest possible time and the process will start after they have withdrawn their notice.

Shri Sezhiyan (Perambalur): May I know whether it is a fact that in Bombay the House Surgeons are given an allowance of Rs. 200 per month? If so, could it not be done in Delhi also?

Dr. Sushila Nayar: No. in Bombay they are not given Rs. 200. They are given only Rs 150.

श्री प्रकाशवीर शास्त्री (बिजनौर) :

मैं यह जानना चाहता हूँ कि हाउस सरजन्स ने जो यह हड़ताल की प्रम की दी है क्या इससे पहले उन्होंने अपनी मांगें जलाई, 1964 में स्वास्थ्य मंत्रालय के सामने पेश की थीं, पर जब तीन महीने तक उन पर कोई निर्णय नहीं हो सका तब वह 16 तारीख को शिष्टमंडल की शक्ति में आए ? यदि यह स्थिति है तो कब तक उनकी मांगों के बारे में निर्णय कर लिया जाएगा ?

डा० सुशीला नायर : यह बात गलत है । पहली मर्तबा कल उनकी मांगें हमारे सामने आयी थीं ।

श्री मोहनस्वरूप (पीलीभीत) : जब मंत्री महोदय के नोटिस में यह बात थी कि यह स्थिति पैदा होने वाली है, तो उनकी शिकायतों को सुनने के लिए क्यों तत्काल कार्रवाई नहीं की गयी और उनकी बातों को हमदर्दी से क्यों नहीं सुना गया ?

डा० सुशीला नायर : जैसे ही 16 तारीख को उन्होंने समय मांगा, उनको 17 तारीख

को मौका दे दिया गया और मैंने करीब पौन घंटे तक बड़ी हमदर्दी से उनकी सारी बातें सुनी ।

श्री मोहन स्वरूप : हमदर्दी से क्या बातचीत की, और गवर्नमेंट का एटीट्यूड क्या है । क्या सोचा है मंत्री जी ने उनकी स्थिति को सुधारने के लिए ।

श्री हुकम चन्द कछवाय (देवास) : मैं जानना चाहता हूँ कि इस समय कितने हाउस सर्जन हैं, उनमें से कितनों के पास मकान हैं और कितनों के पास मकान नहीं हैं । इन सारी शिकायतों को लेकर कुछ लोग मंत्री महोदय से मिले थे, उनके साथ मंत्री महोदय का व्यवहार ठीक नहीं रहा, इसलिए उन्होंने हड़ताल की धमकी दी ?

डा० सुशीला नायर : यह सरासर गलत है । इस वक्त दिल्ली में जो चार मुख्य अस्पताल हैं विलिंगडन, इरविन, सफदरजंग और पन्त अस्पताल, इनमें हाउस सरजन्स की संख्या 247 है । इन में से बहुतों को वहीं पर मकान मिले हुए हैं । लेकिन मेरे पास सबके बारे में आंकड़े इस समय नहीं हैं ।

श्री बडू (खारगोन) : परसेंटेज ?

डा० सुशीला नायर : ज्यादातर को हम वहीं रखने की कोशिश करते हैं क्योंकि वहीं उनकी ट्रेनिंग भी मुनासिब तरीके से हो सकती है । लेकिन इस थोड़े से समय में हाउस सरजन्स की संख्या बहुत ज्यादा बढ़ गयी है, पर उनकी संख्या बढ़ जाने से एक दम मकान तो बढ़ नहीं गए । इसी वजह से कुछ कंसेज में दिक्कत सामने आयी है । जो हाउस सरजन मेरे पास आए थे उनसे कितना मीठा व्यवहार किया गया, इसका पता तो इस बात से चल सकता है कि वे मुझसे कहने लगे कि हमें ऐसा पता होता तो हम पहले ही आपके पास आ जाते लेकिन हमें मालूम नहीं था कि आप हमारी बात सुनेंगी या नहीं और न

जाने हमको क्या कहेंगी । मैंने उनको समझाया कि आपको ऐसा सोचना नहीं चाहिए क्योंकि स्वास्थ्य मंत्री के अलावा मैं एक डाक्टर भी हूँ और एक सीनियर कुलीग के नाते आप लोग मुझ से आकर बातचीत कर सकते थे । उनका यह कहना कि हमने स्ट्राइक की बात की ही नहीं है यह बतलाता है कि उन्हें स्वयं इस बात में शंका है कि वह कदम मुनासिब है या नहीं है और मेरी आशा है कि वह यह चीज समझ लेंगे और जैसे उनसे कल बात हो गई है वह अपने नोटिसेज विदवा कर लेते हैं उसी वक्त हमारी तरफ से भी उनके मामले में तेजी से कार्यवाही की जायेगी । जैसे हम उनके बारे में विचार तो कर ही रहे हैं लेकिन अगर वह अपने नोटिसेज विदवा कर लेते हैं तो और भी जितनी तेजी से कार्यवाही मुमकिन हो सकेगी हम अवश्य करेंगे । आखिर वे हमारे अपने बच्चे हैं, हम उनकी तकलीफ समझते हैं । और मैं यह भी समझती हूँ कि डाक्टरों के जितने भी इमोल्युमेंट्स बढ़ा सकेंगे और उनकी लिविंग कंडीशंस को हम अच्छा कर सकेंगे उतनी ही अच्छी तरह से वे समाज की सेवा कर सकेंगे । इसलिए भी हम यह करना चाहते हैं, और इसके लिए किसी को कुछ हमें कहने की आवश्यकता नहीं है ।

श्री हुकम चन्द कछवाय : सभापति महोदय, मेरे प्रश्न का उत्तर नहीं आया । मैंने पूछा था कि यह जितने हाउस सर्जन्स हैं इनमें से कितनों के पास मकान हैं और कितनों के पास मकान नहीं हैं । मिनिस्टर साहब ने कहा कि हाउस सर्जन्स ज्यादा बढ़ गये हैं तो उनकी तादाद बढ़ाने के पहले सरकार ने उनके लिए मकानों की व्यवस्था क्यों नहीं की, इसके बारे में उनका क्या उत्तर है ?

Mr. Chairman: The hon. Minister has already stated that now the number has gone up and they are trying to provide accommodation as early as possible.

श्री प्रकाशबोर शास्त्री : सभापति महोदय, डाक्टरों की तादाद जब उन्हें पता है तो उनको इसकी भी तो जानकारी होनी चाहिए कि कितनों को मकान मिले हुए हैं ?

डा० सुशीला नायर : कितनों को मकान मिले हुए हैं और कितनों को नहीं मिले हुए हैं इसकी ठीक ठीक, तादाद मैं बाद में बतला दूंगी। इस समय मेरे पास उसकी फिगर्स नहीं हैं लेकिन इतना मैं जरूर कह सकती हूँ कि ऐसे कम लोग हैं जिनके पास मकान नहीं है, अधिक लोगों के पास मकान हैं।

श्री हुकम चन्द कछवाय : जब उनके पास डाक्टरों की फीगर्स हैं तो इस बारे में अर्थात् मकानों के बारे में सूचना क्यों उपलब्ध नहीं है, दोनों का सम्बन्ध साथ में जुड़ा हुआ है ?

श्री बड़े : क्या मंत्री महोदय यह बतलाने की कृपा करेंगे कि क्या इन हाउस सर्जन्स ने सितम्बर के महीने में सुपरिन्टेंडेंट के पास शिकायत की थी या अपनी शिकायतें दी थीं और वह शिकायतें आपके पास भेजी गई थीं और आपको उनके बारे में सितम्बर में ही विदित हो गया था क्या यह बात सच है ?

डा० सुशीला नायर : वह कहते हैं कि उन्होंने सितम्बर में सुपरिन्टेंडेंट के पास भेजी थी, और इर्विन अस्पताल में मौलाना आज़ाद मेडिकल कालेज के प्रिंसिपल का कहना है कि उनके पास तब वह शिकायतें नहीं आई। हमारे पास तो परसों ही यह चीज सब से पहले आई है जब कि उन्होंने हमसे बक्त मांगा। तभी हमारे पास यह खबर आई है उससे पहले नहीं आई है।

Shri Nambiar (Tiruchirappalli): Arising out of the answer given by the hon. Minister, here is a letter addressed by those housemen of Irwin Hospital, New Delhi, to the Chief Commissioner, Delhi Administration,

Delhi, dated the 8th September, 1964, wherein they have said:—

"We are sure that the authorities are quite aware of these facts and we sincerely hope that you would take personal interest to make a substantial increase in the honorarium and make this job a decent, dignified and respectable one."

In view of the fact that such a letter had been sent as early as the 8th September which was followed by another letter to the Superintendent of the same date, what is the reason that the hon. Minister did not inquire into the matter and see whether this increase in their honorarium could be given or not and why it is now being denied on the plea that these men are going on action? The Government had enough time to consider this question and avoid a situation that is brewing today in all the hospitals. What is the reason for that?

Dr. Sushila Nayar: I have already given the reply. The office of the Chief Commissioner, if this letter was sent to the Chief Commissioner, is completely different from the office of the Health Minister. There was no information received by the Health Ministry till the day before yesterday, that is, the 16th of this month.

Shri Nambiar: We are prepared to give the copies of both these letters now.

Dr. Sushila Nayar: That is not necessary now. It is obvious that if they have sent it to Chief Commissioner earlier, that office must have been thinking about it I cannot say.

Some Hon. Members rose—

Mr. Chairman: Hon. Members will resume their seats. Enough opportunity has been given to all hon. Members. The House stands adjourned to meet again at 11 o'clock on Friday.

17.15 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, November 20, 1964/Kartika 29, 1886 (Saka).