

12.36 hrs.

### RESIGNATION BY MEMBERS

**MR. SPEAKER:** I have to inform the House that on the 24th December, 1977 I received a letter from Shri Karpoori Thakur, an elected Member from 'Samastipur' constituency of Bihar, resigning his seat in Lok Sabha. I accepted his resignation with effect from the 24th December, 1977.

I have also to inform the House that a letter was received in Lok Sabha Secretariat on 6th January, 1978 from Shri Y. Shaiza, an elected Member from 'Outer Manipur' constituency of Manipur, resigning his seat in Lok Sabha. I accept his resignation with effect from the 6th January, 1978.

### LOKPAL BILL

#### EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE

**SHRI KANWAR LAL GUPTA** (Delhi-Sadar): I beg to move:

"That this House do further extend upon the last day of the first week of the Monsoon Session (1978), the time for presentation of the Report of the Joint Committee on the Bill to provide for the appointment of a Lokpal to inquire into allegations of misconduct against public men and for matters connected therewith."

**SHRI DINEN BHATTACHARYYA** (Serampore): How many times, will it be extended?

**SHRI C. K. CHANDRAPPA:** (Cannanore): When this Bill was introduced in this House the hon. Home Minister was so keen and it appeared that he wanted to get it passed right then at that time. After a lot of persuasion he accepted that it should be sent to a Joint Select Committee. But he made it very clear that he was very keen to fight corruption and corruption in high places.

I think this is the third time that Shri Kanwar Lal Gupta is coming for extension. Now the point is: are they keen to pass this Bill?

**MR. SPEAKER:** What is your suggestion?

**SHRI C. K. CHANDRAPPA:** My suggestion is that they should not have come forward for extension.

You are a custodian of the House. We can extend it provided this is the last extension which they are asking for. By extending it, we cannot give extension to corruption un-limitedly.

I am requesting you that you make it sure that this is the last extension that they might be asking for.

**SHRI P. K. DEO** (Kalahandi): I beg to move:

That in the motion—

for "first week of the 'Monsoon Session (1978)".

substitute—

"present Budget Session".

In this regard I would like to point out that as early as 1966 the urgency of the establishment of an institution like the Ombudsman or the Lokpal has been highlighted by the Administrative Reforms Commission headed by not less a person than the Prime Minister Shri Morarji Desai. Since that time this House has been seized of this Bill in various stages, either as a Private Member's Bill or as a Government Bill. Every time the Government has been dilly-dallying with it. Sir, I don't doubt the bonafides or the seriousness of the Joint Committee which has been looking into it. But I would like to point

[Shri P. K. Deo]

out that they should look into it seriously and come to an early decision. Sir, I opposed last time when they asked for the extension of time. My Non-official Lokpal Bill was withdrawn by me in the Second Session of this Lok Sabha on the assurance given by the Home Minister that the Government's Lokpal Bill would be passed expeditiously. Then it was extended to the Third Session. Then, in the Third Session, they asked for extension of time till the Fourth Session. Now, they are asking for extension till the Monsoon Session. Sir, there is nothing like a Monsoon Session. If they ask for the Fifth Session, one can understand. If the monsoon fails, there may not be any Monsoon Session at all. This is again something which is absolutely vague. So, I beg to submit this: In the explanation in the Memorandum, they have mentioned that in the Inter-session period, they had as many as 14 sittings. But, in this session, we have 62 working days. If the Committee is serious to take note of this important Bill, if they like to pass this Bill and give their suggestions, they can sit on all the 62 days in this session and by the end of the present session they can come forward with their Joint Committee Report.

So, in all seriousness, I beg to submit that for God's sake, don't extend the time indefinitely. I wish no persuasion would be required at all to persuade this House to accept my amendment, so that they take this matter seriously and submit the Report of the Joint Committee within this session itself, in which we have got 62 full working days. Thank you.

SHRI O. V. ALAGESAN (Arkonam): Sir, the extension asked for is such that this matter may not be taken up even in the Monsoon Session. It means, indefinite delay of this

measure. Sir, the extension can be given, but the extension should be such that this Bill comes up for consideration in this Budget Session itself. So, I submit, it should not go beyond the First of April of this year, so that the House is enabled to consider in this Budget session itself. I therefore suggest....

MR. SPEAKER: Why do you suggest First of April, of all days?

SHRI O. V. ALAGESAN: All right; you can have Second of April, Sir, I don't mind. Thank you.

PROF. P. G. MAVALANKAR (Gandhinagar): Mr. Speaker, Sir, this Lokpal Bill is one of the very good and very welcome measures of the new Janata Government. I think the whole House agrees that this Bill should be passed into law as early as possible.

Sir, I remember,—and I think you will recall,—that at one point of time, in the early stages, the Government had no intention even to appoint a Select Committee, they wanted to get the Bill, passed without a select Committee. Now, all important Bills must have select Committees and I am glad the Select Committee has been there.

All I have to say is, in view of the fact that this measure is concerned with an important issue on which there is divergence of views and a deep cleavage of opinion—and therefore this extension is sought, and I appreciate this point—let this, however, be the final date, so that at least in this year of 1978 itself we can tell the people that we really mean business, and we are earnest about it. This is all I wanted to say.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, since we came to this House—I came to this House almost a decade ago—we had been hearing about it. This Lokpal comes up every year and dies at the end of the last day of the session.

Now that gave a confirmed impression in the minds of the people that the Government was not serious about enacting this Lokpal. Therefore, we do not want the same thing to happen in the regime of the new Government which has made a promise that they would like to free the administration from corrupt practices etc. I request that Shri Shyamnandan Mishra, who is the Chairman of this Committee, should come before the House with a special resolution and assure that before the end of this session a report will be submitted before this House.

**THE PRIME MINISTER (SHRI MORARJI DESAI):** I would like to say that it is only the Select Committee Members who do not want M.Ps. to be included. That is what all I have learnt.

**SHRIMATI CHANDRAVATI (Bhivani):** They should be included.

**SHRI MORARJI DESAI:** They should be included. Therefore, let the date be fixed and it should be done before that. I have no objection. I am very happy about it.

**डा० रामजी सिंह (भागलपुर) :** अध्यक्ष महोदय, माननीय सदस्य, श्री ज्योतिर्मय बसु ने कहा है कि लोकपाल विधेयक का इतिहास स्थगन का इतिहास रहा है, और इसीलिए इसे सदन के सामने लाने में जो विलम्ब हो रहा है, उससे लोगों के मन में दुश्चिन्ताये हो रही हैं। माननीय प्रधान मंत्री ने आश्चर्यत किया है कि उन्हें इस पर कोई एतराज नहीं है कि लोकपाल बिल को शीघ्र लाया जाए और इस शुभ विधेयक को शीघ्र ही पास किया जाए। इस स्थिति में हम लोग ज्यादा सशक्त होकर आप के द्वारा प्रवर समिति के सभापति तथा सदस्यों से अनुरोध कर सकते हैं कि इस विधेयक को इस सत्र की समाप्ति से पहले ही यहां ला कर उस पर विचार-विमर्श किया जाए और उसे पारित किया जाए। हम समझते हैं कि यह संसद

की सर्वसम्मति राय है जिसका उन्हें धादर करना चाहिए।

**SHRI A. BALA PAJANOR (Pondicherry):** Sir, the Prime Minister has made a reference about the Members of Parliament to be included in that Bill. I do not think there was a divergent view on this because the Chief Ministers have also to be included in that. In that case, the question of the power and the Centre-State relations comes in. It is not that simple as the Prime Minister said just now that Members of Parliament should be included in it. Whether it is technically possible or not it is entirely a matter for the Select Committee to decide. But the very important factor is of including the Chief Ministers at this stage within the purview of this Bill. I think that it is only on that score that the Committee is postponing and they are not able to take a decision on this issue which is a political one. (*Interruptions*).

**SHRI SASANKASEKHAR SANYAL (Jangipur):** Sir, on a point of order. The proceedings of the Select Committee are secret. How can the Prime Minister peep into the proceedings? How can he make a reference to this?

**SHRI MORARJI DESAI:** I have not peeped into it.

**MR. SPEAKER:** Secrets are better known.

**श्री कंवर लाल गुप्त :** अध्यक्ष महोदय, इस विधेयक को पास करने के बारे में जो चिन्ता व्यक्त की गई है, मैं उससे सहमत हूँ, और सरकार भी उससे पूरी तरह सहमत है। आप को याद होगा कि स्वयं गृह मंत्री ने कहा था कि हम इस विधेयक को जल्दी से जल्दी पारित करना चाहते हैं। लेकिन यह एक महत्वपूर्ण बिल है, जिस में कई कानूनी नुक्ते हैं। उनके बारे में एटार्नी-जेनेरल से

[श्री कंवर लाल गुप्त]

बात की गई है। प्रधान मंत्री जी ने जिस एक बात का जिक्र किया है, उसके अलावा और भी बहुत सी बातें हैं। पूरे देश के लिए यह एक माडल बिल बन रहा है। इसके बाद स्टेट्स में भी इस प्रकार के बिल बनने हैं। दूसरे देशों में भी इसका असर हो सकता है। सरकार की कोई नीति ऐसी नहीं है कि इसे अकारण एक दिन के लिए भी डीले किया जाए। (अध्यक्षान) स्वयं सेलेक्ट कमेटी ने इसे जल्दी पारित कराने के लिए पूरे कदम उठाए हैं। लेकिन कोशिश यह है कि होम मिनिस्टर साहब की भी और सेलेक्ट कमेटी की भी कि यह किसी पार्टी का सवाल नहीं है, यह एक राष्ट्रीय सवाल है, इसलिए कान्सेशन डेवलप हो जाय और ज्यादा से ज्यादा लोग इसमें शामिल हों। इस चीज की कोशिश है और मैं ममझता हूँ कि इस चीज को ग्राप एप्रिशिएट करेंगे कि यह पार्टी का सवाल न बने जैसे कि यह सवाल उठाया गया है कि आया इसमें चीफ मिनिस्टर्स हों या न हों, मेम्बर हों या न हों, सेक्रेटरीज हों, या न हों, और बहुत सारे सवाल हैं, मैं तफसील में जाना नहीं चाहता। इसलिए मैं सारे सदन से प्रार्थना करूँगा कि सरकार स्वयं चिन्तित है, वह चाहती है कि जल्दी से जल्दी हो, एक मिनट की भी देरी इसमें नहीं करनी चाहिए। तो जैसा प्रधान मंत्री जी ने कहा है, मुझे इसमें कोई एतराज नहीं होगा, इस सदन के अखिर तक यह सेलेक्ट कमेटी की कोशिश करेगी कि इसको पारित कर दिया जाए।

MR. SPEAKER: I think the Committee has taken an unduly long time. The Bill is a very important bill but even very important bills are to be passed.

SHRI KANWAR LAL GUPTA: Sir, I may tell you that we had fourteen

sittings and there are 489 amendments to this Bill. I assure you, Sir, that we shall try to finalise this Bill by the end of the Session, but . . .

SOME HON'BLE MEMBERS: No 'but'.

MR. SPEAKER: Now I shall put the amendment of Shri P. K. Deo to the vote of the House. The question is:

"That in the motion.—

for "first week of the Monsoon Session (1978)" substitute—  
"present Budget Session"

*The motion was adopted.*

MR. SPEAKER: I now put the motion, as amended, to the vote of the House. The question is:

"That this House do further extend unto the last day of the present Budget Session, the time for presentation of the Report of the Joint Committee on the Bill to provide for the appointment of a Lok-nal to inquire into allegations of misconduct against public men and for matters connected therewith."

*The motion was adopted.*

MR. SPEAKER: So, the report shall be submitted by the end of the present Session. There is no other work for the day. The House stands adjourned till eleven of the clock tomorrow.

12.53 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, February 21, 1978 Phalguna 2, 1899 (Saka).*