

12.19 hrs.

ESTIMATES COMMITTEE
NINTH REPORT AND MINUTES

SHRI S. B. P. PATTABHI RAMA RAO (Rajahmundry): I beg to present the Ninth Report (Hindi and English versions) of the Estimates Committee on the Ministry of Finance (Department of Revenue) -- Income-Tax Department and Minutes of the sittings of the Committee relating thereto.

12.20 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE
REPORTED UNEARTHING OF A COAL RACKET IN BIHAR ..

MR. SPEAKER: Shri Ram Vilas Paswan. Absent. Shri A. K. Roy. Absent. Shri Nawal Kishore Sharma. Absent.

कमाल है। क्वेश्चन आवर मैं तो होता है।
कार्लिंग एटेंशन में भी शुरू हो गया है।

श्री हरीश रावत ।

श्री हरिश् चन्द्र सिंह रावत (अलमोड़ा):
मैं अविलम्बनीय लोक महत्व के निम्नलिखित
विषय की ओर ऊर्जा मंत्री का ध्यान दिलाता
हूँ और प्रार्थना करता हूँ कि वह इस बारे
में एक वक्तव्य दे :

“बिहार में कोयले के एक बड़े घोटाले
का पता लगने तथा धन्यवाद मैं
एक व्यक्ति के, जिस पर कोयले का
घोटाला करने वाले गिरोह का
सरगना होने का सन्देह है,
गिरफ्तार किए जाने के समाचार”

(Interruptions)

SHRI HARIKESH BAHADUR (Gorakhpur): We have a right to speak.

MR. SPEAKER : All hon. Members are my esteemed friends and colleagues and I am their servant.

THE MINISTER OF STATE IN THE
MINISTRY OF ENERGY (SHRI VIK-
RAM MAHAJAN) Sir, I have to in-

form the House that raids were conducted by the C.B.I., Ranchi from December, 1979 to February, 1980 and three cases were registered by them for investigation into alleged release of a huge quantity of hard coke in favour of non-existing and fictitious firms on the basis of forged delivery orders. According to the investigations so far carried out by the C.B.I., a number of persons including three officers of CIL, are suspected to be involved in these three cases. Some of the suspects have already been arrested. Shri T. P. Sinha alias Guru suspected to be the ring leader of the gang of coal racketeers was arrested on 6.4.1981 and he is still in judicial custody.

12.21 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

2. The modus operandi adopted by the accused persons in these cases was that they submitted the release orders to the Sales Departments of the Coal Companies along with the requisite Bank drafts. They forged the signatures of the State Government officials and also forged the authorisation letters requesting therein to issue delivery orders on behalf of a particular firm to a particular middle man. The signatures on the authorisation letter on behalf of non-existing firms were made by the accused persons in different assumed names both in the capacity of proprietor as well as the middle man/authorised representative. They lifted hard coke from the colliery concerned and sold the same in the black market at a premium price. As already pointed out, investigations are still going on and full facts in regard to this matter would be known after C.B.I. completes investigations in all the three cases.

श्री हरिश् चन्द्र सिंह रावत (अलमोड़ा):
अध्यक्ष जी, मैं माननीय कोयला मंत्री जी
और उनके विभाग को धन्यवाद देता हूँ
कि उन्होंने जो वर्ष 1980-81 में कोयला
निकालने का लक्ष्य रखा था उससे 5 लाख टन
अधिक कोयला निकाला। इसी तरीके
से अब इनका लक्ष्य इस पंचवर्षीय योजना

काल में बढ़ा कर 16.5 करोड़ टन करने का है। यह अपने आप में एक बड़ा ऊंचा लक्ष्य है। लेकिन इतनी लक्ष्य पूर्ति के बाद भी और कोयले की इतनी अधिक मात्रा के उत्पादित होने के बाद भी क्या कारण है कि कोयला उपभोक्ताओं को नहीं मिल रहा है सारे देश के अन्दर, चाहे दिल्ली में देखिए या कहीं देखिए, सब जगह कोयला साधारण उपभोक्ताओं को नहीं मिल रहा है। ऐसा प्रतीत होता है कि एक सुनियोजित षडयंत्र के तहत जो हमारा यह सार्वजनिक वितरण प्रणाली है जिसके तहत कोयला सामान्य उपभोक्ताओं को देते हैं उसको विफल करने की साजिश चल रही है ताकि सरकार गड़बड़ा कर, यह देख कर कि सार्वजनिक वितरण प्रणाली ठीक से काम नहीं कर रही है, कोयले पर से कंट्रोल हटा ले, और उसके बाद जो बड़े-बड़े कोयले के व्यापारी हैं वह उसकी जमाखोरी करके कृत्रिम मूल्य बढ़ा कर के सरकार को परेशानी में डालें। यह एक षडयंत्र लगता है। और इस दौरान आपका स्टेटमेंट विभिन्न जगहों से आया है क्योंकि कोयले का उत्पादन बढ़ रहा है इसलिए कोयले पर नियंत्रण नहीं रखेंगे। इस प्रकार का जो स्टेटमेंट आपका अखबारों में छपा है क्या यह सही है, और क्या वास्तव में सरकार विचार कर रही है कि कोयले पर जो नियंत्रण है उसका हटा कर के खुली बिक्री में लाये ?

दूसरा सवाल यह है कि जो व्यक्ति पकड़ा गया है गुरु, इसके सम्बन्ध में पहले भी इस तरह की खबर छपी है वाराणसी से निकलने वाले "आज" अखबार में और "आर्यव्रत" अखबार में जो पटना से निकलता है उस में भी। मगर बावजूद एक, दो बार पुलिस की कार्यवाही के फिर भी इसको कभी धनवाद में और कभी दूसरी जगह कोयला खानों में या तो कंट्रेक्ट दे दिया गया या दूसरे तरीके का रोजगार दे दिया गया, जब कि यह पुलिस

की नज़र में सस्पेक्ट था। तो क्या ऐसा तो नहीं है कि जो कोल इंडिया के अधिकारी हैं उनके साथ इनकी कोई मिली भगी या सांठगांठ तो नहीं है ? इससे भी पहले जब यह पकड़ा गया था तो उस समय भी इसके साथ कोई अधिकारियों को दोषी पाया गया था।

मैं माननीय मंत्री महोदय से जानना चाहता हूँ कि पहले बार जो अधिकारी दोषी पाये गये थे, जिन पर डभ गुरु को संरक्षण देने का शकःशुबाह था, उन पर क्या कार्यवाही की गई है ? जिन पर शकोशुबाह है कि यह गुरु को संरक्षण देते थे, फोर्ड डायुमैट्स बना कर कोयला निकालने में और निर्यात करने में उसे मदद देते थे, क्या आज भी इन अधिकारियों पर कोई कार्यवाही नहीं की जायेगी, क्योंकि मंत्री महोदय के बयान में कही भी यह नहीं है कि इन अधिकारियों पर क्या कार्यवाही की जायेगी ? मंत्री महोदय ने यह तो माना है कि इन पर शुबाह है, लेकिन क्या कार्यवाही की जायेगी, यह स्पष्ट नहीं है ?

मैं यह भी कहना चाहता हूँ कि अधिकांश कोयला रेलवे बैगन्स से भी चोरी होता है और बेगुसराय का इलाका इस तरह के कार्य के लिए एक अड्डा बना हुआ है, इसके लिए क्या प्रिवटिव मेजर्स विभाग के द्वारा निये गये हैं ?

पश्चिम बंगाल में जहां कोयला खान केन्द्र के अधीन है और वहां का स्थानीय प्रशासन दूसरी पार्टी की सरकार के हाथ में है, वहां तो इससे और भी अजीब स्थिति पैदा हो रही है। ऐसा खबरे है कि जगह-जगह पर, बिन्दा बंधों की एक खास जगह है, जहां पर ट्रकों को रोक कर नाजायज ढंग से चुंगी वसूल की जाती है, क्या पश्चिमी बंगाल के संदर्भ में यह समाचार सत्य है ?

[श्री हरीशचन्द्र सिंह रावत]

सरकार कोयले को तस्करी और गौलीमाल के सद्वर्ग में क्या कार्यवाही कर रह है ? पहले कोयले का व्यापार प्राइवेट लोगों के हाथों में था, उसका राष्ट्रीयकरण कर के अब इसे सरकारी क्षेत्र में लाया गया ता भा कर्मचारी उन्हीं लोगों के हैं जो पहले थे क्या यह सुनियोजित साजिश का अंग तो नहीं है कि सरकार के संरक्षण में कोयले के उत्पादन को लेने के बाद इसको इस तरह से बिकल किया जाये ? काल इंडिया के अधिकारी तो इस साजिश में सम्मिलित नहीं है ? इन प्रश्नों का उत्तर मैं माननीय मंत्री से जानना चाहता हूँ ।

THE MINISTER OF ENERGY (SHRI A. B. A. GHANI KHAN CHAUDHURI): When we took over in January, 1980 I found that there had been no distribution policy for coal. What was being done till then was a carry over of the pre-nationalisation days, in which the entire assessment of the demand of coal was made by the Railways. This assessment by the Railways was artificial in the sense that it was done on the basis of the wagons that were available for loading of coal and did not really take into consideration the real demand. This had, therefore, created artificial scarcity of coal consequently leading to increase in prices. This artificial scarcity had also created mafias of gangsters.

SHRI INDRAJIT GUPTA (Basirhat): This is a very serious reflection on the Railway Ministry. If one minister is allowed to make this kind of insinuation and aspersion against another sister Ministry I do not know what will happen.

PROF. MADHU DANDEVATE: So long as he does not criticise the Prime Minister he is safe.

SHRI A. B. A. GHANI KHAN CHAUDHURI: You can draw your own inference. But I am telling the prevailing state of affairs.

PROF. MADHU DANDEVATE: The allegation may be correct but the point is whether he can say that.

SHRI VIKRAM MAHAJAN: This was in January, 1980 just after the nationalisation.

SHRI A. B. A. GHANI KHAN CHAUDHURI: There are two aspects of this. What is the production of coal? There was not enough production and with that production, they could not meet the requirements of the country. And there was transport bottleneck. Till today, we have not been able to do away with the transport bottleneck but definitely, it has increased a lot.

MR. DEPUTY-SPEAKER: Bottleneck?

SHRI A. B. A. GHANI KHAN CHAUDHURI: Transport.

SHRI VIKRAM MAHAJAN: Transport has improved.

SHRI A. B. A. GHANI KHAN CHAUDHURI: Even today, Delhi is not getting to the extent of 1500 wagons which are required by the Coal India. If we would have got this, I think, Mr. Deputy-Speaker, Sir.....

PROF. MADHU DANDEVATE: It is irrelevant.

MR. DEPUTY-SPEAKER: He is replying to Mr. Rawat.

SHRI A. B. A. GHANI KHAN CHAUDHURI:...We would have flooded the market with coal. There is no doubt about it. Now we have put different types and varieties of coal on free sale. I think this free sale will do away with a lot of corruption. We have given to the buyers the places where certain types and qualities of coal would be available to him without any permit. He need not go anywhere else. At the same

time, we are seeking the help of the State Government. We inform them the details of the people who are taking coal under the free sale system. This is the position with regard to inferior type of coal.

So far as superior type of coal is concerned, we want that this should be made available to the actual consumers, who require such grades of coal for technical reasons on an *ad hoc* basis. We have decided that in such cases coal should be allotted to the genuine users of coal. He should file an affidavit, furnishing the details of the requirements, the sales tax registration number etc. together with the security deposit. In this way, it will be ensured that the genuine consumers are not put to any hardship. At the same time, in the case of those who file false affidavits, legal proceedings would be taken so that there cannot be any bogus purchases. We want to fight against corruption in this way. Here I want to see the co-operation of the members of the opposition. It is serious matter and so all of us concerned should try to combat this corruption.

In this particular case, the CBI enquiry is still in progress. On receipt of the complete report, we will decide on what action is to be taken. I can assure the House that we will not spare anybody, however big that guy may be.

PROF. MADHU DANDAVATE (Rajapur): Sir, in reply to the Calling Attention Notice that we have tabled, we had one statement from the Minister of State for Energy and now there is another statement by the Minister of Energy. I do not know how he anticipated the questions that were going to be asked by one of the Members. Anyway, I will revert to the first statement that has been read over here.

Firstly, let me complain that this is a very cursory statement, and I have a suspicion that probably, instead of collecting information from the Gov-

ernment sources, only stray material has been collected from newspapers and placed before the House. Therefore, I would like to ask specific questions about the original subject of the Calling Attention Notice. To remind the House and to remind the Minister I would like to tell you, Sir, that the subject matter of the Calling Attention was "the reported unearthing of a big coal racket in Bihar and arrest at Dhanbad of a person suspected to be the ring leader of a gang of coal racketeers". I will now revert to the original Calling Attention Notice and I will ask specific questions.

Is it not a fact that on 6th April 1981 one Shri T. P. Sinha was arrested at Dhanbad Railway Station? He had come from Calcutta. Are the Government aware of the fact that this person, in the course of the last two years, is supposed to have amassed wealth to the tune of Rs. 5 crores through a chain of fictitious agencies that he has already set up in various coal fields? I would also like to know from the hon. Minister whether it is a fact that the *modus operandi* of Shri Sinha, as he himself admitted in his statement, was to forge the delivery or release order in the names of some fictitious persons or in the names of fictitious firms and collect coal and try to sell that coal in the blackmarket, and through this *modus operandi* he has tried to collect wealth, and that wealth accumulated in two years to the tune of Rs. 5 crores. I also want to know whether it is a fact that as it has appeared in the press some top officials of the Bharat Coking Coal Limited and also the Central Coal Fields Limited were involved in this racket. Sir, I do not want to make mention of any name. I only want to make a query as to whether this particular aspect is being inquired into when the CBI inquiry has already been instituted and whether all precautions are taken to see that the records which are maintained in the office are not at all tampered with when the CBI investigation will go ahead unhampered. Is it a fact or

[Prof. Madhu Dandavate]

not that only a few days back the CBI had arrested 17 persons who are Singh's associates including two BCCL officials and is it not a surprising thing that out of the 17 persons who were arrested, 10 have already escaped? I would like to have a specific reply on this. And these 17 persons also include 2 BCCL officials and I would like to know whether out of the 17, ten have already escaped.

MR. DEPUTY-SPEAKER: Escaped out of India or are they in India?

PROF. MADHU DANDAVATE : They have escaped. In this space age, they might have also escaped from the gravitational pull of the earth, if they have escape velocity.

I would also like to know from the hon. Minister that since the entire Call Attention notice is about malpractices committed by a particular individual, whether it is not a fact that Mr. Singh who is also called 'Guru' -- I do not know whose Guru he is -- got a job in the railways. And is it not a fact that he was sacked again after being convicted for picking a wagon and stealing costly materials of the railways. I would like to know whether it is a fact or not. I also want to know from the hon. Minister whether it is a fact or not that later on, after this malpractice, after he was removed from the railways when Mr. Singh was working as a canteen supervisor for the Durgapur Steel Plant, he was caught forging documents and vouchers and also whether there is any evidence and whether the investigations are proceeding on proper lines so that all these aspects are properly covered. I would also like to know whether after being dismissed he is allegedly supposed to have forged documents to secure a job in the Eastern Coalfields Limited, that is, ECI. He prepared certain forged documents, forged recommendations, and I would like to know from the hon. Minister whether with the help of those documents he was able to secure a job in the Eastern

Coalfields Limited. Also, I would like to know from him whether he was able to set up a number of puppet agencies and he showed that he was the Managing Director of one prominent firm and on behalf of that particular firm whether he sent a number of letters and communications and tried to secure coal for a particular firm and then sold it in the blackmarket. I would like to know whether it is a fact....

MR. DEPUTY-SPEAKER: On one question, now you are in (i) in the (a), (b), (c) order. So, put the questions. That is what I want to tell you.

PROF. MADHU DANDAVATE: There is a simple sentence and there is a compound sentence. It is a question in a compound form. You treat it that way.

I would like to know from the hon. Minister whether it is a fact or not that this Mr. Singh had printed a number of letter-heads in his name in the name of 100 firms. I want to ask specifically—I am giving you the number—whether it is a fact that he had prepared letter-heads for 100 firms and he was entering into correspondence with various departments of the Government on behalf of the 100 firms and whether on behalf of the 100 firms he applied to the BCCL and CIL for hard coke release and delivery orders. I would like to have an answer to this specific question.

I would also like to know, was the gang with which he was connected, in active connivance with some of the officials who allegedly forged delivery orders? Signatures of senior officers and recommendation letters from West Bengal were also forged. He not only forged letters of those connected with the Central Government but forged certain letters in the name of West Bengal Government officials also. I would like to know whether that aspect is correct.

Lastly I would like to ask one question which is on a very delicate matter. When the house of Singh's fiance at Calcutta was raided, the police recovered jewellery worth Rs. 20 lakhs and hard cash Rs. 1.53 lakhs from that place. I do not know the name of that fiance I cannot quote the name. Probably the hon. Minister might be knowing. If he knows that, he can reveal that. No defamatory remarks have been passed. I have not mentioned the name. Therefore, I do not attract 353. I am, therefore, not required to give any notice. Is it a fact that fiance was caught at Calcutta? The amount as mentioned by me of jewellery and cash was caught hold of. If those activities were going on under forged signatures, under false documents, under fictitious names and under fictitious firms, what concrete steps are being taken to see that such malpractices are avoided in future and for past conduct, penal punishment is given to those who are found guilty.

SHRI A. B. A. GHANI KHAN CHAUDHURI: I have already explained that sometimes system is responsible for making a man corrupt. Public Distribution system is wonderful if it is an honest one. If it is inefficient, it is not honest, then it is worse than the open market system. We have to change the entire system. I have read the whole thing to you which probably sounded to you as quite irrelevant. But it is not irrelevant in the sense that we are seriously trying to combat this sort of thing about which you have mentioned. I think we can only combat if we change the entire system and we are determined to change the system ... (Interruptions)

PROF. MADHU DANAVATE: Let me intervene. The subject matter of Call Attention Notice ...

SHRI A. B. A. GHANI KHAN CHAUDHURI: I am coming.

PROF. MADHU DANAVATE: It is specific. Call Attention Notice is about the malpractice committed by

a particular individual. I would like to get an answer to that rather than the general policy sermons.

SHRI A. B. A. GHANI KHAN CHAUDHURI: There are two aspects. One aspect is about the said system. The hon. Member has mentioned about the various offences that the particular man has committed. That total report is not with us. I am afraid, I cannot tell a, b, c, d, e, f, g, h, because the total report has not been ... (Interruptions)

Unless the total report reaches us, we cannot say anything. But I can assure you on behalf of the Government that we will not spare anybody. I can assure that to the House. But unless the Report comes, who are the offenders who have done all this, who are the officers who are conniving with these people, we cannot punish them. We must know all this before punishing somebody.

PROF. MADHU DANAVATE: You must protect the Members of this House. Calling Attention Notice has been admitted by the Speaker. So, he has accepted the *prima facie* case that there are certain malpractices and on that certain reply must come. If this is the statement that the hon. Minister is going to make. I think he could have got up and made a statement—

'the matter is under consideration and, therefore, my statement is over' . (Interruptions)

MR. DEPUTY-SPEAKER: You will not be satisfied because you have put so many questions even in the Calling Attention. In the reply as given, by the Government it has been made very clear—

"As already pointed out, investigations are still going on and full facts in regard to this matter would be known after C.B.I. completes investigations in all the three cases."

That is why in a general nature he has stated. "We are not afraid of anybody; stringent action would be taken." Because you asked me, I say. I am satisfied with the reply.

PROF. MADHU DANDAVATE:

Your satisfaction is very easy.

12.45 hrs.

STATEMENT RE: SETTING UP OF A COMMISSION FOR A HIGH COURT BENCH IN WESTERN UTTAR, PRADESH

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI P. SHIV SHANKAR): Mr. Speaker, Sir, Demands have been made from time to time for establishment of a Bench of the Allahabad High Court in western Uttar Pradesh. Various authorities have expressed different views from time to time. A large number of representations continue to be received from different sections. Different locations for the Bench are also suggested. The State Government have recently recommended the establishment of a Bench to cater to the needs of the western districts of Uttar Pradesh comprised in the Commissioner's Divisions of Garhwal, Meerut, Agra, Moradabad, Bareilly and Kumaon and left the decision about the seat of the proposed Bench to the Government of India. The State Government have requested for legislation on the subject. They have further requested the Government of India to look into the matter from all aspects and take necessary action. On 23rd March, 1981 in response to a Calling Attention Motion, I had stated in this House that the matter was engaging the attention of the Government.

As the matter needs detailed examination from all angles, the Government of India have decided to set up a three-member Commission to consider all aspects arising out of the demand for the constitution of a Bench for the western districts of Uttar Pradesh and the various aspects of the recommendation made by the

State Government. The names of the members of the Commission will be announced very soon.

The Commission will submit its report within six months of the date of its appointment. It will devise its own procedures in the discharge of its functions.

I hope the setting up of this Commission will be welcomed by all the Members of the House. I take this opportunity to make an appeal to all concerned to extend full co-operation to the Commission and withdraw all agitational approach.

(Interruptions)*

MR. DEPUTY-SPEAKER: No discussion; nothing will go on record.

(Interruptions)*

MR. DEPUTY-SPEAKER: This will not go on record. I am not permitting.

12.47 hrs.

STATEMENT RE: VANASPATI PRICES

THE MINISTER OF AGRICULTURE AND RURAL RECONSTRUCTION AND IRRIGATION AND CIVIL SUPPLIES (RAO BIRENDRA SINGH): Sir, I rise to make a statement on vanaspatti prices.

2. Government had viewed with grave concern the rise in the vanaspatti prices in the recent past. A series of discussions was held by the Ministry of Civil Supplies with the two associations of vanaspatti manufacturers. I am glad to inform the House that in a meeting with me held on the 11th April, 1981, the representatives of the vanaspatti manufacturers' associations have agreed to announce and observe voluntary price-restraint by the industry, to sell vanaspatti at an ex-factory price not exceeding Rs. 192/- for a tin of 16.5 Kgs, inclusive of excise duty. The price of small packs would be suitable fixed. The representatives of the two associations have also been