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PARLIAMENTARY DEBATES

PARLIAMENT OF INDIA

OFFICIAL REPORT

Part I—Questions and Answers

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Oral Answers to Questions [Cols. 1595—1626].

Written Answers to Questions [Cols. 1626—1636].



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THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

1595

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PARLIAMENT OF INDIA

Monday, 24th September, 1951

*The House met at Half Past Eight
of the Clock*

[MR. DEPUTY-SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

MONKEYS

*1229. **Shri Sidhva:** (a) Will the Minister of Food and Agriculture be pleased to refer to the answer given to my unstarred question No. 80 asked on the 21st August, 1951 and state how many leading monkey dealers exist in the country?

(b) What are the countries to which monkeys have been exported?

(c) How many monkeys have been exported from Madras?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) So far as known, there are three leading monkey dealers in the country. A list giving their names and addresses is placed on the Table of the House.

(b) Monkeys are exported mainly to the U.S.A., U.K., and Continental European countries. For further details, the hon. Member may please refer to the statement placed on the Table of the House in reply to part (a) of Starred Question No. 58 of 16th November, 1950.

(c) The information is being collected and will be placed on the Table of the House when received.

STATEMENT

*List of Leading Monkey Dealers in
India*

- (1) M/s A. W. Charter & Co., Exporter of Indian Animals, P-21, Mission Row Extension, Calcutta 13.
- (2) M/s B. Accoli & Sons, 8/5, Barrack-pore Trunk Road, Calcutta 2.
- (3) Khan Wild Animal Farm 5 Chowringhee, Calcutta 16.

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Shri Sidhva: May I know what was the response of the Madras Government to the enquiry made of them?

Shri Thirumala Rao: We have asked the State Government to provide us with the information, but they state that the information is not easily available. We are awaiting the final reply from them.

Shri Sidhva: Which are the exporting centres in our country from where monkeys are sent to foreign countries?

Mr. Deputy-Speaker: The firms mentioned in the answer are all Calcutta firms.

Shri Thirumala Rao: Yes, they are in Calcutta—M/s A. W. Charter & Co., Exporter of Indian Animals, P-21 Mission Row Extension, Calcutta 13, and others.

Shri Sidhva: Are they exported from other places also? Are they sent from Madras?

Shri Thirumala Rao: They are also exported from U.P. I think.

Shri Rathnaswamy: Is it a fact that recently the Punjab Government offered Rs. 2 per monkey tail and if so, how many tails were thus collected?

Shri Thirumala Rao: We are here dealing with the export of live monkeys and my hon. friend there refers to dead ones.

Shri T. N. Singh: May I know whether these monkeys are exported on the recommendations of the Agriculture Ministry or by the States on their own?

Shri Thirumala Rao: The Standing Committee of which my hon. friend is a member is also consulted in this matter.

Shri J. N. Hazarika: May I know whether the monkey population in the land has increased or decreased since the commencement of their export?

Mr. Deputy-Speaker: I don't think there is a census of monkeys in the land.

Shri Thirumala Rao: They are continually increasing, Sir.

Shri Alexander: Is there any monkeying going on in this monkey trade?

Khawaja Inait Ullah: Will instructions be issued to the office not to begin the day's work with questions on monkeys?

Mr. Deputy-Speaker: We go to the next question.

AIR LINE COMPANIES

*1230. **Shri Sidhva:** Will the Minister of Communications be pleased to refer to the reply given to part (e) of my unstarred question No. 63 asked on the 17th August, 1951 and state:

(a) what was the result of the warning given to air line companies;

(b) what were the companies that were warned; and

(c) what were the replies given by the companies to the said warning?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) The warning had deterrent effect, and no further breach of the rule has come to notice.

(b) I place on the Table a statement giving the information.

(c) They gave assurances that they were taking steps to prevent recurrence of such lapses on the part of their staff.

STATEMENT

Names of companies warned for flights in contravention of rule 48 of Indian Aircraft Rules, 1937.

- (1) Bharat Airways, Calcutta.
- (2) Himalayan Aviation, Calcutta.
- (3) Indian National Airways, New Delhi.
- (4) M.L. Lift Co-operative Services, Calcutta.
- (5) Darbhanga Aviation, Darbhanga.
- (6) Kalinga Airlines, Calcutta.
- (7) Indamer Company, Calcutta.
- (8) Airways (India), Calcutta.
- (9) Air Services of India, Bombay.

Shri Sidhva: Is there any check maintained to see whether the assurances given are being kept up?

Shri Raj Bahadur: Yes, proper checks are kept and the assurances are being complied with.

DAKOTA AIRCRAFT (ACCIDENT)

*1231. **Shri Sidhva:** (a) Will the Minister of Communications be pleased to state whether an accident occurred on or about the 12th July, 1951 to a Dakota aircraft which left Calcutta for Gauhati and onwards?

(b) If so, what did she carry and did the aircraft reach the destination?

(c) If not, what steps were taken for search under Search and Rescue Scheme?

(d) How many 'Direction Findings' exist in that area?

(e) Did Government send any aircraft for search?

(f) What is the latest whereabouts of the aircraft?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes, in the sense that the aircraft is missing. It was destined for Sookerating.

(b) The aircraft carried rice. It did not reach its destination.

(c) All practicable measures were taken for search and rescue of the aircraft. As they were very intensive and extensive, I place on the Table of the House a statement giving the details. [See Appendix VII, annexure No. 37.]

(d) Three.

(e) Yes.

(f) It has not been possible to trace the aircraft; but efforts are still being made for the purpose.

Shri Sidhva: In the answer to part (e) it is stated 'Yes'. But from the statement it appears that an aircraft of the Indamer Company was sent to search for the missing aircraft. My question is whether the Government sent any aircraft of its own?

Shri Raj Bahadur: What happens in such cases is, we send aircrafts belonging to the air companies which run their normal services in the direction of the alleged accident. As many as 50 aircrafts belonging to different operating companies operating between Calcutta and Mohanbari went out on search for the missing aircraft. The search is being made both over the Indian Union territory and over Pakistan territory, for this aircraft which has been in the air for 30 hours. When an aircraft belonging to the operating company itself is available that is being sent on the search.

Shri Sidhva: My question was why a Government aircraft was not sent on this search and whether such aircraft

was not sent previously in similar cases.

Shri Raj Bahadur: All steps required to be taken for the search were being taken.

Shri Sidhva: My question is whether in similar cases in the past the Government have not sent their own aircraft and if so, why did they not do the same thing in this case.

Shri Raj Bahadur: When aircraft belonging to the operating company was available, in view of the aviation fuel shortage and other reasons we did not think it worthwhile to send a Government aircraft.

Shri Sidhva: In answer to part (d) of the question asking the hon. Minister how many 'Direction Findings' exist in that area, the answer is "Three". May I know the names of the places where you have these 'Direction Findings'?

Shri Raj Bahadur: There is a very high frequency radio station at Calcutta, Dum Dum. There is another very high frequency radio at Barrackpore and there is a high frequency radio station at Calcutta, Dum Dum.

Shri Sidhva: But these are places from which the aircraft takes off. Are there any in the direction in which the aircraft had gone?

Shri Raj Bahadur: In addition to those I have stated the following aeronautical communication stations in that area are equipped with non-directional radio beacons which enable aircrafts to steer a set course in order to "home" on to the respective air-fields: Calcutta, Gauhati, Mohanbari, Barrackpore, Baghdogra, Agartala, Jorhat, Kumbhigram and Tejpur.

Shri Sidhva: May I know whether there are direction finding places in this area and if so whether any wireless communication was sent to Calcutta about the incident that has taken place?

Shri Raj Bahadur: It is a highly technical affair and I have already submitted information regarding these direction finding places.

Shri Sidhva: Then are we to understand that this aircraft is definitely lost and that there is no trace of it in that area or anywhere else?

Shri Raj Bahadur: No, we have not lost all hope. We are continuing our effort in every direction to find it out.

FOOD POSITION OF ASSAM

*1232. **Dr. Ram Subhag Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) the food position of the Dibrugarh sub-division (Lakhimpur, Assam); and

(b) whether it is a fact that rice is not available there?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) and (b). There is scarcity of rice in the Dibrugarh sub-division of Lakhimpur district. The market prices are also very high.

Dr. Ram Subhag Singh: May I know whether any cheap grain shops have been opened in this area and if so, what is the consumption per month there?

Shri Thirumala Rao: The towns of Dibrugarh and Tinsukia have a statutory rationing for 61,500 and Government have opened cheap grain shops in the rural areas and there are 56 such shops in the sub-division. 48,000 people are getting supplies from these shops at the rate of 12 oz. per head.

Shri J. N. Hazarika: Is it not a fact that the price of rice in Lakhimpur district and other places is higher than the control price?

Shri Thirumala Rao: Possibly so.

Dr. Ram Subhag Singh: Is it a fact that in about two villages in this area rice or any other foodgrain is not at all available?

Shri Thirumala Rao: The rice position is difficult, but we are sending large quantities of wheat also to these areas.

Dr. Ram Subhag Singh: What is the quantity sent to these areas during the last two months?

Shri Thirumala Rao: For the period January to August we sent 60,000 tons and in September 15,000 tons and the proposed allotment for October is 15,000 tons and we propose to increase it by another 2,000 tons.

Dr. Ram Subhag Singh: Are Government aware of the fact that some cases of starvation deaths have already been reported in the press and disclosed on the floor of the Assam Legislative Assembly the other day?

Shri Thirumala Rao: Government have not received any such report so far.

Shri J. N. Hazarika: What is the condition of internal procurement of rice there?

Shri Thirumala Rao: On account of a variety of causes of which hon. Members are aware the procurement condition is difficult there.

Shri J. N. Hazarika: Will it not be possible for Government to allot more rice to this State?

Shri Thirumala Rao: We are trying to allot as much as we can subject to the overall position of rice.

COURTESY WEEK

*1233. **Dr. Ram Subhag Singh:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a 'Courtesy Week' was observed throughout the East Indian Railway; and

(b) whether 'Courtesy Week' will also be observed by other Indian Railways?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Yes.

(b) A sustained courtesy campaign impressing on the staff their obligations to the travelling public and the necessity to display the utmost tolerance and goodwill towards them through notices, circulars of instructions and periodical staff bulletins, is already in force on all Railways, some of whom however, propose to observe similar 'Courtesy Week' for spot lighting attention on the importance of courteous behaviour on the part of the Railway staff.

Dr. Ram Subhag Singh: What was the nature of the courtesies which were extended to the public during the Courtesy Week?

Shri Santhanam: Some responsible officers are present at the station. They inquire into the difficulties of the passengers and see that their subordinates attend to them carefully.

Dr. Ram Subhag Singh: May I know whether the courtesy extended to the public during the Courtesy Week will also be extended to them during the non-courtesy weeks as well?

Shri Santhanam: It is our intention to establish a tradition of courtesy all round the year.

Dr. Ram Subhag Singh: What was the expenditure incurred on this Courtesy Week?

Shri Santhanam: I do not think any special expenditure was incurred.

Shri Massey: Have there been any cases reported of the staff having been

discourteous during the Courtesy Week?

Mr. Deputy-Speaker: They were all particularly instructed to be courteous

PROCUREMENT AND ISSUE PRICES IN TRAVANCORE-COCHIN

*1236. **Shri Alexander:** Will the Minister of Food and Agriculture be pleased to refer to the answer given to my starred question No. 396 asked on the 21st August, 1951 and state:

(a) the quantity of foodgrains required by Travancore-Cochin calculated at 12 oz. and 9 oz. of rationed commodities respectively to meet the 83 per cent. deficit of the State;

(b) the quantity allotted to the State in 1950 and 1951 respectively;

(c) whether it is a fact that in view of the disparity between the procurement price and issue price of paddy the Travancore-Cochin Government had asked permission to raise the price;

(d) if so, what reply was given; and

(e) the issue price per measure in Madras and the issue price for an equal measure in Travancore-Cochin; and

(f) if there is any disparity, the justifications for the same?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) According to the State Government estimates the quantities of foodgrains required by Travancore-Cochin as help from outside to meet the rationing commitments in 1951 at 12 oz. per adult per day and at 9 oz. per adult per day are 526,000 tons and 368,000 tons respectively.

(b) Travancore-Cochin were allotted 308,700 tons of foodgrains during 1950. For 1951 a ceiling quota of 400,000 tons has been fixed.

(c) No.

(d) Does not arise.

(e) and (f). The issue price in Madras vary from place to place. The detailed information is not available and has been called for. It is not, therefore, possible to compare the issue prices in Madras and Travancore-Cochin.

Shri Alexander: May I know whether the allotment now made to the Travancore-Cochin State is sufficient to enable the State to issue a ration of four and a half ounces per head?

Shri Thirumala Rao: There is a distinction between allotment and the

actual receipt of foodgrains in Travancore. There was some delay in the despatch of foodgrains and hence they had to cut down the rations.

Shri Alexander: May I know whether the Government have advised the State Government to deration the rural areas?

Shri Thirumala Rao: We have not given any such advice.

Shri Lakshmanan: When do Government expect to remove the bottle-neck in transport?

Shri Thirumala Rao: The bottle-neck is outside the country. It concerns external transport which is beyond the control of this Government.

Shri Alexander: In answer to part (c) what was the Minister's reply?

Shri Thirumala Rao: We have not received any such request.

CIVIL AVIATION DEVELOPMENT

*1237. **Shri Lakshmanan:** Will the Minister of Communications be pleased to state:

(a) the total amount by way of capital expenditure spent by Government on Civil Aviation development during 1950-51;

(b) the portion of this expenditure which was for aerodrome organisation, communication organisation and inspection organisation respectively; and

(c) whether any amount has been spent on training organisation during this period from the capital expenditure?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Rs. 1,86,17,600.

(b) Rs. 1,68,14,500 for the Aerodrome Organisation and Rs. 11,34,500 for the Communication Organisation. No expenditure was incurred for the Inspection Organisation.

(c) Yes; an amount of Rs. 6,16,900 was incurred for the training Organisation.

Shri Lakshmanan: Over and above the capital expenditure incurred on the various heads, have Government given any direct help to the air companies by way of loans or through Government participation in the share capital of the companies?

Shri Raj Bahadur: Government have been giving subsidies to the various air companies.

Shri Lakshmanan: Out of the aerodrome organisation expenditure what amount was spent on passenger buildings?

Shri Raj Bahadur: The breakup of the aerodrome organisation expenditure is as follows:

Major works, Rs. 1,33,19,600.

Minor works, Rs. 7,60,400.

Aerodrome maintenance equipment, Rs. 1,02,300.

C.P.W.D., Rs. 19,83,700.

Aerodrome equipment, Rs. 6,48,500.

Shri Lakshmanan: May I know whether it has come to the notice of Government that there is no provision for the accommodation of passengers at the Nagpur aerodrome and in cold winter nights passengers have to wait in the open before boarding their plane? If so, do Government propose to put up new buildings in place of the present sheds?

Shri Raj Bahadur: A new terminal building is now coming up. Even at the present moment as many as 58 passengers on an average are being accommodated inside the building that exist there at present?

Shri T. N. Singh: May I know whether these civilian companies afford training facilities to persons recommended by Government and are there any companies which do not do so?

Shri Raj Bahadur: I may respectfully point out that the question pertains to capital expenditure on development of civil aviation.

Shri T. N. Singh: It refers also to training organisations.

Shri Raj Bahadur: That is with regard to capital expenditure on government training organisation. The money is spent on C.A.T.C.

DEVELOPMENT OF ROADS AND INLAND NAVIGATION

*1238. **Shri M. Naik:** (a) Will the Minister of Transport be pleased to state what are the different funds at the disposal of the Government of India intended for development of Roads and Inland Navigation and what are the amounts available for disbursement?

(b) On what basis are allocations out of the funds made to different States?

(c) What are the allocations so far made to different States separately?

The Minister of State for Transport and Railways (Shri Santhanam): (a)

There is a fund for the development of roads, namely the Central Road Fund. This fund derives its revenue, which is now of the order of Rs. 3.00 crores per annum, from an extra duty of customs and excise levied at present at a rate of 2½ annas per gallon on motor spirit for the specific purpose of road development.

The Government of India have so far had no fund for the development of inland navigation. It has, however, recently been decided to make a contribution of Rs. 2 lakhs to the Ganga Water Transport Board which is proposed to be set up shortly. The four State Governments concerned have also been requested to make a grant of Rs. 1 lakh each to the Board.

(b) Allocations from the Central Road Fund are made on the basis of consumption of taxed motor spirit, other than motor spirit used in aviation, in the various States during the calendar year ending during the financial year concerned, in accordance with para. 3(1) of the Resolution on Road Development.

(c) A statement showing the allocations so far made from the Central Road Fund to the various States is laid on the Table of the House. [See Appendix VII, annexure No. 38.]

Shri M. Naik: May I know if the Government has any machinery for exercising supervision over the expenditure of the grants made to the different States?

Shri Santhanam: Yes. We have got a very good road organisation which scrutinises the estimates before they are received here and exercises supervision when the money is being spent.

Shri M. Naik: Do the Government maintain any record of the progress of work done in the States?

Shri Santhanam: Yes.

Shri A. C. Guha: What is at present the amount in the Central reserve and how it is being utilised?

Shri Santhanam: The Central reserve consists of 20 per cent. of the road fund and is utilised to help poorer States and special projects in any State which have to be carried out for strategic, national, tourist or other reasons.

Shri A. C. Guha: What is the amount now in the Central reserve?

Shri Santhanam: I have not got the figures with me. I have given it on many previous occasions but if the hon. Member wants I am prepared to supply it.

Shri A. C. Guha: There is a provision that if any State fails to enforce

the Motor Regulation Act the Central Government will take over the money. Is there any such case?

Shri Santhanam: It has nothing to do with the enforcement of the Motor Act.

Shri M. Naik: Is the money spent on the construction of bridges on national highways spent from this fund or from separate grants?

Shri Santhanam: So far as the bridges on the national highways are concerned, they are attended to directly from Central Expenditure for such purposes. So far as the State highways are concerned, bridges on them are normally built out of these road fund allotments; sometimes we give some additional grants from the reserves also.

Shri A. C. Guha: May I know what the hon. Minister meant by saying that there is a plan for giving some help to the Ganga Barrage Scheme?

Mr. Deputy-Speaker: He referred to the transport board.

Shri A. C. Guha: For inland navigation also there is no fund at the moment and the hon. Minister said there is some plan under contemplation.

Mr. Deputy-Speaker: He said the Board is being formed and that the Central Government is prepared to contribute Rs. 2 lakhs on condition that the State Governments will contribute a lakh each.

Shri Shankaraiya: May I know whether there is any plan or have separate funds been allotted for the improvement of these bridges so that they may bear heavy burden and traffic?

Shri Santhanam: Ordinarily the bridges are expected to bear their burden but where any particular bridge is weak it is considered on its own merits.

Shri Alexander: May I know whether Government is aware that that part of the national highways falling within the Travancore-Cochin State is in a deplorable state and is Government doing anything to repair and maintain those highways?

Shri Santhanam: The national highways in Travancore-Cochin became our responsibility on 1st April, 1950, and since then we are looking into the matter.

RESINS

*1239. **Shri M. Naik:** (a) Will the Minister of Food and Agriculture be pleased to state whether any systematic collection is made by Government

or other agencies of the resins grown or available in the Indian forests?

(b) Has there been any estimate of the total quantity of resins likely to be available annually?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) Yes, resin is collected systematically from mature trees of Chir in Uttar Pradesh, Punjab (I), Himachal Pradesh, and Jammu and Kashmir.

(b) Yes, about 235,000 cwts. (11.75 thousand tons).

Shri M. Naik: May I know if the process of collection of resin from forests has in any way affected the maintenance of forests?

Shri Thirumala Rao: I have no information.

Shri M. Naik: Have the industrial and commercial possibilities of resin been ever explored by the Forest Research Institute?

Shri Thirumala Rao: Yes. We have got the Lac Research Institute at Ranchi and research is going on in that Institute as also in the Forest Institute at Dehra Dun.

POOL OF TEMPORARY ENGINEERS ON RAILWAYS

*1240. **Dr. V. Subramaniam:** (a) Will the Minister of Railways be pleased to state when was the Pool of Temporary Engineers on Railways formed (a construction reserve) for all India purposes?

(b) From what Category of Engineers were these drawn and on which Railways are they posted now and how many on each Railway?

(c) Is the Pool a permanent one or only a temporary one?

(d) Out of the Pool of men, how many hold permanent posts and how many are temporary men?

(e) When will these Engineers be made permanent, if the posts are made permanent?

(f) How will their seniority be fixed in the respective Railways?

The Minister of State for Transport and Railways (Shri Santhanam): (a) The pool was formed in April, 1950.

(b) The pool consists of temporary engineers originally recruited locally and subsequently approved by the Union Public Service Commission for inclusion in the pool. The authorised strength of the pool is 20 but the actual strength at present is 17 and the pre-

sent distribution railway-wise is as follows:-

| | | |
|-------------|-----|----|
| Assam | ... | 1 |
| B.B. & C.I. | ... | 1 |
| E.I. | ... | 10 |
| G.I.P. | ... | 1 |
| O.T. | ... | 1 |
| C.L.W. | ... | 1 |
| Jaipur | ... | 2 |

(c) The pool has been formed to meet the demands for temporary works and projects on railways and is expected to be of indefinite duration.

(d) The pool consists of purely temporary officers.

(e) The temporary engineers are not eligible for permanent absorption in the cadre.

(f) Seniority *inter se* of temporary engineers is based on the length of service.

Dr. V. Subramaniam: The hon. Minister stated that the pool would be of indefinite duration. May I know how the seniority of these engineers will be fixed with respect to seniority of permanent engineers?

Shri Santhanam: There is no seniority for these people with respect to permanent engineers; they have got seniority *inter se* and that is determined by their service.

Dr. V. Subramaniam: The hon. given promotion according to seniority and are they given benefits of provident fund, etc.?

Shri Santhanam: They are strictly temporary engineers and are governed by rules for temporary officers.

Mr. Deputy-Speaker: The hon. Member wants to know whether under the rules benefits of provident fund etc. are allowed to these temporary hands if they stayed on for twenty years or so.

Shri Santhanam: I would like to have notice.

Shri Massey: Are engineers employed in non-technical departments of railways?

Shri Santhanam: They are used where engineering knowledge is useful; for instance, the Controller of Stores may be called non-technical but the post requires knowledge of engineering stores.

Shri Massey: Are technical officers employed in the catering and commercial departments and as station executives?

Shri Santhanam: Usually non-technical officers, but in emergency they may have to post technical officers as a temporary expedient.

VACUUM BRAKES

*1241. **Dr. V. Subramaniam:** (a) Will the Minister of Railways be pleased to state whether it is a fact that a Railway workshop employee at Golden Rock, Tiruchirapalli, has invented a device for the application of the vacuum brakes automatically when the wheels of an engine go off the rails?

(b) Was this device also tested by the D.T.S., Tiruchirapalli, and if so, what was the result and when was it tested?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Yes.

(b) The device was tested on 15th December 1950 by the Deputy Chief Mechanical Engineer, Trichinopoly, in the presence of the Members of the Standing Screening Committee. The result of the test was that the brakes were automatically applied when the engine derailed.

Dr. V. Subramaniam: What was the effect? Was there any damage and, if so, what was the damage? If not, was there no damage at all?

Shri Santhanam: The result of the experiment was satisfactory and steps are being taken to patent the device and give some suitable remuneration to the inventor.

Dr. V. Subramaniam: What was the speed at which the train was running when it was derailed?

Shri Santhanam: The test was conducted on a train consisting of an engine and three bogie coaches. A portion of the track was removed so that after the train travelled about 50 yards running at about 7 miles an hour, the bogie wheel dropped at the cut section and the engine was derailed. This test has established that the device would work under such conditions.

WATER CRAFTS

*1242. **Shri J. N. Hazarika:** Will the Minister of Transport be pleased to state:

(a) whether it is a fact that experts on Inland Water Transport from Far-Eastern countries including India are touring different countries with a view to studying improved types of Water Crafts;

(b) if the answer to part (a) above be in the affirmative, how many Indian

experts have been sent for such touring; and

(c) which countries they have already visited and which are still going to be visited?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Yes. The object of the tour is to study technological advances made in the methods of operation of water transport services in foreign countries with a view to examining the possibilities of adopting such methods in the countries in this region.

(b) The Government of India have deputed three nominees as full members on the working group of experts and two employees of the India General Navigation and Railway Company Ltd., Calcutta, as observers.

(c) The Group has already visited France, West Germany, Belgium and Holland and will be visiting the U.K. and U.S.A. before the end of October.

Shri J. N. Hazarika: May I know whether the team will visit India also?

Shri Santhanam: I don't think so because the team has gone there to study technological advances and I don't think there has been any such significant advance here.

Shri A. C. Guha: Is this inspection only for inland navigation or also for sea navigation?

Shri Santhanam: Only for inland navigation.

Shri A. C. Guha: Is it only for power-propelled craft or also for hand-driven craft?

Shri Santhanam: Both power-propelled as well as non-power-propelled crafts.

DELHI TRANSPORT SERVICE

*1243. **Sardar Hukam Singh:** Will the Minister of Transport be pleased to state:

(a) whether Government have noticed the suggestion put forth by the President of Delhi Municipality as reported in the English Daily "The Indian News Chronicle" dated the 4th April, 1951 to the effect that the D.T.S. should restrict its services to fewer routes and should throw open the others to private transport companies;

(b) whether Government have considered this suggestion; and

(c) whether there is any proposal to extend the trolley bus service to New Delhi?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Yes.

(b) No. This is a matter for consideration by the Delhi Road Transport Authority and the State Transport Authority, Delhi.

(c) No.

Sardar Hukam Singh: Have Government been receiving complaints that the service rendered by the D.T.S. is not as it should be?

Shri Santhanam: Yes. But daily the service is improving.

Sardar Hukam Singh: What is the maximum interval between the arrival of two buses at one stop on one route?

Shri Santhanam: It depends upon the time. It may be five minutes or fifty minutes.

Mr. Deputy-Speaker: He wants to know the maximum interval. Evidently, he is under the impression that there is delay. He wants to know the maximum time between the taking off of the bus and its arrival.

Shri Santhanam: I have not got that figure.

Shri Shiva Rao: Has my hon. friend noticed an advertisement in this morning's papers that buses will run at intervals of forty minutes on certain routes? Does he regard that as a sign of improvement?

Shri Santhanam: Probably there were no buses on that route. Thus, it would be an improvement.

Shri Amolakh Chand: Is it a fact that in the North Avenue near the Central Secretariat, officers and Assistants of the Secretariat have to wait for hours to catch a bus, and if so what steps are being taken to remove this difficulty?

Shri Santhanam: I cannot be expected to know the exact things that happen at every bus stop.

Shri Sidhva: In view of the hon. Minister's statement that there is five minutes service, may I know on what route there is five minutes service? Can he enlighten the House?

Shri Santhanam: During office hours there is five minutes service in the Faiz Bazar route.

Shri Sidhva: Is it not a fact that the time table issued by the D.T.S. gives the maximum interval as 15 minutes?

Shri Santhanam: I gave it more as an illustration. According to the time table, it may be very short or it may be very long. If he wants particulars about five minutes service or fifteen minutes service, I should have notice.

Shri Sidhva: Is it a fact that complaints are increasing?

Mr. Deputy-Speaker: May I suggest to hon. Members that with respect to such details they could communicate them to the hon. Minister and he will certainly see that those difficulties are removed? In regard to bus service to the Secretariat etc. certainly there may be difficulties, but instead of taking up the time of the House, they may be communicated to the hon. Minister.

Shri Sidhva: In this respect I had written a letter to the General Manager of the D.T.S. communicating many of these complaints. I have not received even an acknowledgment. What is your remedy, Sir? Will you guide me?

Mr. Deputy-Speaker: The hon. Member knows the hon. Minister too well. Could he not bring this to his knowledge?

Shri Sidhva: I will, but I think the General Manager is the man on the spot. I did not want to bother the hon. Minister just at that stage.

Mr. Deputy-Speaker: But Parliament is being bothered. During the intermediate stage he might have gone to the hon. Minister.

Shri Sidhva: I will do that, but this is an example of their efficiency.

Mr. Deputy-Speaker: I am sure the hon. Minister will look into the matter, particularly when the complaint comes from Members of Parliament who would not put questions lightly.

TRANSPORT ADVISORY COUNCIL (RECOMMENDATION)

*1244. **Sardar Hukam Singh:** Will the Minister of Transport be pleased to state:

(a) whether the recommendations of the Transport Advisory Council on the Report of the Motor Vehicles Taxation Enquiry Committee have since been accepted by the State Governments;

(b) whether it is a fact that some States are levying taxes on public

carriers which are far in excess of the ceilings recommended by the Committee and accepted by the Advisory Council; and

(c) whether Government propose to take any steps to see that the recommendations of the Committee are implemented?

The Minister of State for Transport and Railways (Shri Santhanam): (a) The matter is under correspondence with State Governments.

(b) The taxes levied by some States exceed the ceiling recommended by the Committee, but in no case do they exceed the ceiling accepted by the Transport Advisory Council.

(c) The matter will be considered in the light of the views of the State Governments on the several conclusions reached at the last meeting of the Transport Advisory Council.

Sardar Hukam Singh: Is it a fact that some States effected the increase just before the Committee was going to meet?

Shri Santhanam: They were entitled to increase and even now they are entitled to increase, but they have only agreed not to increase it above the maximum which has been fixed by the Council.

Sardar Hukam Singh: Would Government take notice of those increases which exceed the limits prescribed by the Council?

Shri Santhanam: This matter was considered by the Advisory Council and they accepted as the maximum what is now prevailing in Madras. Up to that the other States are free to increase, if they so like.

Shri M. Naik: What are the States which have levied the tax beyond the ceiling?

Shri Santhanam: There is no State that has raised the tax beyond the ceiling fixed by the Advisory Council, but I have said that there were States whose rate even at the time of the report of the Council was more than the maximum propounded by the Council. Those States were not inclined to reduce the existing scale. They only agreed not to raise it further.

SCHEME FOR GROW MORE FOOD IN FISHERIES IN PUNJAB

*1245. **Sardar Hukam Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that a Scheme for Grow More Food in fisheries was sponsored jointly by the Union Government and the Punjab Government on 50—50 basis;

(b) whether that scheme has failed;

(c) if so, what are the reasons;

(d) what amount has been spent so far; and

(e) whether Government propose to institute an enquiry into the causes of failure of this scheme?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) Yes. The Government of India were bearing half the cost of a scheme for stocking of fish in impounded waters in the Punjab during 1948-49, 1949-50 and 1950-51.

(b) and (c). The scheme did not fail, but the progress was slower than expected, due to delay in the provision of necessary equipment for the transportation of carp fry and fingerlings and in the appointment of a Deputy Warden of Fisheries (Stocking) to be in charge of the scheme.

(d) Rs. 1,07,841-8-9.

(e) Does not arise.

Sardar Hukam Singh: Do Government expect any income from this, what I might call, Grow More Food Campaign?

Shri Thirumala Rao: We have given the grant to encourage them to cultivate more fish, but we are stopping it from this year—1951-52. The State Government has to shift for itself.

Sardar Hukam Singh: Is it a fact that the officer in charge of the development scheme with his assistants and a few fishermen was caught red-handed while catching big fish in the guise of catching fry for stocking tanks?

Shri Thirumala Rao: I have no idea of that.

Sardar Hukam Singh: Is it a fact that some persons were challaned and put before the court for the reason that they had offended those rules and were caught fishing?

Shri Thirumala Rao: Those are matters which are primarily dealt with by the State Government. We are not burdened with details as to how some people do not behave properly.

Sardar Hukam Singh: This relates to Punjab and the Government of India have to answer these questions.

Mr. Deputy-Speaker: But the Punjab Administration is a local one, though it may be under President's rule. Ordinarily, the hon. Member must approach that Administration and if it is such an important and serious matter as to require the notice of Parliament he may go to the Minister first and come to the Parliament next.

I find there are a lot of details which are of a very small importance. They are brought before Parliament. I think we should make a distinction between important and trivial matters.

STUDENTS AUXILIARY FORCE

*1246. **Shri S. C. Samanta:** Will the Minister of Food and Agriculture be pleased to state:

(a) how many "Students' Auxiliary Forces" have been formed up till now and from which Institutions;

(b) the total number of students that have joined the Forces;

(c) the main items of work they are doing; and

(d) whether Government have given any encouragement or direction to various Institutions to form such Forces'?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) Two.

One from the Indian Agricultural Research Institute, New Delhi and the other from the Institute of Agriculture, Anand, Bombay.

(b) Indian Agricultural Research Institute Unit 105 and Institute of Agriculture, Anand Unit 400 (including staff & peons).

(c) (i) Planting trees.

(ii) Digging compost pits.

(iii) Constructing roads.

(iv) Improving pastures.

(d) Yes. The State Governments have already been asked to submit proposals for organising Land Army for the training of which financial aid has also been promised. A Seminar of the Joint or Deputy Directors of Extension, as the case may be, of the various States is to be held at the Indian Agricultural Research Institute, New Delhi from the 27th to 29th Sept., 1951 to take stock of the progress made so far regarding the organisation of Extension Service and the formation of the Land Army in the country and to discuss the

various schemes submitted by the State Governments.

Shri S. C. Samanta: What is the difference between the Students' Auxiliary Force and the Land Army?

Shri Thirumala Rao: Members of the Students' Auxiliary Force are expected to work during their leisure and vacation. They cannot be expected to work whole-time. The Land Army on the other hand can work whenever there is time for them to work.

Shri S. C. Samanta: May I know whether female students from any institutions have formed students auxiliary force and intend to undertake work on subsidiary food campaign?

Shri Thirumala Rao: This is not germane to this question. This question relates to digging of compost pits, etc., while the hon. Member's question relates to opening of cafeterias and encouraging people to take to subsidiary food, etc. I am not aware of it.

Shri Barman: Have Government any up-to-date figures of enrolment in the students auxiliary force.

Shri Thirumala Rao: I have given the figures that are up to date with us.

Shri R. Velayudhan: May I know whether the students are paid any allowance or anything for their work?

Shri Thirumala Rao: I do not think they are paid any allowance. This is entirely voluntary and honorary work.

Shri S. C. Samanta: Have the Government any proposal to bear at least a part of the expenses incurred in this connection?

Shri Thirumala Rao: This scheme is still in the initial stage, and we are asking the State Governments to make a beginning. With regard to the extension of the service, the Central Government have a scheme of subsidising or giving financial assistance to the States.

Shri S. C. Samanta: May I know whether Government have received any information from any other institutions of their intentions to form such organisations?

Shri Thirumala Rao: We are in correspondence with the State Governments. For instance, Bengal has taken up this question and they are doing it. But we have not received final reply and I have not the information to answer my hon. friend's question.

HINDUSTAN AIRCRAFT FACTORY

*1247. **Shri Lakshmanan:** Will the Minister of Railways be pleased to state:

(a) the number of coaches manufactured in the Hindustan Aircraft Factory for Railways during the last year;

(b) the number for which orders have been placed with them this year;

(c) how the prices of these coaches compare with those imported from foreign countries; and

(d) whether the Hindustan Aircraft Factory has applied for funds with a view to increasing their installed capacity and if so, with what result?

The Minister of State for Transport and Railways (Shri Santhanam): (a) 133 for the year ending 31st March 1951.

(b) 150.

(c) No coaches similar to those ordered on Hindustan Aircraft Limited have been imported.

(d) Yes. The matter is under the consideration of the Board of Directors of the firm.

Shri Radhelal Vyas: May I know how the coaches that were produced in the Hindustan Aircraft Factory were allotted to the different railways?

Shri Santhanam: All the coaches there received were allotted.

Shri Radhelal Vyas: In what numbers?

Shri Santhanam: I have not got detailed information as to how many coaches were allotted to each railway.

Shri Lakshmanan: May I know what is the amount that was asked for by the Hindustan Aircraft Factory for the expansion of their coach building wing?

Shri Santhanam: They have asked for an amount of Rs. 42 lakhs.

Shri Lakshmanan: May I know the present maximum capacity of the coach building wing?

Shri Santhanam: The present capacity is of the order of 150 coaches.

Shri Jangde: May I know whether the Hindustan Aircraft Factory has manufactured coaches for narrow gauge lines?

Shri Santhanam: No. They are manufacturing only broad gauge coaches.

Shri Rathnaswamy: Is it a fact that air-conditioned coaches are manufac-

tured by this factory and if so how many air-conditioned coaches have been manufactured during last year?

Shri Santhanam: This factory does not manufacture any air-condition plants. It manufactures coaches and our workshops fit them with air-condition plants which are imported.

Shri Amolakh Chand: May I know, if it is a fact that in coaches manufactured in the Hindustan Aircraft Factory, especially the steel frame third class coaches have no bathing arrangements?

Shri Santhanam: It is not practicable to provide bathing arrangements in third class carriages.

PARCEL POST SERVICE TO PARAGUAY

*1249. **Shri M. Naik:** (a) Will the Minister of Communications be pleased to state whether it is a fact that Parcel Post Service to Paraguay has been suspended and if so, what are the reasons therefor?

(b) Is it also a fact that the parcels which have already been booked but not yet despatched to their destination will be returned to the senders?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes. The service was suspended at the request of the Paraguay Government, who have decided to suspend temporarily all parcel post service in pursuance of a resolution passed by the Monetary Council of the Bank of Paraguay.

(b) Yes.

Shri M. Naik: From what date did this suspension come into effect?

Shri Raj Bahadur: From the 11th of August 1951.

Shri M. Naik: How many parcels were sent to Paraguay from India during last year?

Shri Raj Bahadur: Only 12 parcels were sent to Paraguay, of which 8 were less than 3 lbs.; three were between 3 and 7 lbs. and one was over 7 lbs. No parcel was received from Paraguay to India.

Shri M. Naik: Arising out of part (b) of the question, may I know how many parcels have so far been despatched?

Shri Raj Bahadur: I have already given the figures.

Shri M. Naik: In the case of undelivered parcels, will the postal charges be refunded to the senders?

Shri Raj Bahadur: Yes.

UJJAIN-INDORE RAILWAY LINE

*1250. **Shri K. K. Vyas:** Will the Minister of Railways be pleased to state:

(a) whether the late Sardar Vallabh-bhai Patel had made a public declaration about the laying of a broad gauge line between Ujjain and Indore;

(b) whether it is also a fact that the Hon'ble Minister of Railways and Transport had also accepted the proposal;

(c) if the answer to parts (a) and (b) above be in the affirmative, what are the reasons that no steps have so far been taken in the matter; and

(d) how long it is likely to take for the scheme to materialise?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Government's information in this respect is based on a letter received from the Madhya Bharat Chamber of Commerce in which it was stated that they had placed the question of provision of a broad gauge line between Ujjain and Indore before the late Sardar Vallabh-bhai Patel in the course of an "address" presented to him by the Chamber on 2nd October 1950 and that the late Sardar Patel referred to the subject in his speech in a public meeting and was good enough to assure that he would look into the feasibility of the project.

(b) The hon. Minister for Railways and Transport agreed only to have the feasibility of providing broad gauge facilities between Ujjain and Mhow via Indore examined.

(c) and (d). The present position is that the scheme of providing a broad gauge line between Ujjain and Mhow via Indore is being investigated by the B. B. and C. I. Railway. Further action will depend on the result of this investigation and their examination by the Railway Board. It is, therefore, not possible to say at this stage whether the scheme will be finally approved and, if so, when it would be implemented.

श्री के० के० व्यास : क्या उज्जैन और इन्दौर के बीच ब्राड गेज रेलवे लाईन बनाने की आज्ञा दी गयी थी, अगर दी गयी थी तो कब दी गयी थी ?

[**Shri K. K. Vyas:** Was the construction of a Broad Gauge railway line between Ujjain and Indore permitted; if so, when was the said permission given?]

Shri Radhelal Vyas: May I know whether any order has been passed for the survey of this railway line?

Shri Santhanam: The B.B. and C.I. Railway are investigating and if their preliminary investigation is approved, then perhaps a formal survey will be ordered.

Shri Sarwate: May I know what is the policy of Government in respect of opening new lines? If the people of a province or region are able to float a loan for the expenditure?

Shri Santhanam: The policy of Government is to construct railway lines according to the needs of the country and the availability of finances. If the railways float separate loans, then the Government of India's capacity to float loans will to that extent be reduced?

Shri Ghule: Is it the want of money or the want of material that comes in the way of opening new railway lines?

Shri Santhanam: And also a consideration of the national needs.

Shri Sarwate: What is the estimated expenditure on this line?

Shri Santhanam: It is still under investigation: I have not got their report.

Shri Sarwate: Is the Government aware that Indore being the centre of trade and commerce and Mhow being a cantonment nearby, it is very important that this line should be opened early?

Shri Santhanam: I have already stated that it is on account of its importance that it is being investigated.

Shri Radhelal Vyas: May I know since how long there has been a demand for opening a broad gauge line between Indore and Ujjain?

Shri Santhanam: The hon. Member is aware that we took over the State railways only from the 1st of April 1950 and we are now in the process of integrating the State railway systems into the main system. At the same time we are investigating all projects which are absolutely essential in the national interest. I do not think much time has been lost.

Shri Ghule: May I point out to the hon. Minister that the line between Ujjain and Indore is not a State Railway?

Shri Santhanam: I did not mean that it was a State Railway. I was only saying that the Railways are engaged in the process of integrating the State Railways and so this is not the only item on which we could concentrate our attention.

Shri Amolakh Chand: May I ask the hon. Minister when the investigation is likely to be completed?

Shri Santhanam: Probably by the end of this year.

GOODS TRAFFIC

*1251. **Shri Kshudiram Mahata:** Will the Minister of Railways be pleased to state:

(a) the income derived by Railways from goods traffic during the first quarter of the current financial year;

(b) how this compares with the income of the corresponding period of the year 1950-51; and

(c) the quantity of goods carried during the same period?

The Minister of State for Transport and Railways (Shri Santhanam): (a) to (c). Earnings from and goods carried by class I railways for the first quarter of 1950-51 and 1951-52 were Rs. 32.86 and 35.74 lakhs, and 29.0 and 28.6 million tons, respectively.

The increase in revenue is attributable to higher rated traffic and longer hauls.

PETROL CESS

*1252. **Shri Jagannath Mishra:** (a) Will the Minister of Transport be pleased to state what was the total amount of petrol cess at the end of 31st March, 1951 which was allotted to Orissa from the Central Reserve Fund and the ordinary State quota?

(b) What amount out of that has already been spent and what approved projects, with their estimates, are pending for execution?

The Minister of State for Transport and Railways (Shri Santhanam): (a) Rs. 27.93 lakhs and Rs. 13.40 lakhs respectively.

(b) Rs. 26.34 lakhs and Rs. 4.07 lakhs respectively. A list of projects with their estimated costs etc. which are in progress and pending execution is laid on the Table of the House. [See Appendix VII, annexure No. 39.]

Shri Jagannath Mishra: Are all the projects being executed by the Central Government or some by the State Governments?

Shri Santhanam: All projects are executed by State Governments under the general supervision of the Central Road organisation.

Dr. Deshmukh: What are the difficulties in the way of more rapid progress in spending this amount?

Shri Santhanam: I never said there was any difficulty in spending any amount, but the question is of getting the amounts.

Shri Jagannath Mishra: Did Government consider the comparative low cost of execution if such works were done by the State Governments?

Shri Santhanam: I have already said that the projects are executed by the State Governments. So I do not think the question arises.

SUBURBAN ELECTRIC TRAINS FOR DELHI

*1253. **Shri Amolakh Chand:** Will the Minister of Railways be pleased to state:

(a) whether G.I.P. or B.B. & C.I. Railways propose to run suburban Electric Trains near and around New Delhi to relieve the pressure on D.T.S. buses; and

(b) if so, what steps have been taken till now?

The Minister of State for Transport and Railways (Shri Santhanam): (a) There is no such proposal.

(b) The question does not arise.

Shri Amolakh Chand: May I know the reason why the Capital of India is being neglected as far as suburban trains are concerned when there is a lot of foot-board travelling all round Delhi?

Shri Santhanam: There is no question of neglecting. As the hon. Member knows, there is foot-board travelling not only in Delhi but in many other places. We are increasing the number of trains as soon as we get more coaches.

Shri Shiva Rao: Is my hon. friend aware that the Delhi Improvement Trust Enquiry Committee has laid very great stress on the expansion of suburban transport facilities as a means of relieving congestion in New Delhi and Delhi?

Shri Santhanam: Yes. But it remains to be seen whether this congestion can best be relieved by bus service or by railway services.

Shri Shiva Rao: May I know for how long my hon. friend proposes to wait?

Shri Santhanam: We are not waiting. It is expected that by next year a sufficient number of buses to deal with the entire traffic in Delhi will be available.

Shri Sidhva: Apart from electric trains, have Government contemplated or even thought of a proposal to run ordinary suburban services between

Subzimandi and New Delhi to avoid this congestion in traffic?

Mr. Deputy-Speaker: That is a matter which the Minister will consider. How can he say off-hand?

Shri Sidhva: It arises out of this.

Shri Santhanam: I do not know whether there is sufficient traffic between Subzimandi and New Delhi—between Subzimandi and Old Delhi, I know. I do not know whether it has been considered.

Shri Sidhva: Will he examine it?

Mr. Deputy-Speaker: Oh, yes. The Minister will examine it.

Dr. Deshmukh: May I know if the hon. Minister would be prepared to take up this question more seriously since the taking over of the bus service by Government has not improved the situation?

Mr. Deputy-Speaker: Order, order. Next question.

TOBACCO GRADING SCHEME (DISPUTES)

*1255. **Shri S. N. Das:** Will the Minister of Food and Agriculture be pleased to state:

(a) the total number of disputes arising in connection with the grading of tobacco consignments by Government Inspectors under the Tobacco Grading Scheme referred to the Appellate Panel during the years 1950-51 and 1951-52 up-to-date; and

(b) the number of disputes that are pending before the Panel?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) Nil.

(b) Does not arise.

COW SLAUGHTER

*1256. **Shri Raj Kanwar:** Will the Minister of Food and Agriculture be pleased to state:

(a) the names of Part 'A', Part 'B' and Part 'C' States in which cow slaughter has been banned;

(b) whether any other States have considered or are considering the banning of cow slaughter and if so, their names; and

(c) the names of former Princely States, in which before their integration or merger cow slaughter was banned?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) and (b). From the information received

so far from 12 States, it is seen that cow slaughter is banned or restrictions have been imposed on cow slaughter in the following States:

(1) Uttar Pradesh, (2) P.E.P.S.U., (3) Hyderabad, (4) Coorg, (5) Ajmer, (6) Saurashtra, (7) Delhi, (8) Manipur, (9) Kutch.

A statement giving the nature of restrictions in these States is laid on the Table of the House. [See Appendix VII, annexure No. 40.]

(c) The position in regard to the former Princely States is as follows:

(1) *Saurashtra*.—Most of the former Princely States, which have now merged with Saurashtra, had banned cow slaughter. Cow slaughter continues to be prohibited to this day.

(2) *Manipur*.—Cow slaughter was banned in the State before integration and continues to be prohibited.

(3) *Bhopal*.—Before integration, cow slaughter in the State was regulated though it was not statutorily banned.

Shri Raj Kanwar: Do Government envisage a period in the not distant future when cow slaughter may be expected to be banned in the whole country?

Shri Thirumala Rao: He is asking for an opinion, Sir.

Mr. Deputy-Speaker: Yes.

Shri Raj Kanwar: Are Government aware that during the Moghul rule cow slaughter was banned in some parts of the country?

Mr. Deputy-Speaker: That is now accepted in various parts.

Shri Sidhva: In answer to part (a) of the question did the hon. Minister mention Madhya Pradesh also? If not may I know whether it is a fact that in Madhya Pradesh also they have recently banned it?

Shri Thirumala Rao: I gave the information on the basis of the reports we have received from the States.

Shri Sidhva: But Madhya Pradesh has passed a law.

Pandit Thakur Das Bhargava: Recently.

Dr. Deshmukh: May I know if the number of people going without shoes has recently increased and, if so, whether this has no relationship with the anti-cow-slaughter movement?

Mr. Deputy-Speaker: These are all arguments.

STARVATION CASES IN MADRAS

*1257. **Dr. M. V. Gangadhara Siva:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the attention of Government has been drawn to a judgment of the Madras High Court delivered on the 5th September, 1951 published in the *Indian News Chronicle*, Delhi, dated the 6th September, 1951, Page 6 and column 3, in the course of which the Judges have made remarks about the shortage of food and persons dying of starvation;

(b) whether, as observed by Judges, Relief Centres have been opened in deficit areas; and

(c) whether there is any proposal to open such Relief Centres and if so, when?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) Yes.

(b) and (c). The Government of Madras have been asked to report on the references to Starvation cases and furnish the latest figures about relief centres. The report is awaited.

Dr. M. V. Gangadhara Siva: In view of the deplorable situation in Royalseema may I know whether any relief centre has been opened or contemplated at least?

Shri Thirumala Rao: If my hon. friend refers to Royalseema, in Chittoor district alone twelve centres were opened.

Shri Rathnaswamy: Is it a fact that as a result of the abolition of rural rationing in Madras State and the failure of the Government to open an adequate number of relief shops in those areas it has become extremely difficult for the poorer classes in the Madras State to get an adequate ration?

Shri Thirumala Rao: My hon. friend jumbles up two things. It is a fact that rural rationing has been abolished. But his assumption that there are not sufficient number of fair price shops is not borne out by facts as 7,411 fair price shops have been opened in the Madras State.

Shri Rathnaswamy: May I know the actual number of relief shops that have been opened in Madras State after the abolition of rural rationing?

Shri Thirumala Rao: It is not the number after the abolition of rural rationing. The total number I have given. The Government of Madras are doing their best to improve the

situation and my friend's conclusions are not borne out by facts.

Shri Rathnaswamy: May I request him to repeat the last portion of his answer as regards the number of shops?

Shri Thirumala Rao: I said that 7,411 fair price shops were opened by the Madras Government and they are now working in the whole of Madras State.

Shri Bharati: These are not fair price shops but gruel centres to which the hon. Member was referring. These are not 'starvation cases' but cases of murder of the children by their father on account of want of food. As the Madras High Court has remarked that this is not the first case of its kind, where father and mother murder the children for want of food, has the seriousness of the situation been understood by the Government of India?

Shri Thirumala Rao: I have got the relevant quotation from the judgment. The learned judges also refer to the low purchasing power of the people. And the Madras Government are doing their best by providing relief works. About Rs. 4 lakhs are being spent in organising relief works where workless people are gathered and are given work.

WRITTEN ANSWERS TO QUESTIONS

CONSTRUCTION OF NEW RAILWAY LINES

*1234. **Shri Jnani Ram:** Will the Minister of Railways be pleased to state:

(a) the mileage of new lines constructed during the years 1949-50 and 1950-51; and

(b) the area where construction has been made?

The Minister of State for Transport and Railways (Shri Santhanam):

(a) The route mileage of new lines constructed and opened to traffic during 1949-50 and 1950-51 is 231.92.

(b) The construction was carried out in Assam, Hyderabad, Rajasthan, Saurashtra and West Bengal States.

LEGISLATIVE BUILDINGS IN PART 'C' STATES

*1235. **Shri Jnani Ram:** Will the Minister of States be pleased to state:

(a) the amount provided for Legislative Buildings in each of the Part C States where Legislatures have been provided by the recent Act; and

(b) whether construction of buildings for Legislatures is under progress?

The Minister of State for Transport and Railways (Shri Santhanam):

(a) Nil.

(b) No.

TELEPHONE SYSTEM IN CALCUTTA

*1248. **Shri B. K. Das:** Will the Minister of Communications be pleased to state:

(a) the number of complaints received during the six months from January to June, 1951, regarding the telephone system in Calcutta;

(b) the various types of complaints made; and

(c) the number of new Boards and the new exchange lines installed during the current year?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 48,324.

(b) Various types of complaints received may be classified as follows:

(1) Service—

(i) Delay in answering on the part of operators.

(ii) Wrong numbers.

(iii) Discourtesy on the part of operators.

(iv) Connections to an engaged number.

(v) Disconnection in the midst of conversation.

(2) Maintenance—

(i) Telephones out of order.

(ii) Low speech.

(3) Bills—

Charges in excess of the amount leviable on the basis of the number of calls made, as recorded by the subscriber.

(4) Delays in getting connections or removals—

Delays in complying with requests for new connections, shifting of telephones and restoration of telephones disconnected as a result of the fire in the Calcutta Exchange in October, 1948.

(c) (1) Number of new boards installed:

(i) 4,000 lines at 8, Hare Street, Calcutta.

(ii) One 'B' position at City Exchange.

(iii) Five 'A', Seven 'B' and Three monitors' positions at Burra Bazar exchange.

(iv) 300-line extension at Burra Bazar exchange.

(v) 500 additional Home Section equipment at Burra Bazar.

(vi) One 'B' and Two monitors' positions at Park exchange.

(vii) Two 'A' and One 'B' positions at South West exchanges.

(viii) 50 additional Home Section equipment at South West exchange.

(ix) One 'A' and Two 'B' positions at Howrah exchange.

(x) One 'A' and Two 'B' positions at West Central exchange.

(xi) 163 private branch exchange boards at subscribers' premises.

(2) Number of new telephone connections given from 1st January, 1951 to 31st August, 1951: 1,055 exchange lines.

THIRD CLASS PASSENGERS' WAITING ROOM

*1254. **Thakur Lal Singh:** Will the Minister of Railways be pleased to state whether there is a proposal to construct a new Third Class Passengers' Waiting Room as well as a Booking Office on the other side of the Railway Station at Bhopal?

The Minister of State for Transport and Railways (Shri Santhanam): The reply is in the negative.

IMPORT OF FOODGRAINS

*1258. **Shri Jhunjunwala:** Will the Minister of Food and Agriculture be pleased to state the quantities of foodgrains imported into India from different countries during each of the calendar years 1946 to 1950 together with the value of such imports and the total amount of freight paid thereon as also the total quantity of foodgrains imported into India during the first seven months of 1951 together with the freight paid thereon?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): A statement is placed on the Table of the House showing quantities and values including freight, of foodgrains imported into India during the five calendar years 1946 to 1950 and the first seven months of 1951. Separate figures of freight paid during this entire period are being compiled and a statement will be placed on the Table of the House when the figures are ready.

STATEMENT

Statement showing quantities and values (including freight) of foodgrains imported into India during 1946 to 1950 and 1st seven months of 1951.

(Quantity in thousand tons and value in lakhs of rupees.)

| Year | Quantity (including freight) | Value |
|-----------------------|------------------------------|-------|
| 1946 | 2249 | 7611 |
| 1947 | 2334 | 9399 |
| 1948 | 2841 | 12972 |
| 1949 | 3706 | 14460 |
| 1950 | 2125 | 8060 |
| 1951 (upto 31st July) | 2621 | 10810 |

INDIAN-OWNED SHIPS

*1259. **Shri Jhunjunwala:** Will the Minister of Food and Agriculture be pleased to state:

(a) the quantities of foodgrains brought to India by Indian-owned ships during the five calendar years 1946 to 1950 and the first seven months of the current year; and

(b) the steps which Government have taken or propose to take to import in future substantially larger quantities of foodgrains into India by Indian-owned ships?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) Following are the quantities of foodgrains imported into India in Indian-owned steamers during the five calendar years 1946 to 1950 and the first seven months of 1951:

| | | |
|---------------------------|-----|--------------|
| 1946 | ... | 45,000 tons |
| 1947 | ... | 221,000 tons |
| 1948 | ... | 371,000 tons |
| 1949 | ... | 141,000 tons |
| 1950 | ... | 105,000 tons |
| 1951 (first seven months) | | 179,000 tons |

(b) Whatever Indian steamers are offering to lift foodgrains, are being used.

TRIPURA STATE EMPLOYEES

*1260. **Shri S. M. Ghose:** Will the Minister of States be pleased to state:

(a) whether it is a fact that in the State of Tripura there is good deal of difference in the scale of pay, allowances etc., between the officers who are imported from outside the State and those who are already serving there from the past regime though holding the same rank and performing the same class of duties;

(b) if so, what is the reason for such difference; and

(c) whether Government propose to bring about an uniformity in the scale of pay, allowances etc. between the officers of the same rank whether imported from outside the State or not?

The Minister of State for Transport and Railways (Shri Santhanam):

(a) to (c). Pending the reorganisation of the administrative set-up of the various departments of the Tripura Administration the staff taken over from the former Tripura State are continuing on their pre-integration scales of pay. Officers, if any, taken on deputation from a Part 'A' State or elsewhere are given as a temporary measure their own scales of pay plus a suitable deputation allowance or pay fixed on an *ad hoc* basis. In respect of the various posts of the Tripura Administration the Government of India propose to adopt the scales of pay attached to posts of corresponding status and responsibility under the West Bengal Government and the revised scales of pay will be allowed to such staff as will be finally retained after reorganisation.

GENERAL MANAGER, B. N. RAILWAY
(AIR TRAVEL)

*1261. **Shri Kamath:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that, on several occasions since 1st April, 1950, the General Manager, B. N. Railway, travelled by air and drew travelling allowance for the same;

(b) if so, the number of such occasions, the reasons for air journey and whether he had obtained prior approval of the Railway Board for the same; and

(c) if not, what action has been taken in the matter?

The Minister of State for Transport and Railways (Shri Santhanam):

(a) Yes.

(b) 36 occasions from April 1950 to December, 1950; these journeys were undertaken some to enable the General Manager to fit in all his numerous engagements in Calcutta and elsewhere, others on account of breaches and interruptions, and some others for conferences in Delhi. No rules require a General Manager to obtain the permission of the Railway Board before undertaking air journeys.

(c) Does not arise.

RAILWAY PASSES

295. **Shri D. S. Seth:** Will the Minister of Railways be pleased to state:

(a) the scales of free railway passes admissible to officers and staff of the Railway Department including the Railway Audit Department on retirement;

(b) whether the scales referred to above also apply to officers of the Indian Audit and Accounts Service and the Emergency cadre of the service retiring from the various Railway offices including the Railway Audit Offices; and

(c) if the answer to part (b) above be in the affirmative, on what terms and conditions?

The Minister of State for Transport and Railways (Shri Santhanam):

(a) The scales of post-retirement complimentary passes admissible to retired railway officers and staff other than Class IV staff, are given below:

| | No. of sets of passes admissible per annum. |
|---|---|
| (1) Officers with— | |
| (i) 20 years' service but less than 25 years' service | 2 sets |
| (ii) 25 years' service and over | 3 sets |
| (2) Subordinates (including skilled artisans) with— | |
| (i) 25 years' service but less than 30 years' service | 1 set |
| (ii) 30 years' service and over | 2 sets |

Class IV staff on the railways are not eligible for post-retirement passes. The officers and staff of the Railway Audit Department are also not eligible to such passes.

(b) Officers of the Indian Audit & Accounts service including those of the Emergency cadre and also those of the Railway Audit offices are not ordinarily eligible to post-retirement passes.

(c) Does not arise.

BUILDINGS ACQUIRED BY GOVERNMENT

299. Shri Dwivedi: Will the Minister of States be pleased to state:

(a) the number of buildings, which Government acquired as a result of integration and merger of States in the Centrally Administered Areas;

(b) the value at present of these properties;

(c) whether all such possessions of the Government of India are kept under timely repairs;

(d) whether Government propose to auction such buildings, palaces etc., as are not needed by Government; and

(e) the number of buildings etc., which have suffered loss or have collapsed due to lack of repairs?

The Minister of State for Transport and Railways (Shri Santhanam):

(a), (b) and (e). The information is

not readily available. Its collection will involve an amount of time and trouble which will hardly be commensurate with its possible use. If, however, the Honourable Member has in view any important purpose for which these particulars are essential, I shall make an effort to have them collected.

(c) Yes so far as the funds permit.

(d) It is difficult to give a general answer but if the hon. Member will refer to any particular building or buildings I will ascertain the facts and inform the hon. Member of the position regarding their disposal in case they are surplus.

CHANGE OF COLOUR OF NAME BOARDS OF RAILWAY STATIONS

300. Shri D. S. Seth: Will the Minister of Railways be pleased to state:

(a) whether stations on any of the Indian Government Railways have changed the colour of their name boards from white to yellow and if so, the reasons therefor;

(b) what is the estimated cost to be incurred in changing the colour; and

(c) what is the name of the firm from whom the yellow paint has been or is proposed to be purchased?

The Minister of State for Transport and Railways (Shri Santhanam):

(a) Yes, this is being done with a view to obtaining best results with special regard to "good visibility" resistance to disfigurement and uniformity on all Railways in the matter.

(b) The change in the colour is being effected gradually at the time of replacements, renewals and new installations. No additional expenditure as such has, therefore, been incurred in implementing the change over.

(c) Supplies of paints including the yellow paint were obtained from the various recognised dealers in paints and also through the Director General, Supplies and Disposals.

SENIOR ACCOUNTS OFFICERS

301. Shri D. S. Seth: Will the Minister of Railways be pleased to state:

(a) the number of posts of Senior Accounts Officers in each of the various Railway offices on the 31st August, 1951 and the rates of pay and special pay attached to each post; and

(b) the posts out of those referred to in part (a) above filled up by officers of the Indian Railway Accounts Service and of the Assistant Accounts Officers cadre?

The Minister of State for Transport and Railways (Shri Santhanam): (a)

The number of posts of Senior Accounts Officers both permanent and temporary in each of the various Railway offices on 31st August 1951 and the rates of pay and special pay attached to each post are:

| Railway | Scale of pay | No. of Posts |
|-------------------------|--------------------------|--|
| Assam | 800-50-1350 (old) | 1 |
| | 600-1150 (P. S.) | |
| E. I. | do. | 10 |
| E. P. | do. | 3 |
| G. I. P. | do. | 4 |
| B.B. & C.I. | 550-40-000-50-1250 (old) | 4 |
| | 600-1150 (P. S.) | |
| | 550-50-1300 (old) | 4@ |
| B. N. | 690-1150 (P. S.) | @One post held in abeyance from 5-1-51. This post carried a spl. pay of Rs. 100/P.M. |
| O.T. | 500-1250 (old) | 2 |
| | 600-1150 (P. S.) | |
| Southern | 550-50-1300 (old) | |
| M. S. M. | 600-1150 (P. S.) | 8* |
| S. I. | 750-50-1250 (old) | |
| | 600-1150 (P. S.) | |
| Chittaranjan Loco Works | 600-1150 | 1 |
| | 800-50-1350 (old) | |
| R.C.A.O. | 600-1150 (P. S.) | |
| | Plus special pay 100/- | 1 |
| TOTAL | | 38 |

(b) Posts held by I. E. A. S. officers

| Railway | No. of posts |
|---------------|--------------|
| Assam | 1 |
| B. B. & C. I. | 1 |
| B. N. | 3 |
| E. I. | 6 |
| E. P. | 1 |
| G. I. P. | 1 |
| O. T. | 1 |
| Southern | 4 |
| C. L. W. | 1 |
| 19 | |

Posts held by A. A. O's.

| Railway | No. of posts |
|---------------|--------------|
| B. B. & C. I. | 2 |
| E. I. | 4 |
| E. P. | 2 |
| G. I. P. | 3 |
| O. T. | 1 |
| Southern | 1 |
| R. C. A. O. | 1 |
| 14 | |

1 post on the B.B. and C.I. Railway is held by an ex-G.B.S. Railway officer and 1 post on the Southern Railway is

held by an ex-Mysore State Railway officer, whose status has not yet been equated.

NAGPUR CIVIL AERODROME

302. Shri Sivan Pillay: Will the Minister of Communications be pleased to state:

(a) the maximum number of passengers alighting and waiting at one time at the waiting room of the Nagpur Civil Aerodrome in the course of the night air-mail services passing through that station; and

(b) the ground area of the waiting room provided for that purpose?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 58

(b) 1952 square feet. Including the verandah attached to it which is also used by waiting passengers.

VETERINARY RESEARCH INSTITUTE AT MUKTHESWAR

303. Shri Sivan Pillay: Will the Minister of Food and Agriculture be pleased to state the amount realised as income from the sale of sera, vaccine and other biological products from the Indian Veterinary Research Institute at Mukteswar during the years 1948-49, 1949-50 and 1950-51?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): The gross income of the Indian Veterinary Research Institute from the sale of biological products manufactured by it during the years in question was as under:

| | Mukteswar Izatnagar | |
|---------|---------------------|----------|
| | Rs. | Rs. |
| 1948-49 | 24,052 | 7,16,396 |
| 1949-50 | 66,987 | 6,80,382 |
| 1950-51 | 1,00,239 | 7,06,120 |

AVIATION OIL

304. Dr. Ram Subhag Singh: (a) Will the Minister of Communications be pleased to state what was the total daily offtake of Aviation oil by overseas airlines from Indian Ports in January, 1951?

(b) What is the total daily offtake of oil at present?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 19,350 gallons on an average by foreign airlines.

(b) 11,530 gallons on an average by overseas airlines.

ASSOCIATED FARMS

305. Shri S. N. Das: Will the Minister of Food and Agriculture be pleased to state:

(a) which State Governments have so far been able to implement the

scheme for the establishment of Associated Farms:

(b) which of the public institutions have been able to start large scale farms under this scheme; and

(c) what further steps have, so far, been taken by the Government of India to give effect to the proposal?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) Trials are reported to have been undertaken by the Governments of Chhopal and Travancore-Cochin; preliminary steps for the implementation of the scheme are being taken by the Governments of Orissa, West Bengal, Ajmer and Himachal Pradesh.

(b) A scheme has been submitted by the University of Lucknow and is at present being considered by the Government of India.

(c) The State Governments are being urged to take up this work more actively.

STAFF QUARTERS, POST AND TELEGRAPH DEPARTMENT, BIHAR

306. Shri S. N. Das: Will the Minister of Communications be pleased to state:

(a) the total number of quarters built for the staff of the Post and Telegraph Department in Bihar Circle during the years 1948-49, 1949-50, 1950-51 and 1951-52; and

(b) how many of them were built at Patna and how many at District Headquarters?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). None so far, but 32 are expected to be completed during 1951-52. Out of these 20 will be at Patna. Six have been proposed at Purnea and six at Moghalsarai.

LAND UNDER CULTIVATION

307. Shri S. N. Das: Will the Minister of Food and Agriculture be pleased to state the latest estimated acreage of land under different crops during the years 1950-51 and 1951-52 giving statewise figures?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): A statement giving the information for 1950-51 is placed on the Table of the House. Figures for 1951-52 are not yet available. [See Appendix VII, annexure No. 41.]

छोटा नागपुर डिवीजन से सब्जी का बुकिंग

३०८. श्री शंभूराव : (क) क्या ज्ञात नया कृषि मंत्री यह बतलाने की कृपा करेंगे कि सरकार को यह ज्ञात है कि बिहार के

छोटा नागपुर डिवीजन से रेल द्वारा सब्जी का बुकिंग अस्थायी रूप से बन्द कर दिया गया है तथा इस के कारण किसानों को अपनी सब्जी का कम मूल्य मिल रहा है तथा अधिक हानि सहनी पड़ रही है ?

(ख) क्या सरकार छोटा नागपुर डिवीजन से सब्जी के बुकिंग पर लगे हुए प्रतिबन्ध को हटाने पर विचार करने के लिये तैयार है और यदि नहीं तो इस का कारण ?

BOOKING OF VEGETABLES FROM
CHHOTA NAGPUR DIVISION

[308. Shri Oraon: (a) Will the Minister of Food and Agriculture be pleased to state whether Government are aware of the fact that booking of vegetables by railway from Chhota Nagpur Division of Bihar has been suspended and due to this suspension of booking, cultivators are getting less price for their vegetables and are thus suffering a great loss?

(b) Are Government prepared to consider the removal of restrictions on the booking of vegetables by railway from the Chhota Nagpur Division and if not, why not?]

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):

(a) Yes, so far as restrictions on export are concerned. Regarding price position, an enquiry has been made from the State Government.

(b) Yes, the State Government have already been asked to review the position towards the end of September, 1951. It may also be noted that onions and seed potatoes have since been excluded from the purview of restrictions and that the movement of vegetables by rail to North Bengal districts of Jalpaiguri, Darjeeling, Malda and West Dinajpur is now being permitted

SHIPS (IMPORT OF FOOD GRAINS)

309. Shri Jhunjhunwala: Will the Minister of Food and Agriculture be pleased to state:

(a) the number of ships which brought foodgrains to India from different countries during each of the calendar years 1946 to 1950 and during the first seven months of the current year; and

(b) the number of ships which discharged foodgrains at different Indian ports together with the total quantities discharged at these ports during the same period?

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): (a) and (b). Two statements are laid on the Table of the House. [See Appendix VII, annexure No. 42.]



सत्यमेव जयते

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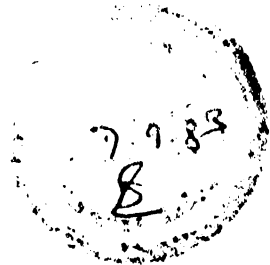
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CORRIGENDA

to

the Parliamentary Debates (Part II—Other than Questions and Answers),
Fourth Session 1951.

Volume XVI,—

1. No. 1, dated the 24th September, 1951,—

(i) Col. 3193, line 10 for "Act, 1151" read "Act, 1951"

2. No. 2, dated the 25th September, 1951,—

(i) Col. 3260, line 18 for "set" read "sat".

3. No. 3, dated the 26th September, 1951,—

(i) صفحہ ۳۳۱۵ پہلی لائن میں "دے مونا آزاد" کی جگہ "دے مولانا آزاد" لکھیے

(ii) भाग ३४१६, पंक्ति १३ में "सायलें" के स्थान पर "आगत" पढ़ें ।

4. No. 4, dated the 27th September, 1951,—

(i) Col. 3902, line 19 from bottom for "rent for occupation of houses" read
SHORT NOTICE QUESTION".

(ii) भाग ३४९०, पंक्ति १३ में "ट्रस प्रांक्मेटी" के स्थान पर "ग्रान्ट्स कमेटी" पढ़ें

5. No. 6, dated the 29th September, 1951,—

(i) Col. 3902, line 19 from bottom for "rent for occupation of houses" read
"damages for the occupation".

No. 7, dated the 1st October, 1951,—

(i) Col. 3952, line 16 omit "a".

7. No. 8, dated the 3rd October, 1951,—

(i) Col. 4134 for existing line 19 read "it has been made out that pre-censor-";
after existing line 40 insert "permanent period to the hands of the"
and delete line 43.

8. No. 9, dated the 4th October, 1951,—

(i) Col. 4153 last line, for "L.P.C." read "I.P.C."

(ii) Col. 4188, for existing line 18 from bottom read "cular case by that
experience and I".

9. No. 10, dated the 5th October, 1951,—

(i) भाग ४२८७, अन्तिम पंक्ति में "बेस्त्रियम" को "बेस्त्रियम" पढ़ें ।

(ii) Col. 4346, line 4 from bottom after "years" insert "ago".

10. No. 11, dated the 6th October, 1951,—

(i) Col. 4418, line 26 for "stituted" read "substituted".

(ii) Col. 4460 after line 27 insert "ages etc."

(iii) Col. 4523, line 19 from bottom for "Cognizillibity" read "Cognizability"

(iv) Col. 4524, line 11 for "Cognizillibity" read "Cognizability".

No. 12, dated the 11th October, 1951,—

(i) Col. 4694, for existing lines 7-9 read "given to Shri Achru Ram's case...
Shri Kamath: I am sorry it is a very ignorant imputation.....".

(ii) Col. 4721 for existing line 35 read "number of tractors to be produced"

(ii)

12. No. 13, dated the 12th October, 1951,—

(i) Col. 4743 after line 5 insert "(No Questions—Part I not Published)" as 1 line.

(ii) Col. 4844 in line 32 for "Khwaja Inait Ullah: May I point" read "Shri Jhumjhumwala. I just want".

13. No. 14, dated the 15th October, 1951,—

(i) Col. 4913, line 13 from bottom for "(Sidhva)" read "(Shri Sidhva)".

(ii) भाग ४९५६, पंक्ति १२ में "पीछे" के स्थान पर "पीते" पढ़ें।

(iii) Col. 4984 for existing lines 10 and 11 from bottom read "A person shall be disqualified for being chosen as and for being".

14. No. 15, dated the 16th October, 1951,—

(i) Col. 5093, for existing line 34 read "for the industrial development of our country".

(ii) Col. 5128 in line 5 from bottom after "to" insert "give to".

THE
PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers.)

OFFICIAL REPORT

3189

3190

PARLIAMENT OF INDIA

Monday, 24th September, 1951

*The House met at Half Past Eight of
the Clock.*

[MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

3-30 A.M.

MOTION FOR ADJOURNMENT

BAN ON PUBLIC MEETINGS ETC. IN THE

**TRAVANCORE-COCHIN STATE IN VIEW
OF GENERAL ELECTIONS**

Mr. Deputy-Speaker: I have received notice of an adjournment motion from Shri R. Velayudhan on the subject of the Travancore-Cochin State

(1) Col. 3952, banning public meetings and other kind of propaganda work and other kind of State with regard to the General Elections which are in direct contravention of the Election Bill passed by this Parliament.

The Minister of States, Transport and Railways (Shri Gopalaswami): Sir, I would request you to consider whether an adjournment motion on a subject of this sort, which cannot be considered to be primarily within the competence of the Central Government but is almost entirely within the competence of the State Government, could be allowed. I thought it had been consistently ruled in this House that where a matter is one which is within the purview of the State Government, an adjournment motion is not permitted. I would ask you first to consider that question.

Mr. Deputy-Speaker: Is election a subject or a Provincial sub-

Shri Gopalaswami: It relates to the action of the Travancore-Cochin State Government in banning public meetings, processions etc. Such banning would have been given only by the ordinary magisterial and police authorities and therefore, it is a matter within the law and order sphere of the State Government.

Mr. Deputy-Speaker: Does the hon. Minister mean that with respect to matters which come exclusively under the purview of the Central Government, any action, even though law and order is taken by the State Government, in so far as it affects adversely those items which come under the Union List, this Parliament has no right to go into the matter and the hon. Minister has no responsibility?

Shri Gopalaswami: I submit that the object of an adjournment motion is to censure the Government which has been responsible for some act, which the Parliament does not approve of. Here the only act that could be censured is the act either of the State Government or of the authorities working under them. I would only add that if you rule that the motion is in order, because there is a reference to General Elections, I should proceed to give such information as I can.

Mr. Deputy-Speaker: Is the hon. Minister in a position to state whether these have been banned with respect to Elections? Otherwise, Parliament has absolutely no concern if it is general law and order in the State. It is a particular State subject. I would like to know if public meetings, processions etc. that are intended for purposes of legitimate propaganda in connection with General Elections have been banned or it is a general order relating to law and order, not pertaining particularly to General Elections.

Shri Gopalaswami: Sir, as soon as I received notice of this motion, I tried

[Shri Gopaldaswami]

to ascertain from the Travancore-Cochin Government as to what exactly the position was. A telegram was sent to them. As no reply had been received till last evening, they were communicated with by telephone and the information that I have received by telephone is that there has been no general ban on meetings, processions etc. in connection with the Elections. There were certain meetings which were proposed to be addressed by one or two Members of the Communist Party and those meetings have been banned. That is a case of an individual order by some Magistrate or the Police. There has been no attempt to ban anything like propaganda in connection with the General Elections.

Shri Lakshmanan (Travancore-Cochin): On a point of order, may I know whether it is permissible for a Member to table an adjournment motion before the House on a purely wrong hypothesis?

Mr. Deputy-Speaker: There is no point of order. Therefore, we assume...

Shri R. Velayudhan (Travancore-Cochin): The telephonic message about which the hon. Minister mentioned now and which he has received from the Travancore-Cochin Government, I think is not completely, wholly or entirely correct. The position was this. It is known to the public as well as to Government that the Travancore-Cochin Government had issued the ban about twenty days ago and it was there till two days ago.....

Mr. Deputy-Speaker: Order, order. I would like to know from the hon. Member what is the authority, what is the support for this? Has he got any record with him, even a newspaper report that any particular order had been signed or an order under section 144 had been promulgated? There will be a copy of the order served on various people. Has he got such an order?

Shri R. Velayudhan: I must humbly submit to you that I have not the copy of the Press Communiqué issued by the Travancore-Cochin Government but the fact is that even today a ban on public meetings and processions is existing in the Travancore-Cochin State, not in the entire part of the State but in two districts of the State.

Mr. Deputy-Speaker: Order, order. I have heard the hon. Member.

Shri Gopaldaswami: May I add one bit of information, Sir, on what I have said already, that in the Travancore-Cochin State the Com-

munist Party is banned; certain meetings announced to be held by that Party have been banned as a consequence, but that has nothing to do with the Elections.

Mr. Deputy-Speaker: I have heard this matter sufficiently. Hereafter the hon. Member must be able to support them. He is not in a position to give it at the time when he moves the adjournment motion. He must have.....

Shri R. Velayudhan: I am in a position, if you will allow me.....

Mr. Deputy-Speaker: To say that the Government had banned processions in connection with Elections is different from banning processions. Otherwise I would not have even gone into the matter. It is entirely related to a matter of law and order which is the sole concern of the State. The State is open to issue a ban against particular political party whose activities might jeopardize public peace or spread violence, etc. It is a matter entirely within the purview of the State and so far as individual meetings are concerned, in the interests of law and order, any State Government can issue an order under section 144 through any of its officers there. Such matters cannot be the subject-matter of an adjournment motion so far as Parliament is concerned. I wanted to know from the hon. Minister whether this has anything to do with a general ban or some restrictions with respect to Elections in the particular State, lest it should be said that free Elections have been interfered with and it is therefore I ascertained from the hon. Minister that in the telephonic conversation with the Ministers there, he learned that there is absolutely no such thing. Individual cases under section 144 ought not to be magnified into a general ban regarding processions, etc. which are legitimate propaganda in connection with Elections. The hon. Mover has not been able to produce any document except his oral statement and I therefore disallow this motion as out of order and as having no actual basis.

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): In similar circumstances the Speaker has suggested before that when such adjournment motions are brought before the House, the concerned Member should see him in his Chamber and supply him with sufficient facts; otherwise, he would not even mention the name of the hon. Member to the House, as that would give cheap publicity.....

Mr. Deputy-Speaker: It is left to the Speaker to consider the various circumstances from time to time. It is an

important matter. I thought that any such misapprehension regarding the attitude of the State Government ought to be removed. Otherwise, I would not have brought this matter before this House at all.

PAPER LAID ON THE TABLE

PUNJAB REQUISITIONING OF IMMOVABLE PROPERTY (AMENDMENT AND VALIDATION) ACT, 1151

The Minister of Home Affairs (Shri Rajagopalachari): I beg to lay on the Table under sub-section (3) of section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1951, a copy of President's Act II of 1951 namely the Punjab Requisitioning of Immovable Property (Amendment and Validation) Act, 1951. [Placed in the Library. See No. P-217/51.]

INDUSTRIES (DEVELOPMENT AND CONTROL) BILL

PRESENTATION OF REPORT OF SELECT COMMITTEE

The Deputy Minister of Commerce and Industry (Shri Karmarkar): I beg to present the Report of the Select Committee to which the Bill to provide for the development and regulation of certain industries, as reported by the Select Committee, was recommended.

NOTARIES BILL

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF SELECT COMMITTEE

The Minister of Law (Dr. Ambedkar): I beg to move that the time appointed for the presentation of the Report of the Select Committee on the Bill to regulate the profession of notaries, be further extended up to Monday, the 1st October, 1951.

Mr. Deputy-Speaker: The question is:

"That the time appointed for the presentation of the Report of the Select Committee on the Bill to regulate the profession of notaries, be further extended upto Monday, the 1st October, 1951."

The motion was adopted.

MOTION RE. CONDUCT OF SHRI MUDGAL, M.P.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The House will remember that in the month of June, this year, I brought forward a motion in regard to certain allegations about the conduct of a Member. Such a matter is always rather distasteful. But, when certain information was brought before me as Prime Minister, I gave careful thought to it and I proceeded to draw the attention of the hon. Speaker to that information. On his advice, I moved the House in this matter so that a Committee of Enquiry may be appointed. It is obvious that the House could not possibly go into any details of enquiry, and it was necessary that no step should be taken without an enquiry, without the fullest opportunity being given to the hon. Member to explain his view point or his activities. So, the normal course was taken of appointing such a Committee of Enquiry if some kind of *prima facie* case was established. The House was good enough then to appoint this Committee of Enquiry. This Committee has laboured during these months, and, as hon. Members are aware, has produced a report which itself shows how much trouble they have taken over this matter, and how carefully they have gone into every allegation, the evidence they have taken and the opportunities given to the hon. Member concerned, namely Mr. Mudgal.

That report with all the evidence and other papers connected therewith have been distributed to the Members of the House. I do not therefore propose to go deeply into the evidence in this case. Indeed, I do not think it is normally possible for this House in a sense to convert itself into a court and consider in detail the evidence in the case and then come to a decision. Of course, the House is entitled to do so; but it is normally not done; nor is it considered the proper procedure. Therefore, the House appoints a Committee of Members with experience who could consider the matter and report to the House; and then it considers the report of that Committee. We have now the report of this Committee before us and the conclusion that Committee has arrived at is entirely unfavourable to the Member of the House whose conduct has been required into.

Now, while I do not propose to go deeply into the evidence or other factors, I would like to draw the attention of the House to some parts of the

[Shri Jawaharlal Nehru]

Committee's report and some parts of the evidence. The Committee's report ends up, as I have said, with the following finding:

"The finding of the Committee is that Shri Mudgal's conduct is derogatory to the dignity of the House and inconsistent with the standards which Parliament is entitled to expect from its Members."

Previous to this, hon. Members will observe that on page 28 of this little book containing the report of the Committee, there are the conclusions of the Committee. In para. 58 the Committee says:

"The Committee are satisfied that Shri Mudgal in his communications with the Prime Minister, oral and written, and in his speech in Parliament had withheld material facts and had given out a story which has been proved to be at variance with the actual facts of his relationship with the Bombay Bullion Association. The Committee also believe that the true relationship between Shri Mudgal and Shri Lalwaney was as indicated in Shri Mudgal's certificate to Shri Lalwaney dated the 26th June, 1951."

In para. 59, the Committee says:

"Finally the Committee take the view that even if the explanation of Shri Mudgal in giving the certificate to Shri Lalwaney on the 26th June, 1951, is to be accepted, Shri Mudgal's subsequent conduct in attempting to induce Shri Lalwaney to give evidence on the lines of the typewritten note given by him contrary to the true facts is highly objectionable."

In the next paragraph, the Committee makes some brief reference to the activities of other people or organisations which were intimately connected with this enquiry, namely, the Bombay Bullion Association and its President. In regard to this the Committee says:

"There is no doubt that the President and some of the Directors of the Bombay Bullion Association were under the belief that by their contact with 'H. G. Mudgal Publications' they would gain their objectives better, through the activities of Shri Mudgal, Member of Parliament, and it is clear that the attempt to separate the two entities—Shri Mudgal, Member of Parliament and 'H. G. Mudgal Publications'—was an after-

thought. The Committee, however, do not feel called upon to pronounce an opinion on the ethics of the action of the Bombay Bullion Association and it would suffice to say that distinction sought to be imported between 'H. G. Mudgal Publications' and Shri H. G. Mudgal has no foundation in fact."

Now, I shall not say much about this latter point: that is to say, in regard to the ethics of the action of the Bombay Bullion Association or the President or members of that Association. It is a separate matter which, if the House so desires or the hon. Speaker so desires, can be considered separately, as to how far any activity by others may be considered to be a contempt of this House. But, I think we should not mix up that with the matter when we are considering the conduct of a Member and how to proceed in regard to that.

When this matter was first brought to my notice, I was disturbed by certain facts. I did not then know how far they were true or not true. The House would perhaps remember that I asked Mr. Mudgal to see me. I wrote to him and he replied to me in writing. I had talked to him; I had letters from him. He denied a number of charges that had been brought against him by others and in other documents. Nevertheless, there appeared to me and there appeared to the hon. Speaker when I consulted him, sufficient reason for an enquiry into this matter.

Since this enquiry has taken place, a large number of additional facts have been brought out. Among these facts are the 'Mudgal Publications' or if you like his organisation. The House will notice what the Committee has said, how they have found it difficult to distinguish between the two, and how they have received money from various sources.

At page 15 of the report there is reference to this:

"Besides a loan of Rs. 12,500 from Shri L. N. Birla and a sum of over Rs. 13,000 from U.S. Information Service were also received. The return that these organisations get seems to be publicity in the Indian Market, a Weekly said to be dealing with economic and business matters whose standing in the journalistic world is obscure. No documents were produced to show how the loan was taken, for what purpose it was taken and how it had been utilised by the organisation."

This and many additional facts came to light during the course of the investigation. I would only draw the attention of the House to para 27—

"Shri Mudgal, as soon as he was elected as a Member of Parliament early in 1950, had sent out a circular to about 200 business firms entitled 'Your Spokesman in the Parliament—H. G. Mudgal'—in which Mr. Mudgal is claiming to be the spokesman of the business world in Parliament."

"It was stated by the counsel for Shri Mudgal that there was nothing wrong in Shri Mudgal's approaching his constituents offering to place his services at their disposal, but Shri Mudgal was not elected as a representative of any business constituency. It seems to the Committee that soon after Shri Mudgal was elected as a Member of Parliament he had thought fit to place his services at the disposal of the business community—with what purpose the Committee have not been told."

Then in the next paragraph towards the end there is reference to the evidence of Mr. Lalwaney and to the contacts which Shri Mudgal and Shri Lalwaney had with each other. They are rather complicated—these contacts—and I am not for the moment referring to Mr. Lalwaney; but they do not bring any credit to Mr. Mudgal. I may mention here that a few days ago I received a communication from Mr. Lalwaney—a long communication—which is in answer to the last letter that Mr. Mudgal wrote to me which is included in this present report at the end, and which really was received after the enquiry was over. Mr. Lalwaney challenges many things as given in the last letter of Mr. Mudgal. But I do not propose to deal with that letter because it is not before the House, nor is it necessary. But as I have received it I propose to hand it over to the Parliament Secretariat to be kept with the other papers in this case.

As I said, in paragraph 28 of the report there is reference to this document—

"Evidence is conflicting as to the exact amount of this estimate or as to who suggested this estimate in the first instance. Shri Tiwari stated that the estimate was proposed by Shri Lalwaney and according to the evidence this amount was mentioned by Shri Tiwari at the meeting of the Board of the Bombay Bullion Association on the 9th March, 1951"

That is to say:

"An estimate of Rs. 20,000 seems to have been proposed for the publicity work which included expenses in connection with press conferences, printing of pamphlets for distribution to Members of Parliament, interviews with Ministers, and other Parliamentary contacts."

Well,

"Shri Lalwaney deposed that this estimate was suggested by Shri Mudgal in one of his talks with Shri Tiwari and he consistently mentioned the figure of Rs. 25,000. Shri Mudgal, on the other hand, stated that during his daily reports, Shri Lalwaney had given him to understand that the Bullion Association was prepared to spend any amount of money for the kind of publicity work which he was negotiating with them and he understood that the Association was willing to spend any amount between Rs. 25,000 and Rs. 50,000. Meanwhile, the *Indian Market* in its issue of the 3rd March, 1951, carried another article under the caption 'Remove Handicap to Bullion Trade—Shri Jwalaprasad Tiwari Warns.'"

Another rather interesting and significant fact is that Mr. Mudgal gave a testimonial to Mr. Lalwaney. This testimonial which is printed on pages 15 and 16 of the report, was given after the enquiry had been instituted and before Mr. Lalwaney had given evidence. Obviously it had some thing to do with the evidence that was to come, and one has to draw the inference that this was an attempt to influence that evidence. I will not read out that testimonial, but it is a rather extraordinary document, given just before the person gives his evidence.

A still more extraordinary document is given at pages 19-20 of the report. This is a letter dated the 18th March 1951, from Mr. Mudgal to Mr. Lalwaney. It runs as follows:

"My dear Lalwaney,

See if you can persuade the Bullionites to pay Rs. 7,000 for memorandum, arrangements for delegation, and other parliamentary contacts for the rest of this Session. Tell them they should have vision and even if half of what they want is accomplished the directors alone will earn an extra Rs. 25,000 in one day. They should not haggle.

[Shri Jawaharlal Nehru]

Any how get as much as you can from them. *Printing and paper extra.*

I'll try to get an appointment for them with Deshmukh also. But March 31 does not seem to be good. That day in the morning the Federation meeting will start and most Ministers will be attending it. It is also Saturday. Whether they will be available in the afternoon is a problem. 30 might be more suitable. Or April 2 or 3. However, I'll talk to the Ministers concerned tomorrow and find out what will be most convenient for them."

It will be noticed that the first paragraph is rather remarkable. It makes a claim from the "Bullionities" as they are called, and they are assured that, if they pay up the sum demanded, they stand to win Rs. 25,000 in one day—each of the Directors. It is rather a difficult matter for Parliament or indeed for any public work to be carried on if there are chances of large sums of money like this being dangled before them or before any high Government official. Therefore, whenever we have any dealings in any matter concerning such sums of money, any governmental agency, and very much more so of course, Parliament, has to be exceedingly careful. And in this case there could be no doubt whatever that, whatever the result of it may be, large sums were talked about, were claimed and were asked for and to some extent paid.

So, as a result of the facts fully stated in the report, the Committee came to the conclusion which I have already placed before the House. And I do submit that that was the only conclusion that the Committee could arrive at, and that the House do accept and adopt that conclusion.

10 A.M.

The report of the Committee is unanimous and may I in this connection express my appreciation of the labours of the Committee on this matter? In addition to the joint report of the Committee there are separate notes by some members of the Committee. These notes really refer not to this particular case so much but rather suggest the grounds for Parliament for making rules or conventions for future guidance. Their suggestion is that a Committee might be appointed by Parliament, not by this Parliament but by the next Parliament, to go into this question. I entirely agree that we should have certain general rules for the guidance of Members of Parliament. I am not quite clear as

to how far it is possible or desirable to be exceedingly specific in regard to it. Anyhow that is a matter for the consideration of Parliament or the Committee to be appointed by Parliament. But it is most important and it should be clearly understood that Parliament is bent on maintaining the highest standards for its Members.

In these separate notes of Shrimati Durgabai, Prof. Shah and Shri Vaidya some indication is given of the kind of things which are supposed to be improper for a Member of Parliament and with much that is said there personally I am in full agreement. Probably the matter has been put in one sentence by Syed Nausherahi in his note, where he says:

"No representative of the people, far less a Member of Parliament, should utilise his position as a representative for the furtherance of his personal ends."

I think, generally speaking, that is a good rule but of course in interpreting it there is much scope, maybe sometimes, for difference of opinion. Therefore it is desirable not only to have this broad rule but other indications also. In the joint note of Prof. Shah and Shri Vaidya they have pointed out that the acceptance of any monetary consideration, even for professional services connected with Parliament, would be highly undesirable for a Member of Parliament.

So personally I agree with the suggestion made by some of the members of the Committee that this general matter might be inquired into in the future. For the present we are dealing with this particular enquiry in regard to one hon. Member. As Syed Nausherahi has pointed out:

"Even conceding that the parties concerned initially had no clear idea of the full implications of the dealings, no question of any extenuating circumstance arises in view of their subsequent conduct which was neither straightforward nor clean."

I must confess that when this matter came up before me in the early stages, for some little time I was not clear in my mind as to what step we should take and I took the advice of the hon. Speaker. As it has proceeded fresh facts have come out and finally from the facts that this report contains I have been surprised at the extent, shall I say, of misrepresentation to me when I first inquired into the matter and the facts now disclose conduct which I consider highly derogatory and highly objectionable.

We are dealing with the conduct of a Member of this House but of course, as I said, indirectly, it involves other people outside who seek to profit by this kind of business and sometime or other this House will have to consider how they can check these other activities in so far as it is possible.

In our Constitution no particular course is laid down in regard to such matters. If we refer to clause (3) of article 105 it refers us back to the practice in the British House of Commons. It says:

"In other respects, the powers, privileges and immunities of each House of Parliament, and of the members and the committees of each House, shall be such as may from time to time be defined by Parliament by law, and, until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom, and of its members and committees, at the commencement of this Constitution."

Apart from that, even if the Constitution had made no reference to this, this House as a sovereign Parliament must have inherently the right to deal with its own problems as it chooses and I cannot imagine anybody doubting that fact. This particular article throws you back for guidance to the practice in the British House of Commons. There is no doubt as to what the practice in the House of Commons of the Parliament in the U.K. has been and is. Cases have occurred from time to time there, when the House of Commons has appointed a Committee and taken action. I might quote here from Erskine May's book:

"The purpose of expulsion is not so much disciplinary as remedial, not so much to punish members as to rid the House of persons who are unfit for membership. It may just as well be regarded as an example of the House's power to regulate its own constitution."

Then the book gives a list of cases which have actually occurred when members were expelled. It is a longish list. They were expelled for some lack in the execution of their duties as Members of Parliament or for conduct not becoming the character of a gentleman.

So there is no doubt that this House is entitled inherently and also if reference be made to the terms of article 105 to take such steps according to the British practice and expel such a Member from the House.

The question arises whether in the present case this should be done or something else. I do submit that it is perfectly clear that this case is not even a case which might be called a marginal case, where people may have two opinions about it, where one may have doubts if a certain course suggested is much too severe. The case, if I may say so, is as bad as it could well be. If we consider even such a case as a marginal case or as one where perhaps a certain amount of laxity might be shown, I think it will be unfortunate from a variety of points of view, more especially because, this being the first case of its kind coming up before the House, if the House does not express its will in such matters in clear, unambiguous and forceful terms, then doubts may very well arise in the public mind as to whether the House is very definite about such matters or not. Therefore I do submit that it has become a duty for us and an obligation to be clear, precise and definite. The facts are clear and precise and the decision should also be clear and precise and unambiguous. And I submit the decision of the House should be, after accepting the finding of this report, to resolve that the Member should be expelled from the House. Therefore, I beg to move:

"That this House, having considered the Report of the Committee appointed on the 8th June, 1951 to investigate into the conduct of Shri H. G. Mudgal, Member of Parliament, accepts the finding of the Committee that the conduct of Shri Mudgal is derogatory to the dignity of the House and inconsistent with the standard which Parliament is entitled to expect from its Members, and resolves that Shri Mudgal be expelled from the House."

Mr. Deputy-Speaker: Motion moved:

"That this House, having considered the Report of the Committee appointed on the 8th June, 1951 to investigate into the conduct of Shri H. G. Mudgal, Member of Parliament, accepts the finding of the Committee that the conduct of Shri Mudgal is derogatory to the dignity of the House and inconsistent with the standard which Parliament is entitled to expect from its Members, and resolves that Shri Mudgal be expelled from the House."

The procedure that is adopted in the House of Commons is, immediately after the motion is made and placed

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before the House, for the Member against whom the conduct is in question to make a statement and then withdraw from the House. Thereafter the discussion in the House will proceed in his absence.

Shri Mudgal (Bombay): I do not mind facing this motion knowing that I have not done what the report of the Committee purports I have done. I realise that the powerful will of the hon. Leader of the House is backing the Committee's report. Under these circumstances, I would like the Members of the House to give a closer attention to what I am going to say.

The report of the Committee to investigate my conduct has, of course, gone against me. If the Committee had gathered all the relevant facts, interpreted them with a judicial mind without a predetermined prejudice, and arrived at the truth, I should have been the first one to bow down to its verdict and done what honour requires me to do. I would have in that case unhesitatingly sacrificed myself to maintain the dignity of this Parliament and thus strengthen this great Republic which is dearer to me than my own future.

But this report may as well be entirely wrong. Lawyers and judges are aware that men have been hanged by unanimous verdicts on facts that sounded good, even logical, but years later proved to be innocent. Therefore I appeal to the House to keep an open mind even now and listen carefully to the analysis of the evidence and to a bit of background to this affair which I as a newspaper man have been able to gather since this inquiry started.

When the motion came before this House on June 6, I was confronted with two vital issues. One, to protect the ethics of journalism by not exposing my staff member and by taking as editor the responsibility for his folly, and the other, to safeguard the dignity and prestige of this House. I have tried to do both, in my view, with success although I may have exposed myself in the process to some misunderstanding.

Because of this dual responsibility I was naturally averse to tell this House on June 6, anything more than was necessary about my staff member, especially since I had taken disciplinary action against him on 5th May. Otherwise it would have appeared to the press that I as editor had violated the established ethics of journalism and to you that I was shifting the onus on to my subordinate. I could not and would not do so as a responsible editor and newspaper man.

That is why, I told my friend Shri Kashinathrao Vaidya at the Committee-meeting here on 9th June, when he asked me whether I would call my staff member as a witness, that I would not like to do so because of journalistic ethics. And I stuck to this resolve till I wrote my confidential letter to the hon. Prime Minister on 18th July, in order to put things in their proper perspective.

Here I may observe that records of the first Committee meeting on 9th June were not apparently fully kept. For, I received no copies for correction as was done at later meetings.

As for the dignity of this House I took swift action to maintain it as you will see from my letter of July 18th. (page 93 of the report). I invite your special attention to paragraphs 9 to 12 therein.

As for the main allegation made in Shri Nadkarni's secret report that I was to have created for an advantage opposition in this House to Forward Contracts (Regulation) Bill, I again put to every Member of this House the question I did on June 6th, namely: "Did Mr. Mudgal approach me or discuss with me or ask me to vote against the Forward Contracts (Regulation) Bill?"

No Member, not even the members of the Committee can say, "Yes", to that question even today.

Let us see what the evidence itself has to say about the allegations made by Shri Nadkarni, the Government Director, in his secret report of March 13. He had said that Mr. Tiwari, President of the Bombay Bullion Association, had told his Board meeting on 9th March that a Member of Parliament named as Mudgal had agreed to work against the Forward Contracts (Regulation) Bill on payment of Rs. 20,000 and that he, Nadkarni, had protested and said it would amount to bribing a Member.

You will see from the evidence, especially under cross-examination, how utterly confused Shri Nadkarni's mind was working and under what hallucination of righteousness he was thinking. Then read the evidence of Shri Shenoy, another Government Director. In material respects they contradicted each other, and therefore the value of Nadkarni's report is absolutely nothing.

I may refer the House to portions of the evidence.

"Q. 56: Do you consider this proposal as a sort of bribe?"

Shri Nadkarni's reply was:

"That was my personal opinion".

"Q. 59: And still you did not attend the next meeting?"

Answer:

"I was very busy in office and could not attend that meeting".

This portion of the evidence of Shri Nadkarni has been contradicted by Shri Shenoy. I am sorry I cannot get at it quickly, but what Shri Shenoy said was that he did not hear Shri Nadkarni say that he protested that it amounted to bribe or even used the word 'bribe' and this was corroborated by practically all the Directors of the Bombay Bullion Association. And Shri Nadkarni who took such a great interest as an informer for the Bombay Government, which he practically agreed to in his cross-examination in which the Chairman of the Committee said it amounted to that or it was euphemistically put that way,—did not protest in any other manner in regard to the proceedings of the March 9th meeting of the Bombay Bullion Association regarding which he made a secret report.

Then.

"Q. 45: Did you not protest against this recording?"

—because whatever was recorded in the minutes of that meeting was not in terms of his secret report. So this question was asked. And the question continues:

"It is a decision and not a discussion. It was circulated to you for the next meeting. You of course were absent at that meeting. But did you or did you not send your protest in writing against this record?"

Shri Nadkarni's reply was:

"No, I did not protest."

Although the secret report purported to give a lot of detailed information, these are the replies of Shri Nadkarni under examination.

"Q. 77: You have got a copy of the proceedings of the 24th March. You find there the mention of a letter written by Shri Mudgal and that was placed before the meeting. Did you ever enquire what that letter was about?"

The answer was:

"That is how I opened the question on the 30th."

"Q. 78: Did you see that letter?"

Answer:

"I did not see the letter at all."

Then

"Q. 82: There was first a talk of paying Rs. 20,000. Did the President tell the Association that he had any talk with Shri Mudgal or anybody else or through somebody?"

Answer:

"No, Sir. The exact background was not stated."

"Q. 87: You have stated in your note: 'At the Board meeting held on the 30th March, Shri Tiwari informed the Members that Shri Mudgal was paid only Rs. 1,000 out of Rs. 5,000 sanctioned by the Board and that Shri Mudgal was already moving in the matter actively.' Did the President give any details of the activities that were being carried on by Shri Mudgal?"

Answer:

"He said that Shri Mudgal was making propaganda. Details of the propaganda were not given."

At a later stage,

"Q. 148: We accept that the whole method or procedure did not have your approval. Whether it is Shri Mudgal or anybody else, you were against the entire process. Apart from any objection on principle, did you enquire what particular activities or what particular steps Shri Mudgal was to take which might be useful to the members of the Board?"

Answer:

"No."

Then

"Q. 149: Therefore, you objected only on principle and did not object to any particular activities which might not be right?"

Answer:

"Yes."

Then

"Q. 150: Therefore, you did not take any further interest in the actual steps that Shri Mudgal might have taken?"

Answer:

"No."

There has been created a lot of confusion both in the report of the Committee and in the second secret note of Shri Nadkarni. The mes

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random that was to have been submitted is said to have been submitted to the Government, but Shri Nadkarni himself says:

"Q. 197: If I remember aright, you said this morning that you had on previous occasions discussions with regard to previous reports with your Minister along with the Secretary. But it seems that you have never had discussions with your Minister in this connection. One more thing I want to be clarified. You spoke of some memoranda being talked about at the meeting of the 30th March. What were those memoranda?"

Answer:

"It was a memorandum to be submitted to the Federation regarding options, reduction of stamp duties and the removal of import restrictions."

The Federation referred to here is the Federation of Indian Chambers of Commerce and Industry. Again

"Q. 213. I take it that you cannot say whether any particular memorandum was referred to in the meeting, but your impression was that some memorandum was to be prepared for submission to the Chamber of Commerce or Federation and not to the Government?"

Answer:

"That was the impression I got."

Now, the first secret report that Shri Nadkarni submitted to his Secretary was actually prepared on March 3th four days after the meeting of the Bullion Board of March 9th.

Q. 298

Question: You told us that during the discussion you did not make any notes yourself. Then how did you prepare this report?

Answer: I prepared this report from my memory.

Q. 301

Question: At any time before the 13th, the date you submitted your report, did you compare your impressions with those of Shri Shenoy?

Answer: No.

Now compare the secret report of Shri Nadkarni and his evidence with that Shri Shenoy had to say.

Regarding the question of paying Rs. 20,000 to an hon. Member questions were put to Shri Shenoy.

Q. 431

Question: So the figure of Rs. 20,000 was mentioned?

Answer: It was mentioned as an estimate of the all-inclusive expenses which might have to be incurred.

Q. 434

Question: That was the amount to be paid?

Answer: That was the estimate of the total expenditure. The Chairman said that they may not agree to make the payment right away. They should proceed in the matter step by step; if they felt satisfied that the results merit payment, they may not hesitate to pay up to Rs. 20,000. Some members were agreeable to pay even a larger sum in the event of success.

Shri Shenoy himself made a note of the meeting of March 9th on 28th. Till then he was not aware that anything wrong had been proposed or done. In the meanwhile he tells us in his evidence that he had talks with Shri Nadkarni.

Q. 529

Question: So you had for the basis for your report memory after the lapse of 19 days plus the aid of the translation of the minutes made by your staff?

Answer: That is so.

Q. 639

Question: Before you made this report, please tell me from your memory whether you met Shri Nadkarni anywhere?

Answer: I did.

Q. 640

Question: You had an occasion to talk with him about this particular transaction?

Answer: Yes. And that was when I asked him for a copy of his report.

Q. 643

Question: You had a discussion?

Answer: I won't say discussion, but it was a casual observation to let us have a copy of his report for our records.

Q. 644

Question: So, in this casual meeting there was only a casual reference to this casual topic? May I take it that way?

Answer: Yes; you may take it that way.

Finally a remark about a piece of evidence from Shri Shenoy.

Q. 662

Question: But you said that you asked the Secretary of the Bullion Exchange about Shri Mudgal's letter?

(That is supposed to be a letter, dated March 20th.)

Answer: That is correct. That was on the 9th March.

So Shri Shenoy asked a question about a letter, dated the 20th March at the meeting of March 9th.

Question put by Shri Pardivala.

No. 663

Question: Well, Sir, the information in the second part of his letter has been gathered from other people.

Answer: The latter part relates to a meeting earlier than the 9th. It was a meeting of a special committee of which I was not a member.

Q. 666

Question: When did you gather from the Secretary that Shri Mudgal had appeared before that special committee and given this information?

Answer: On the 9th March.

Now with this conflicting and contradictory evidence of the two Government Directors, the report has come to the conclusion that there was no conflict at all.

Then take from the positive side the evidence of 18 other Directors and the Secretary of the Bullion Association. All of them, including Shri Gordhandas Jambadas, contradicted Shri Nadkarni and explained that what was placed before them by the President was publicity proposals estimated to cost Rs. 20,000. The President, they added, told them that Lalwaney of Mudgal Publications had submitted to him the proposals and that his organisation was going to do the publicity work by preparing articles and literature, getting them published in various dailies and commercial weeklies, printing brochures, etc. They were all emphatic that neither Mudgal, nor his Parliamentary membership, nor his doing any work for their Association was at all mentioned. They did not hear any protests of Shri Nadkarni nor did Shri Shenoy bear any protests.

Thus, you see two Government Directors have contradicted each other and 18 others have contradicted Shri Nadkarni. Therefore the main allegations have not only not been proved, but are baseless.

Another point from the evidence of Shri Shenoy would interest the House.

Q. 539

Question: The proposal was made subject to the approval of the Board, both in regard to the amount and the nature of activities that were to be carried on in return for the same?

Answer: He first put forth the proposition for the consideration of the Board. The amount was also to be decided by the Board. He merely introduced it as an item for discussion.

Q. 540

Question: Therefore, it is not quite correct to say that there was an agreement?

Answer: You may call it an arrangement, if you like.

Q. 541

Question: It cannot even be called an arrangement?

Answer: You may use another word. But the sense is that it was not a pucca proposition.

Q. 542

Question: Can I call it a suggestion or a proposal instead of an agreement or arrangement?

Answer: You may call it so.

Q. 544

Question: Was any specific mention made of any remuneration to be paid to anybody?

Answer: No, Sir.

Thus it is quite plain that proposals were not made by me to anybody, nor did the Bullion people make any proposals to me regarding the allegations made in the secret report. I may as well refer to the evidence of the President of the Bullion Board. He was asked:

Q. 723

Question: What exactly is the programme that Shri Lalwaney outlined to you?

Answer: Intensive paper publicity, collection of public opinions of the economists so that they can be weighed and our case put to Government to show whether we are right or wrong. Then these pamphlets, brochures and all that should be made out in handy form so that everyone may be tempted.

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to read them and these should be continuously repeated. Then there should be press conferences and approaching Finance Minister with the material. These were Shri Lalwaney's suggestions approved by me. He explained to me the different purposes for which moneys would be required. For instance, he said that the amount of about Rs. 7,000 might be required for publishing these articles and they should be continued for quite a long time.

And he gave the same version in Hindi because he originally spoke in Hindi. This is what he said in his Hindi version of it:

इस सिलसिले में मुद्गल वालों ने बीस हजार रुपये का खर्च बतलाया। सात, आठ हजार पेपर पब्लिसिटी (paper publicity) में, दो तीन हजार एक्सपर्ट्स (experts) और एकनामिस्ट्स (economists) की ओपीनियन्स (opinions) इकट्ठा करने में या अर्थ शास्त्रियों की रायें इकट्ठा करने में, चार पांच हजार मेमोरेंडा (memoranda), ब्रोचर्स (Brochures), पम्फलेट्स (pamphlets) छपवाने और बांटने में और करीब पांच हजार रुपया प्रेस कॉन्फेरेन्स मीटिंग्स, पार्टीज, ट्रेवलिंग अलाउन्सेज (traveling allowances) और दूसरे मिसलेनियस (miscellaneous) में खर्च होगा।

[In this connection the Mudgal organization outlined an expenditure of twenty thousand rupees. Seven or eight thousand would be spent on paper publicity, two to three thousand on collecting opinions of experts and economists, four or five thousand rupees on the publication and distribution of memoranda, brochures and pamphlets and about five thousand on press conferences, meetings, parties, travelling allowances and miscellaneous work.]

Thus it is plain that neither I nor even Mr. Lalwaney ever asked or proposed to the Association to spend money on Parliamentary work.

The Committee's findings against me are based not on proving the allegations but solely on two notes produced by my dismissed staff member and the rejection of my explanation therefor. The members, having got into a

peculiar frame of mind which I shall explain to you as I go on, naturally refused to accept my valid explanation. Therefore, may I give you a resume of events for the House to consider?

The staff member in question, Shri Lalwaney, comes from a Sindhi refugee family. He came to me for employment at the end of December last. He said he was without work for several months. I told him I could not use a mere desk man. He said he would produce some business by way of advertising, publicity or research assignments as he had several contacts while working on the Times of India. He also showed me some newspaper cuttings purported to be his writings. So he was finally employed on probation for three months, as a gesture towards a refugee.

The very first week in January he got some publicity business from the President of the Bombay Bullion Association. He billed for it. For the next ten weeks he was busy discussing publicity proposals with that President for an all-India publicity campaign ranging from Rs. 25,000 to Rs. 35,000 and up. These proposals were only discussed but never finalized. When I instructed Lalwaney on April 3 to wind up the Bullion publicity account, the discussion completely ended.

The bill that was submitted in January had not been paid till I left Bombay on March 15 to come to this House. Lalwaney, realizing that his probationary period was soon coming to an end and that he had not been able to secure any other business, wrote a note to me which reached me on March 17 or 18. In that he suggested that since the Bullion people were not paying the bill nor finalizing the publicity proposals he wanted to offer them a sop of Parliamentary work—to offer the Brooklyn Bridge as the Americans say—to finalize the publicity work and therefore would I write a note back to him along the lines mentioned by him. I sympathized with his anxiety to keep his job. So I acceded to send him the note of March 18.

You may see that Lalwaney's latest suggestion had cut down his figure on publicity proposals to Rs. 7,000 or so in his letter of March 16 or 17, although during the hearings we came to know that the Bullion Board had sanctioned for publicity only Rs. 5,000 on March 9. Lalwaney did not know it according to his own evidence till he was told about it in the plane on April 3, the day he was ordered to discontinue his bullion contact.

So, both the negotiators were horse-trading with each other.

Possibly the basis for Lalwaney's suggestion in his letter to me for Rs. 7,000 might have been one of his own proposals to which Shri Tiwari referred in his evidence in answer to question No. 723 to which I have already referred. He said in it:

"For instance, he (Lalwaney) said that the amount of about Rs. 7,000 might be required for publishing these articles and they should be continued for quite a long time."

To me it was immaterial how much money would be spent on the type of publicity discussed with the Bullion people, since most of it would have gone to other papers to pay for space. Look at the space rates of leading papers in which to publish articles that Lalwaney's proposals contemplated: The *Times of India* Rs. 45 per column inch; The *Statesman* Rs. 36 per column inch; The *Hindu* Rs. 25 per column inch. The rates of *Capital* are Rs. 18 per column inch and those of *Commerce* are Rs. 15 to 20 per column inch and so on. Our profits on this expenditure would have been hardly five per cent. out of which our overhead and Lalwaney's time had to be paid for.

Was I going to undertake to do Parliamentary work for this five per cent. profit? Was my organisation not able to get straight business, which it has been continuously doing since 1946?

You may also observe that the January bill was paid by cross and order cheque on March 20, and so also other bills have been paid by cross and order cheques. As I stated on June 6, if I wanted or my organisation wanted to do any illegal or out of the way transaction with the Bombay Bullion Exchange organisation, would I take payment by cheques, would I submit bills, would I give receipts? The House should consider those points which the report does not take into consideration.

Lalwaney still did not get his proposals accepted in any form, that is even after March 20. So he suggested that a fee for advice given and time spent at least be asked. This was the basis of my note of March 25.

In the perspective of things today I grant it was an error of judgment on my part to have acceded to Lalwaney's request even for the purposes of horse-trading, for which I express my regret. But that error was not committed for any ulterior motives on my part but due to the promptings of kindness to help that refugee to keep his job.

But this entire episode was so casually done, because it was done at Lalwaney's suggestion along his own lines that I had completely forgotten all about those notes. They were a surprise to me when they were produced. If I had written them at my own initiative, I certainly would have remembered them.

The Chairman suggested at the hearing that I wanted to hide those notes. Now, if I remembered having written them, if I wanted to hide them I had at least three opportunities to remove them from Lalwaney.

One: I need not have dismissed him and thereby turned him hostile.

Two: When I dismissed him I could have demanded the return of those notes before I paid him.

Three: When I gave him a letter of protection on June 26, I could have demanded the surrender of those notes.

I did not do so. Because I did not remember having written them since there were no *malafide* intentions behind them at all.

Well, I was asked by the Chairman whether I could produce Lalwaney's notes to me. Unfortunately, I did not have the foresight nor professional planning of Lalwaney to preserve either his notes to me or copies of my notes to him, since this is the first time I have come in contact with such a character. In fact, I made no copies. At Delhi I have no office facilities and find very little time for regular correspondence and filing.

So, if I had remembered those notes, I would have certainly told the hon. Prime Minister and this House on June 6, about them. On the other hand, I now learn that Lalwaney is a specialist in stealing and preserving correspondence and documents wherever he goes. My newspaper friends in Delhi tell me how he blackmailed one of our top-most Ambassadors by stolen correspondence and threatened to blackmail a Hyderabad Nawab. All this information, though valuable, is too late in reaching me.

To proceed with the actions of Lalwaney, may I for a second refer to paragraphs 10 and 11.....

Mr. Deputy-Speaker: Order, order. The hon. Member must confine himself to the evidence that is on record. Any other evidence or any other reference other than what can be found in the record is not relevant and cannot be referred to.

Shri Mudgal: May I humbly submit to you that this background material is important to explain why the report is misleading. It is for that reason that I am giving this background. It is not for the purpose of embellishment or wasting the valuable time of this House.

Mr. Deputy-Speaker: The hon. Member has not understood me correctly. The hon. Member had an opportunity to place all his material before the Committee and he had then ample opportunity to cross-examine the witness, adduce such evidence as was available to discredit any witness or to let in evidence. He was assisted by an able advocate. Under those circumstances, to refer to some other matter here which would throw discredit on any evidence of a particular witness, when the witness is not here and he has no opportunity to defend himself, is not in order. The Committee had no opportunity to say one way or the other so far as that matter is concerned. It is not proposed to admit evidence which was not placed before the Committee and which it had no opportunity to look into the matter. That is the procedure that is followed. Therefore, the hon. Member will refer to other pieces of evidence, if necessary, which finds a place in the record already and which was before the Committee.

Shri Mudgal: Very well, Sir. I shall refer you to a letter that has been already published and which is part of the record. I refer to the letter dated 14th May 1951 from Shri Lalwaney to Shri Tiwari. 9 days before he was dismissed from our organization.....

Mr. Deputy-Speaker: It is on record?

Shri Mudgal: It is on page 96 of the report. He says in para 6:

"I have now joined the Commercial Broadcasts Ltd., as editor on a very good salary and I shall now be in a better position to serve you by means of regular broadcasts about your activities... etc."

I would like you to note a few more significant points about this letter which will throw considerable light on the notes of March 18 and 25.

Lalwaney actually joined Commercial Broadcasts on July 2. But on May 14 he already promised to deliver "better service" to Shri Tiwari.

In the second para of this letter of May 14, he says:

"I have arrived in New Delhi from Calcutta yesterday."

In para 4 he says:

"In New Delhi, I have also contacted members of the Select Committee on Forward Contracts Regulation Bill. They are willing to visit your Association and have an exchange of views with you before putting in a report to Parliament. Kindly let me know by telegram whether I should arrange with them to visit your Association this month."

And again in para 5 he raises his bid still higher:

"I have also talked to Tyagi and Mahtab about you. Kindly let me know by telegram whether I should also arrange their visit to your Association."

A man who is able to arrange all these things in 24 hours in New Delhi and promise so many things was able to suggest any misleading things and make improper use of whatever information or correspondence he could get hold of. I shall revert to this letter of Lalwaney a little later which is of utmost importance.

Regarding the question on bullion smuggling I asked for the appointments with hon. Ministers, the position is the same as I explained to this House on June 6 and remains uncontradicted, and also uncorroborated by any of the witnesses examined, namely, they had no connection with the work my organization undertook to do for the Bullion Association. Even the amendment for circulation to elicit opinion was a routine one, which was also sent in by two other hon. Members, which the report fails to mention.

All this is made plain by the evidence of Shri Tiwari and Lalwaney when they said: "Mr. Mudgal was a flop." What is the conclusion? The conclusion is that Mudgal did not undertake and did not do any Parliamentary work and therefore they were disappointed, completely disappointed. You can see from my letter of July 18th to hon. the Prime Minister which reads:

"The same evening my staff member came to say that he was returning to Bombay that evening with the Bullion people. So I told him strictly to discontinue that account and submit bills to them for work done thus far and wind it up. To that his reply was: 'They are not satisfied with you anyway. They say you did nothing

for them....' I asked him: 'Was I supposed to do anything for them?' He said: 'No. But they expected...' I told him peremptorily: 'Cut that out and wind up that account.' "

The second secret note of Shri Nadkarni is not based on what happened at the Bullion Board meeting of March 30 but on his conversation with Shri Tiwari, mentions that Tiwari told him about the progress of his publicity work. But Shri Tiwari knew before that meeting through Lalwaney that hon. the Finance Minister had declined to give them an appointment through me. So what he might have told Shri Nadkarni must have been his own expectations. This is made plain by Shri Tiwari during his cross-examination by hon. the Attorney-General. Whatever Shri Tiwari expected or imagined can have no bearing on allegations made in Shri Nadkarni's secret reports. Nor should it affect me. Suppose Shri Tiwari's imagination contemplated the murder of some Ministers to solve his bullion problems, is Mudgal or some other Member of this Parliament to be hanged for Shri Tiwari's imaginings?

11 A.M.

One more thing. The fancied opposition to kill the Forward Contracts (Regulation) Bill is only imaginary. Look at Tiwari's brochure "Bottle-necks in Forward Trading in Bullion", to which I referred in this House on June 6, which Lalwaney largely prepared and which was taken as an exhibit. That brochure knocks the entire bottom out of Shri Nadkarni's allegations, out of the motion brought against me and out of this report. But, the House will be surprised to know that the report does not publish this brochure. It has been suppressed. This brochure on page 4 section 4 says:

"During the war several Associations doing Forward Trade in bullion sprang up in the country encouraged by the absence in those regions of restrictions on Forward business. Most of these mushroom/nearly 150 markets are located in the erstwhile Indian States where they still continue to function effectively. As the Bullion trade in Bombay has come under an increasing measure of the State Government control, there is a danger of diversion of trade from the regulated market in Bombay to the uncontrolled markets outside, which would jeopardise the successful working of the only regulated market in India."

Please mark these words:

"So, we welcome the Forward Markets (Control) Bill now pending before the Parliament."

Regarding options, Mr. Tiwari's brochure says:

"We would like to point out that Forward Markets are a delicate mechanism. They are susceptible to various influences, not merely to theories about them."

A little later, it says:

"Also despite our full co-operation, option business is being carried on. Since our Association cannot regulate or restrain option business under our bye-laws, it is conducted at times even to our detriment."

Therefore, you see that the matters alleged that I have been working for them either in Parliament or elsewhere are entirely unfounded. Unfortunately, that brochure has been suppressed from the report. Instead the memorandum got prepared by Shri Tiwari through some one else and printed by our press has been published.

A word about "Points for Lalwaney" which appears on page 86 and the leaflet "Your Spokesman in Parliament" which appears on page 79 to which the hon. the Leader of the House referred in his opening remarks. When Mr. Lalwaney came for a letter of protection, he said that he would give truthful evidence. The next day, he came to me to secure help. What he wanted was money. I told him I could not help him that way. Then he wanted to know whether he could see my counsel. I told him that he could do so on his own. That evening, he went to the Chambers of my counsel. My counsel read to him some points from the instructions I had prepared in writing for him if Lalwaney were called as a witness. This was one or two days before the proceedings commenced. These points were however, based on Mr. Lalwaney's letter of April 21 to Shri Tiwari.

On July 3, the day before Mr. Lalwaney came as a witness, he still talked of giving truthful evidence and secured from me a carbon copy of those points to which he had listened about a week before. They were not given to him to induce him to do anything for me. If I wanted to induce Mr. Lalwaney, if I remembered those two March notes, certainly these points were not the way of doing it. So, there is no significance at all in these points.

[Shri Mudgal]

Regarding "Your Spokesman in Parliament", my journal *Indian Market* has been advocating free economy and private enterprise as the most conducive national economic policy for the rapid development of India. This advocacy is pursued in a general way since 1937 and intensively since 1946. I took several representative copies of *Indian Market* to show to the Committee how our campaign for free economy has been consistent and what we advocate as free economy since 1946; but the Chairman was not interested in such matters. Free economy is not *laissez faire* economy. *Laissez faire* economy died along with Karl Marx long ago. Free economy is freedom for every citizen to organise, build and develop on his own initiative, industry, trade and commerce subject to regulation, co-operation and guidance of the State. This would bring into fruitful play such qualities as enterprise, individual responsibility, organising skill, administrative ability, confidence in and of others, self-reliance, resourcefulness—all of which are rubbed out in a nationalised, State-owned economy which will sooner or later, weaken and impoverish the people. Fears regarding the shortcomings of private capitalism should not drive India into the jaws of political capitalism which nationalisation amounts to. The *Indian Market* holds that political capitalism as practised in some parts of the world is worse than *laissez faire* capitalism of the earlier 19th century. The *Indian Market's* approach to the building up of India through private enterprise and free economy is to achieve the same objectives as our respected leader or the Planning Commission aims to achieve through state initiative and control—namely the all-round economic prosperity of our people. Only our approach will achieve these objectives more expeditiously, less painfully and more economically.

This leaflet was sent to *Indian Market's* selected subscribers and regular advertisers. It invited their viewpoints and facts about their industry, trade or commerce on several economic matters expected to come up before the House. I wanted to secure those viewpoints directly if possible instead of depending on spasmodic newspaper reports, especially since our newspapers are not devoting as much attention to economic matters as they should.

This purpose is summed up in the leaflet itself thus:

"Industrialists and businessmen can depend on Mr. Mudgal to use his knowledge of modern econo-

mics, industry and business to shape our national economic policy on the basis of realism. They can always rely on his enlightened co-operation in fighting for establishing a dynamic and free economy."

When the Chairman displayed considerable confusion about this leaflet, I invited his attention to the purpose just quoted. From his report, it seems that he did not read the leaflet carefully. He stopped at the title which seems to have served his entire purpose. Even at the hearing, I put this question to the Chairman.

Q. 3829

Question: "Do you think Shri Lalwaney could say anything more than what you have said yourself in this pamphlet?"

My answer was:

"You see, Sir, what that pamphlet says."

A little later, again, I said:

"You see, Sir, for what purpose it has been written. I should like to know whether you are going to stop after reading the caption."

It seems that the Chairman has stopped at the caption. I also call the attention of the House to the fact that this pamphlet was not a secret circular. It was an open and public circular to seek information of public interest from those who still carry on more than 99 per cent. of the country's industry, trade and commerce. I may well read the reply of Mr. Lalwaney regarding this question. It is question No. 2176.

Question: When did he issue that?

Answer: I was not in his employment when this was distributed. Since he was elected to Parliament and since he wanted to go to the core of the problem, it was distributed by him to get himself posted with facts.

As my organisation sees it, our industrialists and business men—I am not talking of mere speculators—have failed to place before the Government and the public facts of their achievements even under adverse conditions and also of their problems with any imagination or regularity. This fact became very obvious when 34 Members of this House toured our industrial centres last year. The record of the industries visited was not at all known to the public nor to the hon. Members of this House till then.

There were therefore innumerable misconceptions about most of those industries. That is why *Indian Market* has been advising the Nation's industrialists and businessmen since 1946 to tell the country all about their work lest they be misrepresented and so lose their case by default. That is why I sought their viewpoints so that I could make a contribution to the formation of a more balanced and better-suited economic policy for our country. Is there anything wrong, Sir, in trying to understand the problems of our country's industry and business and place those problems before this House and before the Ministers concerned in a clear-cut and understandable manner? What are we trying to do here? We are trying to help our Government to run the nation's business in a profitable manner. In fact, we all want Government business, private business, corporate as well as individual business to thrive. Without a thriving business and industry neither Government nor Parliament would be able to function for long. And without thriving free citizens, the nation itself will not be a free thriving nation. I simply try to discharge my public and national duty by endeavouring to secure and disseminate as correct economic information and opinion in the country as possible and that too at the cost of my own time and money. I make no apology for it. I shall continue to do so and invite industrialists and businessmen to continue to co-operate with me in establishing a regulated free economy and oppose wasteful political capitalism to which nationalisation will quickly lead.

I am helping workers also through my fortnightly bulletin *Kamgar*. I am educating them through basic economics in the basic language of their own why they should have strictly economic unions and why they should keep out of politics and why they should keep politicians away from their unions.

I am doing my best to help agriculturists since I come from an enterprising agriculturist family myself. I understand their problems realistically, which can be seen from a memorandum I submitted to the hon. Prime Minister last March.

So I am an advocate of economy which does not play with dividing people into artificial classes. Division of people into classes, I hold, is as vicious as dividing them into castes. India can become a beacon light to mankind only by thinking and living a life of both economic and social harmony and solidarity. That should

be India's contribution as well as Gandhian mission to humanity.

Add to the facts that the allegations are not at all proved and that I have placed true facts concerning those notes produced by Mr. Lalwani, the further fact that whatever business was done with the Bombay Bullion Association was a straight-forward, bona fide business and entirely above board, having nothing to do with my Parliamentary membership. Bills were submitted, payments were received by cross and order cheques and stamped receipts were passed.

Thus the findings of the Committee do not stand the scrutiny of evidence nor of the impartial and unprejudiced minds of this House.

But then how and why did the Committee come to such adverse conclusions? There must be reasons, if not in fact and evidence, at least in psychology. Here are those reasons, which I respectfully submit to the House.

This report has been written without any judicial deliberation, without even consulting the evidence and documents and finally signed by most members without referring to the evidence at all. May I, with your permission, Sir, analyse for this House this report and show examples of twisting of facts, distortion of facts, misrepresentation of facts, suppression of facts?

Para 49 makes the hon. the Prime Minister say on April 20 during my first interview that I should approach the Bullion President for clarification, while, in fact, as seen from documents as well as evidence, the hon. Prime Minister asked me why I did not contact the Bullion President during my second interview on May 24.

Paras 50 and 51 mix up evidence and make me meet Shri Tiwari twice in Delhi after my second interview with the hon. Prime Minister which is contrary to evidence and to facts.

In para 51, a complete distortion is attempted in the statement: "Shri Mudgal replied that his meaning of the word 'contact' was that a 'contact' was not a 'contact' unless he had got a satisfactory answer from Shri Tiwari." Evidence shows that this was a professorial hare raised by my hon. friend Prof. K. T. Shah which the Chairman tried to palm off on me unsuccessfully during the hearings, but which in the report he ascribes to me, hoping to succeed. I have explained how I used the word contact.

[Shri Mudgal]

in my extempore speech on June 6 and in what context. The record of evidence makes it plain.

Paras 15, 16, 32 and 33 seek to give the impression that Shri Nadkarni was not contradicted by Shri Shenoy—the two Government Directors—whereas the evidence is to the contrary.

Para 17 twists Shri Tiwari's evidence to a pre-conceived pattern worked out by the Chairman. The Chairman did not wish to believe Shri Tiwari. Look at the choice he gave him in question 785 page 176—He says:

"I certainly would like to tell you that we ask all these questions because we have certain information in our possession and if you will not help us to corroborate, we have to presume that that information is correct."

I shall repeat it again. The Chairman says:

"I certainly would like to tell you that we ask all these questions because we have certain information in our possession and if you will not help us to corroborate, we have to presume that that information is correct."

Just imagine the perversity of it. Even Hobson had a better deal and a fairer choice.

Witness again his observation: "that he never discussed with Shri Mudgal comparatively unimportant matters like the financing of work done by Shri Lalwaney." But evidence shows that only proposals were being discussed by Shri Lalwaney till he was instructed by me on April 3 to wind up the bullion contact. Further, the fact that Shri Lalwaney thought even two or three weeks after Shri Tiwari's discussion of bullion smuggling with me on or about March 13, that he could get business of Rs. 7,000 or more, if not of Rs. 25,000 or Rs. 35,000 whereas the Bullion Board had sanctioned only Rs. 5,000 on March 9th, goes to prove that no money matters were ever discussed. Further, if the Committee or at least its key members had not determined to disbelieve Shri Tiwari, they had to accept my valid and true explanation for my letters of March 18 and 25.

In this same para much has been made of what Shri Tiwari may have had in mind and what his expectations of me were in retaining the services of my organisation. But how does it prove that I agreed to do or did whatever Shri Tiwari's expecta-

tions were? This was the crux of the allegations, and the whole evidence does not prove it.

Besides, nobody can or should be hanged for the thoughts and expectations of another.

Paragraphs 20 and 21 suppress the fact from evidence that Lalwaney had authority to bill, to settle, to collect and issue receipts—all of which were prepared according to his instructions. Here I may refer to question No. 2158 on page 244.

Question: You have to do with sending of bills in connection with professional work when you were with Mudgal Publications?

Answer: No, there is a separate manager. But I can instruct the manager to send bills.

Similarly the Committee misleads the House by referring to cheques drawn made to "self". It is either ignorant of the banking practice or deliberately misrepresents the practice that cash for office and salary purposes is usually withdrawn by bearer cheques made payable to "self". The Chairman who did all the questioning, tries to read a sinister purpose in this practice although he saw all entries and disbursements in our books and pass-books.

Paras 23 and 26 refer to a routine circulation amendment tabled by me, but do not mention that two other members had also tabled the same amendment—the purpose of all being to elicit fuller public opinion thereon. I did nothing out of the way.

Para 31 has no basis in evidence for the presumption that Shri Tiwari's publicity proposals must have been ready after the agenda for the meeting of March 9 was prepared on March 7. But in no subsequent agenda has publicity ever been mentioned. So the presumption is uncalled for and is evidently to fit into a preconceived pattern.

Para 35 discusses my meeting with the Bullion President to listen to their problems and bullion smuggling. The Chairman insists we must have discussed money. Shri Tiwari says no. And I know I had no reason to discuss any money since publicity proposals of Lalwaney were still and to the last only fluid proposals which Lalwaney kept on discussing till he was asked to terminate the contact on April 3.

See Lalwaney's evidence.

Q. 2169

Question: The other amount refers to the balance of Rs. 5,000?

Answer: Rs. 5,000 were never sanctioned just to carry out public relations work. In the first instance I did not know that actually Rs. 5,000 were sanctioned by the Bullion Exchange. They never told me or informed me or they did not do so to anybody. Shri Tiwari went on telling me 'I can spend any money. I can spend Rs. 25,000 or Rs. 35,000. But I must take my colleagues into confidence. We do not mind spending any money for mobilising public opinion.

Q. 2218

Question: If you remember, it is all right. You can link it up. The day the thousand rupees were sanctioned, you were there with Shri Mudgal. Some members of the Board were there and Shri Tiwari and the Secretary were there. That was another day. Can you tell me what further discussion took place when the money was sanctioned?

Answer: I did not know that thousand rupees had been sanctioned.

Q. 2219

Question: Rs. 1,000 were sanctioned. On the 13th March they had a meeting of a few Directors?

Answer: I have no idea of that meeting.

So in his oral evidence Mr. Lalwaney has corroborated every thing that I have been maintaining.

Supposing I had discussed it. What would be the amount—20,000, 25,000, 35,000 or more and the bullion people would have corrected me immediately to Rs. 5,000. That was all they had authority to spend as we now know. And if my organisation's or my "anticipations from this source were fairly high" as conclusions of the Committee assert in para 56 and if that conclusion has any validity, either Lalwaney or I would have terminated further discussions of the entire proposals. Did this not strike the Committee?

In para 37, there is a wilful misrepresentation of my evidence regarding my correspondence while in Delhi. Evidence says "not preserved", but it is described as "destroyed", a transparent effort to prejudice the House.

In the latter part of this same para the Chairman ridicules my trusting Lalwaney who was working for us at the time of this episode only two and a half months. I have explained this already. But let the Chairman consider that after he came to know Lalwaney for only one and a half days he had the sagacity to commend Lalwaney to the latter's new boss, a very good business friend of the Chairman and ask him not to be prejudiced against Lalwaney. That too, after he knew Lalwaney in all his revelations.

In para 40, Shri Tiwari's memorandum is talked of. Lalwaney has said in his evidence what he wanted to print as memorandum was printed as a brochure under the name of Shri Tiwari entitled: "Bottlenecks in Forward Trading in Bullion". I referred to this brochure on June 6. It was put in as an exhibit. But it is not included in the appendices printed in the report, because it knocks the bottom out of Shri Nadkarni's allegations that the Bullion people wanted to have the Forward Contracts Bill thrown out. In this brochure, Shri Tiwari actually welcomes that Bill.

So the House has a right to know why the Committee has suppressed the publication of this brochure.

Paras 21 and 44 discuss, with support both from Shri Tiwari and Lalwaney's evidence, that they held "Mudgal was a flop". What is the conclusion? Conclusion is that I had never agreed to do any Parliamentary work for Tiwari nor did I do it. My instructions to Lalwaney and his reply on April 3 (please see page 94 of the report, para 12) also confirm what I say, and not what the Chairman concludes.

Para 45 talks of Mudgal having gone to Bullion Association to "collect money" in April. I call your attention to the Bullion Association's Secretary's evidence on pages 99 and 100 where he disproves the Chairman's insinuation, although the latter tried his best to brow-beat the former.

I will refer to Questions and Answers in pages 99 and 100.

After you went to Delhi how many times did you meet him?—In Delhi I must have met often.

After you came back from Delhi?—It may be once and that too in this connection.

In connection with payment of money?—No payment of money, but in connection with the letter addressed to Shri Tiwari.

* [Shri Mudgal]

I am speaking about after you came back from Delhi. Did he ask for payment? He did not ask for more?—He did not ask.

He did not come and see you?—He did not come for money. After that he never came for money.

Did Shri Lalwaney come to you for money?—No. After Rs. 1,700 were paid nobody came.

After Rs. 1,700 were paid nobody came. Before the payment?—No question.

No talk with Shri Mudgal? Are you very firm on that point?—I had no talk with Shri Mudgal. It was with Shri Lalwaney.

Nor did Shri Tiwari have any talk with Shri Mudgal?—I do not know if he had any independently of myself.

We have evidence to show that you had talk with Shri Mudgal. Now I put it to you. Did you have any talk about the total amount of money to be paid?—That was what Shri Lalwaney told me.

The evidence does not prove that I ever went to the Bombay Bullion Association in connection with money matters.

Para 49 tells the story of how Lalwaney was forced to sign the letter of April 21 on May 5 on pain of not getting paid. In fact, evidence shows I did not pay him on May 5th. Payment was withheld for reasons connected with disciplinary action. This the report suppresses.

Para 54 takes considerable pains to prove as to why the evidence of the Directors of the Bullion Association should not be believed when they said they used the short forms like Mudgal's, Mudgalwalla or even Mr. Mudgal for H. G. Mudgal Publications. The Chairman assumes that this was an afterthought, a made-up thing and therefore their evidence is unworthy of his belief. But the letter of Lalwaney of March 20th is conclusive proof that those people did mix up things that way. That letter of Lalwaney was entered in their minutes of March 24, as letter from Mr. Mudgal. Great care is taken in the report not to mention this Lalwaney's letter of March 20.

Finally may I call the pointed attention of the House to a very important Paragraph—25?

This paragraph throws to the winds all judicial mindedness, truthfulness to facts, relevancy, fairplay and sense of proportion. It tries to prove by presumptions and insinuations that my organization and publications are no good, and yet we receive large sums, and therefore we must be getting those sums because of my membership of this House.

But may I know, Sir, whether the Chairman and the Committee members do not presume too much when they pass such strictures on my organization and publications? What competence do they have, what knowledge of the journalistic world do they possess, how long do they know these publications to express any opinion at all, let alone such an irresponsible view insinuate and try to prejudice the minds of this House? Certainly they will not prejudice this wide awake House nor the judgment of the industrial and business community and of economic thinkers who know the work of our publications and who are supporting them since 1937.

Later in the same paragraph the Chairman has resorted to more misrepresentations. He wanted answers only to his questions, but no explanations. So, of over two score large and regular advertising accounts he has picked Hind Cycles, Mafatal Galgalbhai, Khatau Mills and Associated Cements by name although we have equally large advertising accounts. He was told and he knows from our records they were advertising accounts. Even his protege Lalwaney told him there was a long list of advertisers. He was also told that most of these advertising accounts were continuous since 1946. He misrepresents when he says that no explanation was forthcoming. In fact, he wanted no explanations.

The Chairman was offered to go through our accounts since 1946 and find out how our business volume has fallen since I became a Member of this House, because I have been unable to pay as much personal attention as I should. But he said he was only interested in our business from January 1951. This does not prove that I refused to give the Committee full information and explanation for any matter it was interested in.

In 1951 since 15th February, the acquisition of a printing press by us has changed the situation. Some loans had to be arranged to run it. For large printing orders paper is bought at the clients' account.

This is how the loan of Rs. 12,500 from Hind Cycles figures. Our office

manager, evidently by mistake, made a note of Shri L. N. Birla's name instead of Hind Cycles against that entry, of which I was not aware till the account books were produced. When I subsequently referred to my manager she explained the mistake. She thought that Hind Cycles and Birlas were the same organization. But the Chairman is hanging on to that name, hoping to prejudice some section of the House. But the attempt cannot hurt an honourable name nor a business loan.

On this the House may be aware of the Press communique of the Hind Cycles explaining the terms on which that loan was advanced. I told the Chairman in reply to his questions that this loan was taken for the press on a promissory note at four per cent. interest. And he coolly suppresses that fact, and says there is no explanation. Let me read from the evidence itself.

Q. 3715.

Question: I find one entry here. Please forgive me for asking this question. On the 17th May, 1951 there is an entry for Rs. 12,500, loan taken by Shri Mudgal from Shri Birla. This, I think, is personal. It has nothing to do with your business?

Answer: It was wanted for business. The loan is covered by a promissory note bearing four per cent. interest.

And the report says I gave no explanation.

Regarding the Rs. 13,000 from the U.S.I.S., the Chairman was told that it was for the purchase of paper for a printing order of theirs. Let me cite what I explained.

Q. 3716.

Question: Again there is another entry, 'Loan'; but you have not mentioned from whom it is. There is another entry here: 'United States Information Service, Rs. 1,36,756'. What about this?

It is a misprint and reads as a lakh and odd—it is Rs. 13,675.

Answer: We were doing printing for it. We have bought paper.

Then the next question is Q. 3717.

Question: What do you mean for paper account?

Answer: We bought paper for printing. The amount is already debited there to paper account less our commission.

Not only that, he was shown the debit entry for that amount paid out to paper merchants. Also the bill and receipt of the paper merchants who supplied the paper were ready for the Committee's inspection but they did not call for them and yet he makes a misstatement, possibly to mislead those who may have confused feelings of friendship for America. Is this quite fair of the Chairman of a Committee appointed to protect the dignity of this House to go out of his way not only to try to discredit by suppression of facts a Member of this House but also to stir up wholly unjustified misunderstanding concerning a great friendly power with whom our people and Government have the most cordial relations?

I leave it to the House to decide whether this is a very enlightening part of that report. There is nothing wrong in our press doing printing for the U.S.I.S. Our press has offered to do printing for our Postal and Telegraphs Department even at rates which no Bombay press is prepared to look at. Our press offered to do this work as a measure of co-operation and assistance to Government. Officials of the Department will testify to this co-operative offer of our press.

Our press like any other press will undertake to do any legitimate printing for anybody. No wonder in this. A printing press has no political, communal or ideological prejudices.

One word more about this report. My hon. friend, Prof. Shah thought money could be borrowed only against collateral, that a man unless he is born of a rich father should do no business, that unless a business is a limited company a man and his business cannot be separated. I leave it to the House to judge the soundness of such economic maxims.

Well, Sir, why should a Committee appointed to safeguard the dignity of this House produce such a prejudiced and unrelated-to-fact-and-truth report? The question is tantalizing.

Therefore, with all respect to you, Sir, may I submit to this House that there is a bit of background to this episode? As a newspaper man I have been able to collect it and shall place it before the House to consider it carefully.

Let us go to Bombay for a minute. That 'responsible' officer who sent those secret reports has risen from a

[Shri Mudgal]

forty-rupee clerk to become some sort of a Secretary in the Finance Ministry of Bombay. He, as a Government Director, attends the Bombay Bullion Association's Board meetings, not to guide its destinies but to act as an informer for his Government. You will see this in his own testimony. This is because the Bombay Finance Ministry and the Bombay Bullion Association have developed a bitter feud during the last decade or so.

This officer is also born and brought up in what Marxists call a lower middle class atmosphere and he shows all the confused moral fervour of his class, which has been further flavoured by what is known today in Bombay as toddy morality.

A man so equipped writes a report of the Bullion Board meeting of March 9, on March 13. During those four days he confuses many things and draws on his imagination. Even then his regret was that no action could be taken against the Bullion Association. But his moral indignation prompted him to suggest that some action should be taken against Mudgal since he had heard that name. His prompting first went to Bombay's Finance Minister and then to hon. Chief Minister, Mr. B. G. Kher.

Now, Sir, I understand that Shri Kher is perturbed about the political strength of the *Lingayats* in Bombay Karnatak, and that he thinks that I as a *Lingayat* am strengthening them with plans, projects, ideas and reconciliations of their conflicting interests. So he wants to put down Mudgal in order to destroy the political strength of the *Lingayats*. In such a situation one could see how an informer's report can become a handy enough stick to beat an imaginary opponent.

But the hon. Leader, I am certain, had no knowledge of this communalism in the highest places. Otherwise he would have condemned it as he condemned it unequivocally on August 11 on the floor of the House, for which he will always have my affection and loyalty, whatever the outcome of this report.

I confess, Sir, I am taking the keenest interest in the people of Karnatak, not merely *Lingayats*. But to what purpose? To unite Karnatak, to develop Karnatak agriculturally, industrially and commercially, to revitalize the social concepts of Karnatak regarding castelessness, dignity of labour, balanced economy, equality of women, women's education, remarriage, divorce—all of which have been the heritage of not only

Lingayats but of all *Kannadigas* barring a few orthodox diehards. I hold that if anybody will organize Indian life on the basis of secularism it will be first the people of Karnatak. They gave birth in the twelfth century to a far-seeing social statesman called Basawa whose thought, teaching and life championed the most modern secular life, which our Constitution aims to develop now.

Mr. Deputy-Speaker: There is no good saying on the floor of the House that on account of communal considerations he is being persecuted. The whole matter was gone into before the Committee. These are all extraneous matters that he is bringing in. They have absolutely nothing to do with the report. He is entitled to judge the report on the merits. For instance, he said, that a particular letter has not been understood correctly. That is a legitimate inference he can draw. He can even question the veracity of the statements of witnesses that appeared before the Committee at that stage. All indulgence has been shown to him. He is entitled to say that the Committee has come to a wrong conclusion. He can say that relevant evidence has not been admitted. Those are all matters of opinion, and those are the limits within which discussion can be allowed on the report of the Committee in this House on this motion. The other things are irrelevant. They have not arisen before the Committee. I will not allow any matter to be represented here which was not placed before the Committee and into which the Committee had no opportunity to enquire. Hon. Members are very well aware that this is something like an appeal from the Committee's report. Of course, it is open to the hon. Member to say that the Committee's report is wrong and also mention any material particulars. Otherwise, we ought not to stray away from the evidence or the report of the Committee.

Syed Nausherahli (West Bengal): With all due respect to you, Sir, I submit that the hon. Member is perfectly within his rights to place before this House materials not which could be placed before the Committee if there be good reasons. It may be that those materials were not within the knowledge or in the possession or control of the hon. Member at the time of the enquiry. They might have been subsequently known to him or he might have got possession of certain documents after the enquiry was completed. The Committee's verdict is not final. The verdict of the House would be final. The hon. Member has got

every right to place all facts known to him relevant to the subject matter. The first point for consideration is whether the matter that he wants to place before the House is relevant or not. If it is relevant, it should be allowed to be placed before the House whether it was placed before the Committee or not unless barred by the rules of procedure.

I should like to say one thing more. It will be the most unfortunate.....

Mr. Deputy-Speaker: Hon. Members must state only the point.

Syed Nausherali: That is exactly what I am doing. I have not said anything more.

Mr. Deputy-Speaker: What is the other point?

Syed Nausherali: The other point that I was going to make was this. It will be highly unsatisfactory specially when the proposal is to inflict capital punishment upon the hon. Member if the House or the country goes with the impression that materials relevant to the subject matter of the enquiry and otherwise admissible which the hon. Member concerned wanted to place before the House were shut out, simply because that they were not placed before the Committee.

Mr. Deputy-Speaker: I have heard both the points. As regards the other point, whatever may be the matters that may be urged I have already ruled—and I do not think that my ruling is wrong—that so far as new matters are concerned, I would like that the procedure I have outlined should be adopted. In this case, whatever the hon. Member introduces as new facts are not even new facts. He only makes allegations which amount to aspersions. They may be absolutely baseless and may not be borne out by facts. At this stage, they are only allegations. There was a Committee before which the hon. Member had ample opportunity to place these allegations. Any one-sided allegation, whether it be by the Committee or by the Member, will not be accepted by the House. If he points out any particular portion which is not based upon any evidence, which was not placed before the Committee at all, i.e. something done behind the back of the hon. Member and without any support in the evidence,—if he does that, he will be within his rights. If the Committee makes a recommendation without the support of evidence, I am sure the House is not

going to accept that. Whether on the one side or the other, allegations alone will not be accepted by the House and I will not allow any new allegations to be made here. If any members of the Committee or the Chairman of the Committee want to explain certain matters, they can, but it is not open either to them, or to the hon. Member, to make new allegations here. If the hon. Member makes new allegations here, where is the opportunity for us to go into the evidence? Where is the opportunity for the Committee to go into the evidence? I would have liked it, had this attempt been made a little earlier, and time had been given. For instance, if the hon. Member had stated 'These are the points in which I disagree with the Committee', we would have had an opportunity to go into the matter, but he has never said anything like that, nor has he tried to appeal to the House nor has he even written to the Speaker. He might have very well written "These are the points of disagreement. With respect to them I want further elucidation". Had he done that, the House would have given further directions. If on those particular matters the Committee did not go into the question at all, we would have asked it to go into that question also. I do understand that this is a serious matter, but merely because it is serious we cannot go on allowing the time of the House to be spent away unnecessarily. No wrong impression ought to be created by any hon. Member here. The reasonable opportunity that should be given is this. Nothing prevented the hon. Member from drawing the attention of the House in the following terms: "These are the points on which the Committee has erred. Such and such evidence has not been taken. Therefore, it is necessary that the Committee should once again go into the matter. I have got very valuable evidence." This case stands on all fours with matters of review which are allowed under the Civil Procedure Code. If any new and important matters came to his notice subsequently which were not within his reach before, in spite of his attempts, it was open to him to have stated so, and requested that, on those important matters, the Committee should once again sit, and those matters should be referred to the Committee. I cannot accept therefore, that he might be permitted to make general allegations. He is only making allegations. He has gone back as far as the days of Basawa, the founder of a particular religion. Everybody knows that there are various such matters, but whatever I have heard from the hon. Member relating to

[Mr. Deputy-Speaker]

communal matters is absolutely irrelevant. The hon. Member will kindly go on with respect to other matters. There is no intention to avoid giving sufficient opportunity to the hon. Member but he should make references only with respect to relevant matters.

Shri Mudgal: This issue of communalism has played a great part in this entire thing. Therefore, I crave your indulgence. The evidence might come surprisingly to you. If another Committee is appointed, I am prepared to prove some of these things.

Mr. Deputy-Speaker: There is no good referring to another Committee. The hon. Member had ample opportunity to place these things before the present Committee.

Shri Mudgal: But this information has come to me subsequently, Sir, after the report had been submitted. Therefore, I should be permitted to place it before the House. It is up to the hon. Members to evaluate that information.

Mr. Deputy-Speaker: The hon. Member will kindly refer to only those matters which were placed before the Committee. I am sorry I cannot allow other things.

Shri Alexander (Travancore-Cochin): On a point of information, Sir. Are we sitting here as a law court with original jurisdiction? The Committee was authorised only to report and it has reported. Are we entitled to take fresh evidence here?

Mr. Deputy-Speaker: The whole House cannot go into such matters endlessly. Therefore a Committee of the House is appointed, consisting of respectable men chosen from all sides of the House. It was of course open to the hon. Member to have raised objections to any member sitting on the Committee. Therefore hon. Members of standing in the House have been appointed on the Committee. They went into this matter dispassionately and it was open to the hon. Member to have raised all these matters in the Committee.

Therefore a Committee is the only body which can take evidence, and place it before the House. I do not find the material before us to be such, that we must once again remit it to a Committee or go into it again.

Sardar B. S. Man (Punjab): Are we to confine ourselves to the evidence already adduced before the Committee and not to refer to other matter at all? But the hon. Member may find

it necessary to prove how this complaint came about.

Mr. Deputy-Speaker: There was a Committee; the Committee has not become *functus officio*. Was it not open to the hon. Member to write to the Chairman that since the Committee took evidence, he had received valuable evidence, which he would like the committee to go into. The Committee would have gone into it again and sent a supplementary report. Was the Member denied any such opportunity at any time? Why should he therefore keep the information in his pocket and bring it on the floor of the House alone. I do not think it is proper for the House to go into all that again. Is it humanly possible for three hundred Members sitting here to go into all the allegations made by one side. He did not get all the information on the spur of the moment. He must have got it some time back. Did he ever inform the Committee that it should go into that fresh evidence again. Had he said so and the Committee had refused, then it would have been a matter for this House to consider, having regard to the seriousness of the allegations. Under these circumstances, I am not going to give an opportunity to the hon. Member to refer to these things.

Sardar B. S. Man: It is open to the House to reject his evidence, if it is unsubstantiated, if they are merely camouflage ones. But so far as his right is concerned.....

Mr. Deputy-Speaker: When once a Committee has been appointed it is its jurisdiction to go into the matter referred to it. Any evidence which was not available with the hon. Member at that time, could have been placed before the Committee later on. There was nothing which prevented the hon. Member from writing to the Chairman of the Committee saying that he had some more evidence to adduce into which the Committee should go. If that right had been denied, certainly this House would have been competent to go into that matter. We have now to proceed on the basis of the evidence collected and placed before us by the Committee.

I am not therefore going to allow any further discussion on the point of order.

Syed Nausheralli: I only wanted clarification of your ruling.

Mr. Deputy-Speaker: I have made my point clear.

Syed Nausherahi rose—

Mr. Deputy-Speaker: The hon. Member cannot go on standing while I am standing. I have given my ruling. My ruling is definite that whatever new matters which have come to the notice of the hon. Member should have been placed before the Committee. He could have written to the Chairman of the Committee about them and if the Committee had refused to go into them, then it would have been a case for the House to go into the matter and then remit it again to the Committee. It is not competent for this House to take up new allegations here and go into them by overlooking the Committee. Nothing has been said against the conduct of the Committee. If that had been the case, then the House would have been competent to scrap that Committee and appoint a fresh one. The only way in which these matters can be disposed of is by reference to a Committee of the House and then proceeding on the basis of its report.

So far as reference to the Speaker are concerned, I have already given my ruling. In regard to communal and other matters are concerned, I am not going to allow them. The hon. Member will now proceed with his speech.

Shri Mudgal: I did not know that procedure of writing to the Committee.

Mr. Deputy-Speaker: I am sorry if he did not know that.

I may for the information of the House point out that after the conclusion of the labours of the Committee at Bombay the hon. Member wrote a letter to the hon. Prime Minister which he forwarded to the Committee. The Committee however considered that it was not necessary to go into that matter.

Therefore, this is no new procedure that I am suggesting now. Just as the hon. Member wrote to the Prime Minister, he could have written to the Committee itself.

Shri Mudgal: I addressed that letter to the hon. Prime Minister thinking that I was not entitled to write again or get into touch with the Committee. I was unaware of the position that I could write to the Committee; otherwise I would have done it in time.

This information that I am referring to is very valuable and it does from the background of the entire episode. In justice to me that background should be known to the House. If you say it is uncorroborated,

possibly it might be corroborated on this very floor. Therefore, I should be permitted to tell whatever I know about this communal affair.

Mr. Deputy-Speaker: I am not going to allow reference to any communal affair.

Syed Nausherahi: May I know what is the exact position of this Committee after it has submitted its report? Is it still functioning or is it *functus officio*? Suppose tomorrow the House decides that a particular matter should be referred to a Committee for further investigation will the House be bound to refer back to the same Committee? Can it not refer to a fresh Committee?

Shri Jawaharlal Nehru: May I suggest that members of the Committee might not participate too much in this debate at this stage? Later if they have to say anything they might say that.

Syed Nausherahi: I only wanted to know the procedure.

Mr. Deputy-Speaker: I am not expected to give answers to hypothetical questions.

As has been observed by the Leader of the House, Members of the Committee will bear with patience for some time. If at a later stage any points arise, they may give their explanation. I feel the hon. Member must have taken greater interest in the Committee stage.

Syed Nausherahi: Sir, I beg to submit that like every other Member of this House, I have got every right to know the procedure.....

Mr. Deputy-Speaker: Right in its own way. When he is a member of the Committee this is not a right which he should exercise. He should act as the spokesman of the House and tell it what exactly happened. If any hon. member of the Committee wanted to make a suggestion which was not acceptable to the rest of the Committee he can pursue it in the House. But nothing like that has happened: at least I do not find it in the short cryptic note of Syed Nausherahi.

Shri Jawaharlal Nehru: I wish to point out to you, Sir and the House that the report of the Committee, with the minutes, etc., were laid on the Table of the House sometime on the 11th of August. So it has been before the public and the hon. Member concerned for the last five or six weeks.

[Shri Jawaharlal Nehru]

Everything has been there, and there was plenty of time for the Member to crawl the attention either of the Chairman of the Committee or your attention, Sir, to anything.

12 Noon.

Mr. Deputy-Speaker: If these points were there I would have placed them for the consideration of the House in a preliminary stage and asked the Committee whether those matters should not be taken into consideration. That could have been the opportunity. There is no use saying that there was no opportunity.

Pandit Malaviya (Uttar Pradesh): It is a delicate and an unfortunate matter, and the House must be zealous of its own reputation, but at this stage we should not seem to be getting into a controversy. May I submit to you, that, if you think fit, you might let Mr. Mudgal make whatever statement he likes and then, after he retires, we may discuss it and the House may take such view of it as it likes? Let it not appear that even while he is making his statement we are placing any difficulty or obstacle in his way.

Shri Jawaharlal Nehru: I am surprised at your ruling being challenged, directly and indirectly, repeatedly in this House. You have given your ruling clearly and it is the duty of every Member to obey that ruling and not challenge it.

Mr. Deputy-Speaker: No irrelevant matter ought to be introduced in the House. So far as the scope is concerned I have given the ruling. The scope of the debate here must be confined to matters which have already been placed before the Committee, which have been referred to and discussed. Of course their inferences can be challenged here.

Shri Mudgal: Sir, I accept your ruling, although I protest against it.

A word about Lalwaney's letter of May 14 from Delhi and the Chairman to which I promised to come back later. It was produced by the Secretary of the Bullion Association on a second summons to produce correspondence alleged by Lalwaney to have taken place between me and the Association. There never was any such correspondence. Therefore he had brought Lalwaney's letter. It was such a surprise and shock to the Chairman that after he read it he did not even show it to any Member of the Committee and would not show it to

my counsel and quickly returned it to the Bullion Secretary. My counsel, however, was shown a copy of it the same evening by the counsel of the Bullion Association, and he protested against the Chairman's action the next morning. But he has said in his second special report to the hon. the Speaker (page 40) that "in any event the letter was not admissible as the original letter was not produced". Note the phrase "in any event" which is very meaningful. He did not ask for the original, which he easily could have. But he did not want to take on record this embarrassing letter, because he had promised repeatedly complete immunity to Lalwaney. Also it would not permit him any scope to marshal his findings against Mudgal, which he had come prepared to do.

Lalwaney was terribly afraid that either Shri Tiwari or I might expose him regarding the use he wanted to make of the reply to my question on Bullion smuggling. So he had come to me, promising to tell the truth before the Committee if I gave him a letter of protection, which I did because I had taken action against him and considered the matter closed.

Armed with this protection Lalwaney appeared before the Committee. The first thing he asked for from the Committee was a copy of Shri Tiwari's evidence which was refused to him. He became nervous. At the end of the morning session when he was trying to tread the path of truth, suddenly the Chairman read a passage from Shri Tiwari's evidence at which Lalwaney got scared and produced my letter of protection to shield himself.

My information is that during lunch the Chairman contacted Lalwaney and scared him further. But he told him that if he produced any material against Mudgal he would give him immunity. So Lalwaney showed him those notes. After lunch when they were produced, the Chairman grabbed them impatiently and eagerly and exclaimed even before he read them: "This is the kind of material we are waiting for". Unfortunately this expression has been expunged from the record of evidence. So he thought his purpose of "discrediting Mudgal" was served. From this point on he was only too eager to believe every word of Lalwaney and protect him at every stage.

This, I understand, has strengthened the bond between my hon. friend Shri Krishnamachari and Lalwaney. And it is a very strange friendship, indeed. Lalwaney is reported to have

gone to see my hon. friend off at Santa Cruz aerodrome when he left for Geneva.

I was asked why I did not check up on Lalwaney's references. In newspaper offices, it is seldom done. Merit is judged on actual working, not on references. Lalwaney's new employer who is a close business friend of the hon. Shri Krishnamachari, employed him on Rs. 1,000 because Lalwaney told him he worked for *Indian Market* on Rs. 800, whereas he got Rs. 325 during the first three months and Rs. 400 and odd for the fourth month. It was only after the inquiry that the new employer wrote to me for references. However, his own friend the hon. Shri Krishnamachari had told him not to be prejudiced against Lalwaney because of the Mudgal affair. Thus the hon. Shri Krishnamachari tried to protect Lalwaney even after he had come to know him in all his avatars.

Now, Sir, add to these various misrepresentations, suppression and distortion of facts and twisted interpretations, the following facts.

(1) The Chairman and a non-Committee person wrote this report. The other four Members had no hand in it.

(2) The Chairman and his helper did not carefully consult the evidence and documents before they wrote this report.

(3) When the Members were asked to sign this report, at least three of them had no copies of the evidence given to them. They had to depend on their memory of evidence they had heard more than three weeks ago. They had no way of checking up on it. So they protested, and at least two of them did not sign this report on July 25, which date is printed in the report. They signed it on July 27 or July 28 under pressure.

(4) The Chairman's pressure tactics and prejudices have prevailed in the Committee as well as in this report, which is very unfortunate.

Pandit Thakur Das Bhargava (Punjab): He said that some of the Members of the Committee signed the report under pressure.

Mr. Deputy-Speaker: It is open to him as a person who is accused to say that this was not a voluntary thing.

Shri T. T. Krishnamachari (Madras): Though I remember the injunction of the Leader of the House I would like you to permit the hon. Member to say what he has against the Committee.

Shri Jawaharlal Nehru: He says in other words that you may invite him to do so.

Mr. Deputy-Speaker: All that I am saying is that if he has facts or allegations which are true, let him give them so that the members of the Committee may have an opportunity to refute these allegations. But the kind of language that is used on the floor of the House must be in keeping with the respectability of the House. Therefore such kinds of allegations need not be made. If he wants to make some allegations which are borne out by facts, by all means let him make them.

Shri Mudgal: Sir, I invite the Members of the Committee to testify before this House as to the deplorable way in which their work was conducted by their Chairman. Before I sum up, I would like to place a general thought before the House. None of us in this House functions in a vacuum. Some of us are lawyers. Some are labour leaders. Some are agriculturists. Some are industrialists. Some are business men. Some are journalists and some are owners and managers of newspapers and so on. All of us come to this House never with a blank mind. We carry ideas, experiences, opinions, contacts, influences with us. They act and interact on us. That is in fact part of true democratic processes. For instance, a lawyer Member appears in a court. Does his membership give him any advantage? A labour Member is paid more often than not by his union. He works in this House entirely in the interest of his Union, sometimes against the interests of the country. Does he gain any advantage? And so on with others. But the answers to such questions are multi-faceted. Modern life and its problems are so very complex. Present conditions in this country make them still more complex. Whether the experience of Britain will help us meet this complexity is a moot question. The only thing that the British have tried to do and we also must try to do, is to balance our ideas, experiences and opinions with public duty. Each Member will have to learn to balance them for quite some time to come through his own trial and error methods.

May I give you an intimate illustration, Sir, of this necessity for experimentation? One of the hon. Members of this House who is the most faithful follower, if you will permit me to say so, a most slavish follower of the British Parliamentary practices, I confess, Sir, I am not, and yet that hon.

[Shri Mudgal]

Member recently did a thing which a person in a similar capacity in the British House of Parliament would ever dare to do.

Mr. Deputy Speaker: Order, order. I would only say that it is not proper to refer to the conduct of any hon. Member, until it has been established in a court of law or otherwise has been held as unjust by this House and similar action has been taken. It is not usual to attack any hon. Member by surprise or for the matter of that refer to the conduct of any hon. Member not present on the floor of the House, particularly the private conduct of any hon. Member. So long as it is not brought to the notice of the House in a proper and legitimate manner and so long as the courts have not decided in their judicial capacity, no reference ought to be made to that kind of conduct, because there is no basis on which we can proceed. Any assertion can be made that such and such a thing has been done by such and such a person. As a matter of fact the hon. Member can refer to all the 300 Members of this House and say: What are you going to do with respect to an hon. Member and so on. All that is irrelevant. Hon. Members can in a proper proceeding refer to the conduct of other hon. Members, if their conduct is not in keeping with the dignity of this House, but that must be on the basis of proper proceedings on the floor of the House. I will not allow any reference by way of misconduct or improper conduct of any other hon. Member here to be made on allegation. There is a proper method as has been done in this case. The hon. Member Mr. Mudgal is himself a lawyer. He will see how all this is irrelevant. He has referred to so many other persons in the Committee. If a person is guilty, he will be booked and if others escape, to that extent it cannot be helped, but they will be brought to book also. Therefore, that kind of allegation is irrelevant.

Shri Mudgal: I was only trying to illustrate.

Mr. Deputy-Speaker: This is not the way of illustration which will be allowed by any Court and much less by this House.

Shri Mudgal: Finally to sum up. The truth of the matter is that I did not ask the question on bullion smuggling to send in the amendment for circulation in the interest of anybody least of all in the interest of the Bullion Association. That was done as a matter of public interest. I

sought to introduce the Bullion people to hon. Ministers concerned as a matter of routine courtesy. In fact, I also introduced to some hon. Members at the same time some members of the Karnatak and Mysore Chambers. There was really nothing out of the way about it. Regarding the two notes of March, I have given you full details of circumstances under which they were written. For the horse-trading part of it, I have already expressed regret for the error of judgment. As regards the main allegation that I had undertaken to create opposition to the Forward Contracts Bill, I again ask every hon. Member to answer the question:

"Did Mr. Mudgal approach me or discuss with me or ask me to vote against the Forward Contracts Bill?"

Therefore the question of getting me or anybody for consideration or no consideration to oppose it or have it thrown out does not at all arise. So, I could not, even if I wanted to, undertake to do a thing for which there was no need, as far as the Bullion people were concerned.

I also ask the House to remember that only *bona fide* business was done with the Bullion Association and *bona fide* payments were received by cross and order cheques, received against bills and stamped receipts. When that business seemed to go off the straight line, I stopped it at once and took steps to dismiss my own staff member. Why? Because I wanted to safeguard the dignity of this House as well as the standards of my own profession.

So none of the allegations has been proved. As you know, Sir, often wrong doers seek protection and try to bring influence to bear from big guns. I have not done that. I had no reason to do that. I have never believed in doing that. Instead, I have given this House a true perspective of this report. Knowing that I have done nothing derogatory to the dignity of this House, in fact, knowing that I have made sacrifices to uphold its dignity, I face the verdict of my peers without any agitation in my mind.

I would like to make one more observation before I take my seat. I absolutely uphold the dignity and prestige of this House. There is no doubt about it and the business that was done through my organization as I have stated repeatedly was a *bona fide* business. There were no motives, no *malafide* intentions in doing that work at any stage. So I would like

hon. Members of the House to keep that thing in mind while they are discussing this report and my statement. Before I sit down, may I make a submission or a request: that the House should be given an opportunity to study my statement as carefully as they did the Committee's report and the evidence, so that they can come to a true, just and right conclusion?

✓ **Mr. Deputy-Speaker:** In accordance with the practice, I would request the hon. Member, Shri Mudgal to withdraw from the House, so that hon. Members here may consider the report and his statement together.

✓ **Shri Mudgal:** May I have a few minutes before I leave?

Mr. Deputy-Speaker: Yes.

Shri Mudgal: Just one word more, before I withdraw. I would like to submit respectfully to you, Sir, in view of the fact that I could not place all the facts as I saw them I feel I should offer my resignation to this House in terms of article 101 clause (3) sub-clause (b) which says.

"If a member of either House of Parliament resigns his seat by writing under his hand addressed to the Chairman or the Speaker, as the case may be, his seat shall thereupon become vacant."

I thank the House for giving me a patient hearing and I hope to meet them at a future date.

The hon. Member then handed over the letter of resignation to the Deputy-Speaker.

Mr. Deputy-Speaker: May I state this to the hon. Member? If he wants the House to accept the resignation, I find the resignation ought to be under the terms of article 101 clause (3)(b):

"resigns his seat by writing under his hand addressed to the Chairman or the Speaker, as the case may be."

The other aspersions against Members here are not quite relevant. I will have to delete all that. I shall read out the resignation. He has written to me:

"To the Hon. Speaker, Parliament House, New Delhi, September 24th, 1951.

As I feel that Members may not have freedom to vote, I beg to submit my resignation of my Membership of the present House."

This will be considered.

The hon. Member may kindly withdraw from the House.

Mr. Deputy-Speaker: Now, there are amendments.

Shri T. T. Krishnamachari: May I make a submission, Sir? If the Chair gives me an opportunity, I might say a few words in explanation of some of the statements made by Mr. Mudgal, if the Chair considers that is proper.

Shri R. Velayudhan: (Travancore-Cochin): The others also; not only the Chairman.

Mr. Deputy-Speaker: Order, order. The hon. Member makes a request, I shall certainly consider this matter.

Now, there are amendments that have been tabled to this motion. Let me place them before the House. Mr. Naziruddin Ahmad. Not in his seat.

This has introduced a new question. I would like to have more light on that both from the hon. the Leader of the House and the hon. Law Minister. Article 101, clause 3 sub-clause (b) says:

"If a member of either House of Parliament resigns his seat by writing under his hand addressed to the Chairman or the Speaker, as the case may be, his seat shall thereupon become vacant."

For whatever reason he can resign, that is another matter. As soon as he resigns, his seat becomes vacant. I do not know... if it becomes vacant..

The Minister of State for Transport and Railways (Shri Santhanam): The words 'as soon as he resigns' are not there.

Mr. Deputy-Speaker: The wording is:

"If a member of either House of Parliament resigns his seat by writing under his hand addressed to the Chairman or the Speaker, as the case may be, his seat shall thereupon become vacant."

I wanted to ascertain from the Law Minister or any other Member who is aware, whether there is any provision here which requires the Parliament to accept.

Some Hon. Members: No, no.

Mr. Deputy-Speaker: In which case, it shall come into operation.....

The Minister of Home Affairs (Shri Rajagopalachari): Of course, the Law Minister will speak with greater authority. The article that is referred to as well as any other rule is conceived and put down in a form of words for application in the ordinary course. There are, however, certain general principles which guide every procedure which has the quality of a judicial procedure. Any law or any rule must be interpreted and applied so that the law itself may not be circumvented. Here is a case where proceedings were started in order to enquire into the conduct of a Member. It appears to me a matter of fundamental general principle that the object and procedure of Parliament cannot be circumvented by a technical act like this. Therein comes what Mr. Santhanam points out that the words "as soon as" is not there automatically to bring about a vacancy. Apart from any technical defect in the matter, the general principle, I submit, is important that the law is intended for the ends of law and not to be circumvented.

Mr. Deputy-Speaker: Let us hear the hon. Law Minister.

The Minister of Law (Dr. Ambedkar): The point has come upon me quite suddenly and I am therefore only expressing, if I may say so, my first impressions, after reading article 101 clause (3). Vacation of a seat may take place for the reasons which have been specified in articles 101 and 102. Article 101 clause (3) sub-clause (b) refers to resignation by a Member of Parliament; the clause under which the hon. Member whose conduct is the subject-matter of investigation has acted. There is also another article which deals with disqualifications of Members for being chosen and for being a Member. If a Member falls under any of the conditions mentioned in article 102, he also vacates his seat. The question that arises for consideration is whether article 101 and 102 are exhaustive or whether there is any other article in the Constitution which also may operate independently although the case does not fall under articles 101 and 102. My submission is this, that article 105(3) is an additional power given to Parliament to bring about a vacancy of a seat and is not concluded by anything contained in article 101 and article 102.

This is a case where a Member has committed a breach of privilege and when the House takes it upon itself

to come to a finding that the breach of privilege has been committed and that the case is so serious that an expulsion may be ordered, the House can order the expulsion under article 105(3). The House is competent to do so, because of what is stated in article 105(3), where it is stated that the powers etc. of Parliament shall be those of the House of Commons, and any reference to May's Parliamentary Practice, I think, will show that expulsion is one of the powers of the House of Commons and one of the powers that it possesses for punishing a breach of privilege. Therefore the power to bring about a vacancy in a seat by ordering an expulsion is there under article 105(3) and that is in no way abrogated by the provisions contained in articles 101 and 102.

The only other question that arises for consideration is this, whether the proceedings that have already been started against the hon. Member under provisions of article 105 by a specific order of Parliament can, so to say, come to an end if the Member chooses to resign under the provisions of article 101. My humble submission is that an hon. Member cannot bring about a stoppage of the proceedings under article 105 by resorting to article 101. These proceedings must continue, notwithstanding the fact that the hon. Member has brought about his resignation under article 101, and in fact it is not possible for Parliament to inflict a direct punishment upon him by virtue of their proceedings. Therefore, it may still be open for Parliament, notwithstanding the resignation of the hon. Member to proceed with the proceedings which have been already started under article 105.

Shri Santhanam: I would just add one more word to what the hon. Law Minister has said. The only construction of the word "resignation" is that the resignation should be formally notified by the authority concerned before it becomes operative. Otherwise all kinds of complications will arise. Suppose a letter is delivered at your house and you are not there. And you come after, say, four days. Can it be taken that the day it was delivered at your house it becomes operative? In such cases the real construction is the one I have given.

Mr. Deputy-Speaker: But we are not on that point.

Shri Munavalli (Bombay): Why take a hypothetical case?

Shri Santhanam: Sir, this is a point of construction and it is for the Speaker to determine the point of time at which the resignation becomes operative. Therefore it is open to the Chair to hold up the resignation till the Chair formally notifies its acceptance.

Shri Munavalli: Under what article?

Shri Naziruddin Ahmad (West Bengal): Sir, the point to be considered is whether the resignation takes effect at once or not. Now, if the seat falls vacant automatically by virtue of the resignation, then there is no question of any expulsion. Expulsion implies that the hon. Member still occupies his seat in Parliament. The point to be decided is whether the resignation takes effect when it is handed over or whether, as has been suggested by Shri Santhanam, it is for the Speaker to determine the point of time at which the resignation takes effect. I shall therefore read clause 3(b) of article 101:

"If a member of either House of Parliament resigns his seat by writing under his hand addressed to the Chairman or the Speaker, as the case may be his seat shall thereupon become vacant."

"Thereupon" means that on the tendering in writing of his resignation to the Speaker it becomes vacant. It does not wait: it does not depend upon the choice of a favourable moment. The moment is the time when it is given. It does not require to be accepted. I submit that the resignation has already taken effect and the seat is now vacant, as the article says. Therefore he is no longer a Member. On the other hand, if he had stayed in the House, I find that he is not here, then under article 104 of the Constitution he would have been fined Rs. 500 for sitting in the House or taking part in the deliberations for every day that he makes a default in this respect. As soon as he resigned he ceased to be a Member. The seat is vacant and there is no one to be expelled from the House.

Several Hon. Members rose—

Sardar B. S. Man: May I point out that the option is given to resign at any moment and if it is confined only to the Speaker or Deputy-Speaker the word "Chairman" would not have occurred. It is an option to a Member to resign at any moment, at any time.

Mr. Deputy-Speaker: As to when the resignation comes into operation it is a matter which we have to consider

as I am at present advised, because there is no time set. This is not a case where the resignation was handed to me at my residence. That analogy does not hold good. On the floor of the House, in his own handwriting, he gave it to me directly. Therefore the requirements of article 101(3)(b) have been satisfied. As to whether it does not come into operation automatically my own feeling is that until I come to a different conclusion it takes effect automatically. But what is the effect on the proceedings? The proceedings are in the nature of a contempt of the House committed by a Member. Contempt of various kinds may be committed by persons but if it is committed by a Member against the House, as in the House of Commons there are two penalties. Besides censure, there is suspension from the House and expulsion in some cases. In some cases expulsion has been inflicted in addition to committal, if he is guilty of various other charges under the ordinary law. Some examples are given in 'May' such as corruption in the administration of justice or in the execution of their duties as Members of the House.

Rightly therefore on the resolution moved by the Leader of the House the Parliament appointed a Committee for the purpose of investigating into the matter. It is open to the House to exonerate the person or pass a motion of censure or ultimately consider expulsion also. As at present advised I do not know how we can stop the proceedings merely because the Member has resigned. What I feel is that I shall look into the matter in greater detail by consulting the authorities. But the proceedings may go on and I will allow amendments to be moved. I am fully satisfied that so far as censure is concerned we can go on, for otherwise any hon. Member can make such proceedings infructuous by resignation after going through all the process. On the other hand there was not even that kind of frankness on the part of the Member, for if he had told his intention earlier to the House, the House may have considered it to judge the matter on its merits. Looking into the merits the House may feel that there is nothing to be done or on the other hand if the House comes to the conclusion that the Member's conduct is reprehensible, it is open to the House to pass a motion of censure. Even in the case of Government servants, though the government servant charged with an offence has resigned, the Government still after enquiry passes an order of dismissal. We have to take into consideration this

[Mr. Deputy-Speaker]

analogy. I am entirely satisfied that the proceedings need not be stopped merely because a Member has vacated his seat. The only question is whether expulsion under those circumstances would be infructuous, on account of his having resigned. We shall proceed further now.

Shri Khandubhai Desai (Bombay): There is one small point to which I would like to draw your attention. The proceedings have been gone through: the hon. Leader of the House has moved the motion for expulsion and you have asked the Member to withdraw. He should have forthwith withdrawn. The question is whether after you had asked him to withdraw a resignation can be given.

Mr. Deputy-Speaker: The hon. Member is under a misapprehension. Even if he had withdrawn into the lobby he continues to be a Member and at any stage he could hand over or send his resignation and from that time he would cease to be a Member. Now, so far as this matter is concerned, hon. Members also will kindly look into it and if they have got any suggestions to make they might either meet me in the Chamber or they might kindly send a note. I will certainly consider all those suggestions because such matters may arise in future also. Whatever ruling I give will be operative in the future also. But though I do not want to hazard an opinion now without going into the case fully, I do not think there is any impediment to go on with the proceedings. We have now got only half an hour more. Therefore this matter may be considered later.

Pandit Maitra (West Bengal): Sir, I want you and also the hon. Members of the House to very carefully bear in mind that for the action we are taking now there is no precedent. A point of constitutional law has been raised and it is of very great importance. We have no precedent whatsoever to go upon, either in May's Parliamentary Practice.....

Dr. Ambedkar: Oh, yes.

Pandit Maitra: I know May's Parliamentary Practice lays down certain forms of penalty, e.g., censure, admonition, putting into jail etc.—all these things are nothing new. The point that has been raised by my hon. friend, the Home Minister, if it is logically followed up, comes to this: that once a proceeding is started it can never be terminated. Is that the legal position? It is coming to this, that if the hon. Member had died last night—I am taking a hypothetical

case—would you proceed with it? In giving its decision I am asking the Chair to bear these things in mind. It is a constitutional point. The point is whether a Member *ipso facto* vacates the seat as soon as he delivers his letter of resignation to the Chair. I do not agree with my hon. friend, Mr. Santhanam that there should be a time-lag between the presentation of the resignation and its acceptance; nowhere in the Constitution is it provided that it should be accepted, or that you may or may not accept it. The law provides, the Constitution provides that the moment one delivers in writing his resignation to you in his own hand it is effective. And in this case he has delivered his letter of resignation in person to you, Sir, presiding over this House. There is nowhere provided in the Constitution that there should be a time-lag. Therefore, the question that would arise is whether or not when an hon. Member delivers his resignation on the floor of Parliament, into the hands of the Chair, he vacates his seat forthwith. If he does vacate his seat, wherein lies the scope for further action on this motion? That is a matter to be considered. I am not going to criticise your ruling. ● (Interruption). Of course, my friend might sit in the Chair, but at the moment I do not accept his interpretation. Sir, we have closely to apply our mind because we are laying down a precedent for future guidance. I am interested from that point of view, not from the point of view of the merits of the case. The Parliamentary Committee has gone into considerable detail, devoting much time and considerable energy to this matter. With what object? In order that this whole question may be investigated, thrashed out and decided. The hon. Member having made a statement straightaway tenders his resignation and leaves the House. The question is whether you take this stand that once a proceeding has been set in motion it can never be interrupted; or whether if due to any voluntary act of the person concerned, or if by reason of accident or death that man is removed from the scene the proceedings are to be continued. This is a very important matter to be carefully considered before you give your ruling. You are laying down for the first time in the history of this Parliament a precedent which will be the guide for the future.

Dr. Ambedkar: May I add a word or two, with your permission, to what I stated, because I feel that probably my

statement has not been quite complete as it should have been. In view of the fact that my hon. friend Pandit Maitra has raised this question, I think it is desirable to have our mind clear about this matter. If my hon. friend will forgive me, I will put the matter in a somewhat technically legal fashion, and it is this. When a Member has been charged with a breach of privilege and before the proceedings have been concluded he resigns, is it a case that Parliament has lost its jurisdiction over him because he has resigned? That I think is the question which we have to consider and which is the question which my hon. friend has raised, although not in those technical terms. The answer to that question is this, that the jurisdiction of Parliament for punishing people or taking proceedings against people for contempt—this is a case of contempt—is not confined to Members of Parliament, but it also extends to the members of the public who have committed contempts of the Parliament and I shall read a little passage which I have bodily taken from "May":

"The penal jurisdiction of the Houses is not confined to their own Members nor to offences committed in their immediate presence, but extends to all contempts of the Houses whether committed by Members or by persons who are not Members, irrespective of whether the offence is committed within the House or beyond its walls."

Therefore, the jurisdiction of Parliament to protect itself against contempt, which is one aspect of the breach of privilege, is not confined to Members of Parliament. It extends to all citizens. No citizen shall commit any act which would amount to contempt of the privilege of the House. Therefore, assuming for the purposes of argument that the resignation of Shri Mudgal which has been tendered to you now becomes effective immediately, nonetheless my submission is that the jurisdiction of this House to proceed against him continues. He cannot escape it. What form the punishment may take is a different matter which may be considered when we actually come to that. If the contention of my hon. friend Pandit Maitra is that by submitting your resignation you escape the jurisdiction of Parliament, then I think that it is absolutely wrong.

Pandit Maitra: I put it in a different way.

Dr. Ambedkar: I have put it in a way which is more intelligible.

Pandit Maitra: Once an action is set

in motion, it cannot be anybody's case that it can never be interrupted.

Dr. Ambedkar: So long as the jurisdiction exists, the action may continue.

Sardar B. S. Man: On a point of order. The motion which is being discussed was permissible when it was introduced but now, due to subsequent happenings, it has become inadmissible. I want your ruling on this. You will see that the motion specifically says:

"That this House, having considered the Report of the Committee appointed on the 8th June, 1951 to investigate into the conduct of Shri H. G. Mudgal, Member of Parliament..."

So, the question is not one of jurisdiction of Parliament. We are discussing the conduct of a "Member of Parliament" and Shri Mudgal is no longer a "Member of Parliament". Therefore, my contention is that the motion was admissible to start with, but due to subsequent happenings it has become in the meantime inadmissible and we can now no longer proceed with the discussion on this motion.

Shri Rajagopalachari: The more we argue in this manner the more clear it becomes to my mind that circumvention cannot be permitted. The terms and manner in which points are taken show that this is nothing but circumvention. Continuing what Dr. Ambedkar said, it must be remembered that punishments are additional in "May". It says:

"In the case of contempts committed against the House of Commons by Members two other penalties are available..."

Expulsion is not the only penalty.

"...normally suspension from the service of the House and expulsion..."

Expulsion is an additional penalty available against Members, apart from any kind of punishment which the House is competent to pass against anyone who is guilty of contempt. Now that expulsion may, in the opinion of some Members, become impossible, because he has ceased to be a Member, the House will have to consider other forms of punishment. The guilt and proceedings cannot be terminated by an act of the person who is charged.

Shri T. Husain (Bihar): On a point of order, Sir.

[Shri T. Husain]

This resignation by the hon. Member was submitted to you under Article 101. I submit, Sir, that article 101 does not apply, because the article reads like this: "If a Member of either House of Parliament", which implies that there are two Houses of Parliament. There is only one House of Parliament: his resignation could not, therefore, be under article 101, but some other article.

The other point is: supposing a Member ceases to be a Member—is the jurisdiction of Parliament to try him or to pass any censure against him to cease? I submit it does not.

Mr. Deputy-Speaker: So far as the first point of order is concerned, I do not think the hon. Member wishes me to give any ruling—in fact there is no point of order in it.

As regards the other point, I am considering the question, how far his resignation can interrupt the proceedings of this House.

Shri Jawaharlal Nehru: It is abundantly clear, Sir, that this House is full of legal talent and it is right that we should follow the law, follow the Constitution, and where there is doubt, abide by your ruling and your interpretation. But may I submit that it is important that when an injury has been done to this House, a contempt has been done to this House, when it has been wronged, that wrongdoing should be punished and no legal quibble should be allowed to come in the way.

I have listened with patience to the hon. Member—or who used to be a Member, or who is a Member, I do not know. We have listened to him in patience because we wanted to give him a chance. He cast reflections on this House, on Members of this House, on the Committee, on the Speaker—he cast most fantastic reflections. And then he tried to circumvent the inevitable result that is going to follow by writing his resignation on a piece of paper as he was going out, and even in that resignation he made further charges and further libellous statements. It is a most extraordinary state of affairs that a man who is a Member should be allowed to get away in this manner. I do feel, Sir, that even expulsion cannot be enough for the hon. Member and it is for this House to consider what further and additional punishment we should give to him, because he has tried to circumvent that by the step he has taken.

In any event one thing is dead clear to me—what you yourself said—that this proceeding goes on. Whether he is a Member or not, this House is considering what to do with him. Whether to punish him or not and, if so, what punishment to give, goes on. It may be that because of the step that he has taken some variation might have to be made in the motion I placed before you. It is a possibility that has to be considered. But to have all the proceedings and all the labour of the House simply ended and circumvented by the step that he took seems to me to confess that this House is powerless to deal with misdemeanours and grave injuries to it. Therefore these proceedings must go on, while you think and decide upon the other aspect of it as to when his resignation takes place. That is for you to decide. But these proceedings go on and this House has to come to a conclusion about his previous action as a Member and how he should be dealt with whether as a Member or as a non-Member.

Shri B. Das (Orissa): We are a sovereign Parliament.

Mr. Deputy-Speaker: I have heard sufficient. I have already told the House that so far as the operative part of it is concerned, what action has to be taken is a matter which must be considered at leisure. I will consider that matter. As I already referred to that portion of May's Parliamentary Practice, expulsion of a Member or suspending him is an *additional* remedy because he is a Member of Parliament. Anybody inside or outside may commit a contempt of the House. Merely because he is a Member we have more jurisdiction over him than over the other person. So far as the other person, that is the outsider, is concerned, in the very nature of things we cannot expel or suspend him because he is not a Member. Therefore, all the same, whether one is a Member or an outsider one may commit a contempt of the House. It is only so far as the remedy is concerned that in the altered circumstances that remedy may have to be altered. But we do not come out of the seizure of this motion that has been moved already. When it was originally quite in order, I do not think by a unilateral resignation or withdrawal from the House all the further proceedings can be terminated.

Regarding the other matter I shall consider it at leisure. Whoever wanted to speak now, let him not be under the impression that I will not hear.

It is not on the floor of the House that I need hear him. He may communicate his opinion to me.

Pandit Maitra: On what? We are not interested in the merits.

Mr. Deputy-Speaker: All the matters: when the resignation takes effect; merely because the Member resigns, when his conduct has been brought to the notice of the House whether by his mere resignation this House loses its jurisdiction—when, particularly, it has jurisdiction even with respect to persons who are not Members of this House if they commit a contempt of the House. That is a point which hon. Members have to note. If a person committed contempt of the House outside, there is no question of resignation. The House will still not stultify itself but proceed against him. Whether the position is changed by mere resignation is a matter which we have to consider. At present I do not think it alters the position except in regard to the remedial portion, that is as to what remedy has to be applied.

I will come to the amendments. Mr. Naziruddin Ahmad. Not in his seat. not moved.

Shri Naziruddin Ahmad: May I move it, Sir?

Shri T. Husain: You said that he was absent. He cannot move it.

Mr. Deputy-Speaker: I do not want to stand on a technicality. I am coming to business. He may move it.

Shri Naziruddin Ahmad: I beg to move:

"That in the original motion, the words 'and resolves that Shri Mudgal be expelled from the House' occurring at the end, be omitted."

I shall make my position absolutely clear.

Mr. Deputy-Speaker: Not now.

Amendment moved:

"That in the original motion, the words 'and resolves that Shri Mudgal be expelled from the House' occurring at the end, be omitted."

Shri Syamnandan Sahaya (Bihar): Sir, when I sent in the amendment I certainly meant to move it. But in view of his own speech and the wording of his resignation I find there is no room left for anybody to plead for an extenuating treatment.

Mr. Deputy-Speaker: So far as Sardar Man's amendment is concerned I do not think it is quite relevant. I do not think it is quite relevant to the motion on hand. This is a particular motion relating to the conduct of a particular Member. As to what the House ought to do in laying down what are the rules and privileges until they are established by an Act of Parliament, the privileges are like those of the House of Commons. Under the circumstances, whether we have got a right to say "these are the privileges"—this House alone without an Act of Parliament,—is a matter which we have to consider. That is one difficulty. Secondly, this is an individual matter. We need not go into all the consequences of that individual action for future conduct. In the circumstances, I do not think 1 P.M. fit to consider except this other motion. The Leader of the House has already said that many consequences may follow and many steps may have to be taken. It is for the House later on in a private proceeding consider what ought to be the step. Therefore, I do not propose to allow in this amendment. Then there is only one amendment by Mr. Naziruddin Ahmad. Both the original motion and the amendment will be before the House for discussion.

Shri Naziruddin Ahmad: May I speak now?

Mr. Deputy-Speaker: The hon. Member will certainly have a few words later on in the order in which it is put to me. Would Mr. T. T. Krishnamachari, the Chairman of the Committee like to intervene at this stage?

Shri T. T. Krishnamachari: I would not like to answer the points that might be raised by Members of the House, I would only like to make a few observations on the remarks made by Mr. Mudgal.

Sir, it is somewhat of an incongruous position that the Chairman of a Committee appointed by this House has been put in to namely to defend the working of his Committee. The House will agree with me that the Members of the Committee and myself acted in obedience to a command of the House which constituted us into a Committee and we had no interest in undertaking a work, which was obviously unpleasant on the face of it, excepting that, we could not refuse to obey the commands of this House.

Before dealing with one or two other matters which were mentioned by Mr. Mudgal, I would like to say that

[Shri T. T. Krishnamachari] in regard to a personal reference that he made to me in respect of my relationship with one of the witnesses, the allegations are completely false. I can understand why the hon. Member made it. I can sympathize with him, but what is not true has to be denied. So far as I am concerned, I have not set eyes on Shri Lalwaney after he gave his evidence before the Committee. When concluding his evidence, he expressed a fear that he might be molested and I told him that it is not likely. In any event the Committee had no power to protect him outside the rooms of the Committee, and after that I had no knowledge of that gentleman nor did he come to see me at the Sant Cruz Aerodrome when I left for Geneva. In fact nobody did see me off. He also referred to a conversation that I had with Mr. Lalwaney's employer. It is true that at one stage Mr. Lalwaney's employer, who was known to me, came and told me that he had now employed one of the witnesses of the Committee; he was rather nervous about it and he asked: What do you suggest? I replied: Why should I suggest anything? He is not an accused; he is not accused of anything. So, why should you think that witness is a person about whose character, you will have to be apprehensive. That is what I said. Apparently, Mr. Mudgal is well informed of whatever goes on. That is so far as the personal matter is concerned.

I may also tell the House that on my arrival in Delhi, I found there was a letter addressed by Mr. Lalwaney to me, enclosing a copy of a letter that he has written to the Prime Minister. I think the hon. Leader of the House did make a reference to that document. That is the only communication that I have received from Mr. Lalwaney which I do not propose to acknowledge. Naturally, I knew since the letter was originally addressed to the Prime Minister, some reference may be made to it in the House. Beyond that, I know nothing of Mr. Lalwaney, and what he is doing now; nor have I any interest in him.

So far as the Committee is concerned, I think it is hardly necessary for me to assure this House who have invested the Committee with the responsibility of this enquiry that we had no personal interest in this matter. In fact, all the time, the Committee was striving to see if they could possibly help Mr. Mudgal to clear himself. Anybody who reads the proceedings will find that that has

been stated more than once by myself as Chairman and by the other Members of the Committee. I would also like to add that the counsel who appeared for Mr. Mudgal and acted very courteously and helpfully was more than once asked to explain the existence of the letter of the 18th March to Shri Lalwaney satisfactorily. I would only refer to one statement that he made at the end of his arguments. It occurs on page 356. He said:

"As I said a number of times and I am sorry I have to repeat it once again, the crucial point seems to be the letter of the 18th of March. If you do not accept Shri Mudgal's explanation and think that Shri Mudgal has obviously done something which is not proper as a Member of the Parliament that letter ends the matter. All that I wish to add is that I have already advised Shri Mudgal that if your report happens to be against him he shall do what honour requires him to do. That is all I have to say."

As the House will understand that is the point on which we pressed time and again for further clarifications. We wanted some valid explanation from either Mr. Mudgal or Mr. Mudgal's counsel for the letter of the 18th March, which the Leader of the House also read to you, namely the letter written to his assistant Mr. Lalwaney to ask the bullionites for Rs. 7,000 for work done and for Parliamentary contacts during this session. The circumstantial evidence against him, as the report will indicate, is fairly strong. But the Committee finally came to the decision that it took on the strength of these letters. The Committee had no other option: it could not take any other view other than what they have taken in the face of that letter which the Prime Minister has read, and the letter, which is the counsel for Mr. Mudgal said: "if you do not believe Mr. Mudgal's explanation, the matter ends." That is all that I wanted to urge. So far as the Committee is concerned, much as we would have liked Mr. Mudgal to clear his name and that was the bias undoubtedly with which we approached the problem, because, it is not an easy or pleasant task for five Members of this Parliament to sit in judgment over a fellow Member of Parliament and that was the natural reaction of all of us as we had nothing whatever against Mr. Mudgal—that he should be helped to clear his name. It is obvious that there are so many circumstances in this case which have been

revealed in the report and in the evidence which are pathetic. I certainly revolt against the idea of any person having to do any of these things in order to make a living. The very idea is pathetic and revolting to our sense of fairness. Therefore our idea was—and I believe I carry the Committee with me when I say this—and we tried if possible to clear Mr. Mudgal. If there was only the circumstantial evidence, we might have said that there is only circumstantial evidence against him. As against the letter of the 18th March, reinforced by the letter of 25th March, which appear in the body of the report, the House can judge whether we could have come to any other conclusion. That Mr. Mudgal, a Member of Parliament, with all the qualifications that are mentioned in his brochure, about his being the spokesman of businessmen in Parliament, would have taken the advice of a young person of 25, obviously unbalanced, perhaps not even as reliable as one would have thought, or as Mr. Mudgal has said, and taken his instructions to write that letter and not mention it either to the Prime Minister or to this House when the matter was first broached: it is rather difficult for the Committee to make up its mind and say that this letter is a thing which has been written by Mr. Mudgal in a moment of temporary mental aberration and therefore should not be taken into account. If the House decides that that was written in a moment of temporary fit of insanity, the House may take the action that it thinks fit. All I could say at this stage without going into the details is that that was the letter which completely compelled the Committee to come to the conclusion that it did.

I would once again say that we had to operate under difficult circumstances. It is not a pleasant job and the health of the members of the Committee was not too good. And considerable strain was put on the Secretary of the Committee and also on the Attorney-General who was present with us right through and he did help us to see that fair-play was assured. It was a strain on all of us and it involved in the postponing of his trip to Australia. All these factors were factors which were intended to help Mr. Mudgal to obtain a fair deal. But in the result, we felt we could not do anything else than what we have done because we were bound by Parliament to tell it the truth and we had no other alternative.

Certain allegations were made in regard to my conduct and mention was

made of particular views held by me and that the members of the Committee disagreed with them. But to say that, and to allege that these people were coerced by me into doing something for a motive, which is not apparent. I think, is an aspersion I thought should not be cast on them. The House will now deal with the report. It was written no doubt, by me and read out to the members and the members approved of it. The conclusions were unanimous and there is no doubt about that. All the same those allegations have been made by Mr. Mudgal. But it is but natural that he should make them. I do not think that myself or any member of the Committee or of the House need be angry on this score. But the allegations are quite wrong.

That is all that I have to submit. I thank you, Sir, and the House for having listened to me.

Shrimati Durgabai (Madras): I would like to add a few words to what the Chairman of the Committee has just now said, for I consider it my duty to make a few points clear.

Sir, the Chairman of the Committee has already stated quite clearly what the attitude of the Committee was. It was to consider carefully all the evidence that came before it and give the benefit of the doubt to Mr. Mudgal, if only it was in the power of the Committee to do so. So we sat for about nine days. And till the end of the 8th day, that was the attitude of the Committee. And but for these two letters which were referred to by the hon. the Leader of the House, and also by the Chairman of the Committee, or Mr. Mudgal to Mr. Lalwaney, the attitude could not have changed. Therefore I wish to state that the Committee conducted all its proceedings quite frankly and the Chairman gave us ample opportunities to put questions to the witnesses who figured before the Committee. Therefore it is very unfair to say that the Chairman acted in a way not in conformity with the dignity of the particular individual as Chairman of such a Committee.

Another allegation made was that the members of the Committee had no conscience and that we were simply influenced by the Chairman to come to a particular conclusion. That allegation is something which it is needless for me to say that it stands self-explained. The members acted quite frankly and fearlessly and they were not influenced by the Chairman. They were influenced only by the facts that came before the Committee.

[Shrimati Durgabai]

The other point made against the Committee was that before the report was submitted, only two members had signed it and that the others had not. That was not the fact. Before the making of the report was complete and after the deliberations of the Committee at Bombay, we met at Delhi and considered various points. And even in collecting these various points, the members of the Committee were given ample opportunities to collect and bring their own points, and they were asked whether they had to say anything more. None of the members ever felt that he was handicapped by the hasty deliberations of the Chairman. Four members had signed on the very first day and only one hon. member took a little more time because he wanted to bring in a minute. Therefore except for that one hon. member all the four members at once and of their own free will and accord,

have signed the Report. Therefore the allegations made by Mr. Mudgal before he left the House are neither true nor based on any foundations. With these remarks I would like to thank the Chairman of the Committee once again for the ample opportunities that he gave to all the members to deal with the matters fairly.

Mr. Deputy-Speaker: Before adjourning the House for the day I may tell the press not to publish those portions which I expressly expunged from the proceedings. It is not necessary for me to say that whatever is directed by the Speaker to be expunged ought not to find a place outside the House. I am giving an additional warning today.

The House then adjourned till Half Past Eight of the Clock on Tuesday, the 25th September, 1951.
