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| | **PARLIAMENT, DEPARTMENT OF PARLIAMENTARY AFFAIRS, SECRETARIATS OF THE PRESIDENT AND VICE-PRESIDENT AND UNION PUBLIC SERVICE COMMISSION** | | |
| 104. | Lok Sabha | 1,22,13,000 | .. |
| 105. | Rajya Sabha | 42,28,000 | .. |
| 106. | Department of Parliamentray Affairs | 4,30,000 | .. |
| 107. | Secretariat of the Vice-President | 1,07,000 | .. |

**14.10 hrs.**

[MR. SPEAKER *in the Chair*]

## APPROPRIATION (VOTE ON ACCOUNT) BILL* 1981

THE MINISTER OF FINANCE (SHRI R. VENKATARAMAN): I beg to move for leave to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1981-82.

MR. SPEAKER: The question is

"That leave be granted to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1981-82."

*The motion was adopted*

SHRI R. VENKATARAMAN: I introduce† the Bill.

I beg to move†:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1981-82, be taken into consideration."

MR. SPEAKER: Motion moved:

"That the Bill to provide for the withdrawal of certin sums from and out of the Consolidated Fund of India for the services of a part of the Financial year 1981-82, be taken into consideration."

SHRI JYOTIRMOY BOSU (Diamond Harbour): Today we see Demand No. 19, Ministry of Defence and Demand No. 20 particularly the Defence Services—Army—Rs. 404,07,09,000. Now, I understand that it has been widely talked about and the allegations are coming from very responsible quarters that there is a purchasing spree, a galore. As for example, the Armoured Corps and the Directorate of Weapons and Equipments in May 1980 proposed to MOD for the purchase of Qty. 70 SFCS 600 for Vijayantha Tanks. They have a local representative here. It is of no consequence to me. On 19th December, 1980, this purchase involved Rs. 15 crores. On 19th December, 1980, the Armoured Corps people wrote a note to the Directorate of Weapons and Equipments that SFCS 600 should not be bought since it did not have night capability. In February 1981, I am afraid. I have to mention a**

Joint Secretary, in the Prime Minister's Secretariat. (*Interruptions*) I have given notice under Rule 353. (*Inter-*

*Published in Gazette of India Extra ordinary Part II, section 2, dated 13-3-1981.

†Introduced/Moved with the recommendation of the President.

**Not recorded

[Shri Jyotirmoy Bosu]

*ruptions*) I have also given a notice under Rule 453. (*Interruptions*) I have also given a notice under Rule 352. I have made out a case. (*Interruptions*)

MR. SPEAKER: I have to give a ruling on that.

(*Interruptions*)

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN): I rise on a point of order. (*Interruptions*) Let him sit down. I am on a point of order. My friend had mentioned the name of an officer and he started saying allegations and all that. The procedure with respect to this is very well laid. There are a series of rulings and we have got to abide by that. Rule 353 is there and the proviso to Rule 353 is also there; and Rule 352 is also there. I am confining only to Rule 353. What exactly the procedure must be has been a matter of repeated rulings in a large number of cases by your predecessors. There are two things. (1) A notice must be given to you. He might have given; that is what he was saying; and you must have given the permission to raise this. Otherwise, it cannot be raised; not a mere notice is enough, permission by you....

MR. SPEAKER: Not yet.

SHRI C. M. STEPHEN: That is what I am saying. Permission by you is an absolute necessity. Now, this is the position.

> 'As a rule, no allegation of a defamatory or incriminatory nature can be made by a member against any person unless the member has given previous intimation to the Speaker and taken his permission.....

I repeat '...given previous intimation to the Speaker and taken his permission.'

This was a very elaborate ruling that was given. Again,

> '....Nevertheless, the Speaker may at any time prohibit a member from making any allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that it does not serve any public interest.

While proposing this rule, the Speaker read out the Rules Committee observed:—

> '..It was against the rules of parliamentary debate and decorum to make defamatory statements or allegations of incriminatory nature against any person and the position was rather worse if such allegations were made against persons who were not in a position to defend themselves on the floor of the House.'

Name is mentioned. He is not available here. He is not in a position to defend himself. Again,

> 'The House should not be made a forum where the conduct and character of persons should be brought into disrepute, as the person against whom allegations were made had no remedy against a speech made on the floor of the House...'

Again, 'while a member should be given absolute right to bring to the notice of the House any matter which on proper investigation he feels should be ventilated even though it involves the character or reputation of any person, he should in the interest of public morality...

MR. SPEAKER: I know. I have gone through it.

SHRI C. M. STEPHEN:

> ".....and high praliamentary decorum inform the Speaker beforehand of his intention to do so and also the Minister concerned."

Not only that, He must produce satisfactory evidence to you to satisfy you that there is a *prime facie* case. At the same time, the Speaker will have to take that opportunity to satisfy himself that he Member has made

reasonable enquiries and has in his possession *prima facie* evidence in support of his allegations. The point I am making is, that it is not enough if a notice is given to you. It is your responsibility to consider whether the Member has got enough of documents to make out a *Prima facie* case in support of the allegation he seeks to make. Again, a notice relating to any allegation based on newspaper reports is not allowed unless the Member tabling it gives the Speaker substantial proof that the allegation has factual basis.

"Again, in another ruling, the Speaker has laid down, the following procedure to be followed in dealing with allegations made against outsiders:

(1) No member shall be allowed to make an allegation against an outsider unless he has obtained the prior permission of the Speaker after giving an advance notice thereof to the Speaker and to the Minister concerned. Such notice shall give the name of the person concerned, the nature of allegation against him and some evidence to show that there is a *prime facie* case.

(2) Where a member makes an allegation against an outsider without obaining the prior permission of the Speaker, the same may not form part of the record of the House."

When this ruling was given Mr. Atal Bihari Vajpayee was here and he raised the issue when this elaborate ruling was given. He spoke in Hindi and I quote:—

अध्यक्ष महोदय, मैं आपकी इजाजत से कुछ. . . .

अध्यक्ष महोदय : कमाल है आज तो !

SHRI C. M. STEPHEN:

. . . . . निवेदन करना चाहता हूं। आपने जो रूलिंग दे दी है, वह हमको स्वीकार करनी है लेकिन अच्छा होता कि इस रूलिंग को देने से पहले आप सभी विरोधी दलों के नेताओं और सरकारी पक्ष के नेताओं को बुला लेते और चर्चा कर लेते।"

Then, the speaker gave the ruling. I have just reiterated (*Interruptions*) I have just reiterated. What is already provided in the rules of the House. I have just brought it to the notice of the House and made the position very clear. I am not allowing any Member (*Interruptions*) nothing will form part of the proceedings."

The point is about Rule 353—the proviso to Rule 353. Sir, you have got the responsibility.

The Proviso says—

'Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of the opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.

The point is, we have the responsibility to protect the persons who are not here and therefore certain provisions are provided. They have got the right and you have got the obligation and the right to demand of him that the documents in support of the allegation, that document has to be gone through. The document has to be gone through. Unless you are satisfied that there is substantial evidence in support of the allegation, permission shall not be given: Unless there is permission, nobody is entitled to make any allegation. Merely writing to you does not entitle anybody to make any allegation. Permission is condition precedent and your satisfaction that there is substantial evidence in support of it is a condition precedent to the grant of the permission. I would lige to know whether you have given the permission to make the allegation.

MR. SPEAKER: Not yet.

SHRI C. M. STEPHEN: If you have not, nothing of what he says shall go on the record of the House, as per the rulings I have cited.

DR. SUBRAMANIAM SWAMY: I would like to rise on a point of order.

The question is, Mr. Stephen's reading of the rules is perfectly correct as long as this deals with individuals *per se*. However, Mr. Stephen failed to point out that in this House we have in the past, when Mr. Stephen was in the opposition, debated the conduct of certain individuals. At that time, a *prima facie* case being established was not considered necessary. I am sorry I have not got the ruling. For example, the discussion of Mr. Kanti Desai's conduct was daily raised by Mr. Stephen and it was not felt necessary by the Speaker. He said, when public interest is involved, we need not take a technical view of the rules prevailing. Therefore, on that ground, if you are satisfied that public interest is involved, then the kind of requirement that Mr Stephen is asking of you is not necessary.

SHRI JYOTIRMOY BOSU: Sir...

SHRI C. M. STEPHEN: He mentioned my name...

SHRI JYOTIRMOY BOSU: I am not yielding.

SHRI C. M. STPHEN: He mentioned my name and referred to how I behaved. An attempt was made in 1977. The Speaker gave this ruling.

MR. SPEAKER: I will call you later on.

SHRI JYOTIRMOY BOSU: I have nothing as such against Mr. Shakdher or Mr. Kaul. They have written the book. The entire Lok Sabha Secretariat was at their disposal. The book has been sold at a high price. But it has no binding effect on this House.

SHRI C. M. STPHEN: What about the ruling?

SHRI JYOTIRMOY BOSU: Don't try to carry coal to New Castle.

MR. SPEAKER: I have taken note of it.

SHRI JYOTIRMOY BOSU: Let us get it clear in our head that members individually in this House are bound by rules that are in black and white and directions that are in black and white and nothing beyond that. Nothing beyond that. About this, I find no direction. The rule clearly says:

> "No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation..."

I am only alleging to enable him to make an investigation into the matter for the purpose of a reply. If Mr. Patil comes forward, or if Mr. Venkataraman comes forward saying that what Mr. Bosu has said has no basis at all, then I, in the eye of the people and this House shall be going down and that is enough punishment for me.

Now, Sir, the other paragraph says:

> "Provided that the Speaker may at any time prohibit any member—

Yes; you can prohibit, but permission is not at all necessary—Mr. Speaker has been a lawyer; I do not know what a two penny lawyer he had been—

> "Provided that the Speaker may at any time prohibit any member from making any such allegation if"—not otherwise—"he is of opinion that such allegation is derogatory to the dignity of the House."

If I say something derogatory to the dignity of the House, Sir, you have a weapon in your hand to prohibit me; not otherwise.

I have o malice against*. In fact I hardly know him. (*Interruptions*).

MR. SPEAKER: So far no names...

(*Interruptions*).

SHRI JYOTIRMOY BOSU: I said, I have no malice against*

MR. SPEAKER: Say "against anybody".

SHRI JYOTIRMOY BOSU: I have malice against some I cannot tell that. Sir, don't put things into my mouth.**

MR. SPEAKER: No; no. I am not.

SHRI JYOTIRMOY BOSU: You are putting things into my mouth. I have malice against some.

PROF. MADHU DANDAVATE: Is it derogatory to say that he has no malice?

SHRI JYOTIRMOY BOSU: I am trying to be tricky. I am saying that I have no malice. In fact, it does not make me happy when I have to take a dig at somebody. But when I got documents from various responsible quarters—let me tell my friends sitting opposite that this information has come from their party people who have held very important positions—I have produced documents against Shri Gani Khan Chaudhari. Could anybody dispute that?

MR. SPEAKER: That is why I allowed you.

SHRI JYOTIRMOY BOSU: The second one is tribunal award.

(*Interruptions*)**

MR. SPEAKER: Nothing is going on record. This is very bad. I am not going to allow it.

SHRI JYOTIRMOY BOSU: I would only point out to you with all humility respectfuly that your powers are strictly limited to rule 353. Kindly do not allow Mr. Stephen to take you for a ride. I have complied with all the requirements

MR. SPEAKER: I am drawing the attention of boh of you.

SHRI JYOTIRMOY BOSU: I have not quoted from Shakdher and Kaul Rs. 125—30 per cent discount on that. I have not quoted from that trash. I am quoting what is the Bible, what is the final last word in this House i.e. Rule 353. Rule 353 is your jurisdiction here.

MR. SPEAKER: I have to preach the gospel.

SHRI JYOTIRMOY BOSU: If I have not complied with those requirements and if I say something here which in your opinion will be derogatory to the dignity of this House, you prevent me. Otherwise you will be exceeding your jurisdiction. If you have decided something in a meeting if there are rulings, it was the duty of the ruling party or for that matter even your Secretariat to bring an agenda before the Rules Committee and incorporate it into the rules book in black and white. You cannot have the best of both words—keep hidden rulings one after another contradicting each other. That will cut no ice. I have complied with rule 353. Therefore, I shall continue to speak.

MR. SPEAKER: Rulings are what they are in the Rules.

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN): He mentioned something about 1977 when I was in the opposition. An attempt was made then. Your immediate predecessor, Mr. Hegde, gave the following ruling:

"Speaker did not allow a Member to quote a newspaper report containing allegations of defamatory and incriminatory nature aaginst a Minister saying that unless the

*Not recorded.

**Expunged as ordered by the Chair.

[Shri C. M. Stephen]

Member satisfied him *prima facie* he was not going to allow the Member to quote."

That is from Lok Sabha debate dated 23-12-1977.

On the same day Mr. Sathe tried to do it. But he satd; unless you satisfy me that it is a *prima facia* case, I will not allow you. And he was not allowed.

MR. SPEAKER: Against Mr. Charan Singh.

SHRI C. M. STEPHEN: Yes, Sir.

There is a ruling on this question. It is Shakdher and Kaul. I am quoting from the ruling of the Speaker:

"There is also rule on this question. Sometimes in heat of debate allegations are made. I would like to appeal to Members not to refer to any names—he who violates it will not be able to catch the Speaker's eye."

Then Mr. Mavalankar's ruling is there: I suppose that is not a trash.

"The Member must first come to the Speaker if he wants to make a charge like that. The Speaker must be satisfied about the facts and then the allegation can be made. ...."

MR. SPEAKER: I have gone through it.

SHRI C. M. STEPHEN: "....It should be the unanimous effort of the members of this House to see that the prestige of the administration by giving names like that is not lowered and the level of the debate does not go down. That is the whole point."

SHRI RAM JETHMALANI (Bombay North-West): The rules on this point must be interpreted in the light of two basic considerations. First is the consideratton under article 105 of the Constitution itself. That article makes freedom of speech in Parliament, on the floor of this House, basic. Now it is subject, undoubtedly, to rules and standing orders. But the rules and standing orders cannot be so construed as to reduce the freedom of speech of a Member of Parliament in a legislature.

Secondly, this freedom of speech is made subject only to rules and standing orders. What the office has referred to in this letter is the minutes of a meeting.

.... what you have referred to? The minutes of a meeting do not constitute rules and standing orders within the meaning of article 105 of the Constitution. Therefor, these minutes can only constitute a moral inhibition and cannot possible curtail the right of a member to raise a particular problem which he wishes to raise.

The second basic consideration is the national interest. It is in the national interest that sometimes even suspicious about the conduct of people in authority must become known to the House and the people. Suppose you are dealing with a person, who is in charge of a sensitive defence appointment. If he is in charge of a defence office, it is essentially in the interest of the public that even a which of suspicion of that person should be mentioned in this House, and it should be the subject-matter of a debate if possible, and the Speaker cannot ask him to produce conclusive evidence, that this man is guilty before the Member is allowed to mention it, it wtll frustrate the whole purpose. *Prima facie,* if there are people in high public offices, whose conduct cannot be said to conform to the rules that, like Caesar's wife, they must be above suspicion, than it is necessary that even suspicions are to be expressed. Then you cannot ask for documentary evidence

before a person can raise such a problem before the House. I think it is impractical and it will defeat the whole purpose of freedom of debate. Therefore, if a member, in view of his own conscience and after he has exercisd his utmost restraint and sense of responsibility, which is very office imposes upon him, comes to the conclusion that the corruption of a particular public officer ought to be debated and maintained in the House, I think the speaker should not put undue curbs upon him, because that will be defeating the national purpose and the public purpose which underlines freedom of speech.

PROF. MADHU DANDAVATE (Rajapur): Sir, I want to say something about rule 353 and its interpretation. The second para of rule 353 says:

"Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogator, to the dignity of the House..."

MR. SPEAKER: It has already been referred to.

PROF. MADHU DANDAVATE: I just want to remind you, Sir that in this House right from 1952 upto this moment, at no point of time..

MR. SPEAKER: Practically I have taken the whole night to consider this.

PROF. MADHU DANDAVATE: .... has the dignity of the individual been equated with the dignity of the House. The dignity of one single person has never been identified with the dignity of the House. In this particular case, when the highest and the mightiest in the country, when they were actually found to be running counter to some of the important democratic practices and privileges of the House, in that case, even that particular person was not allowed to come in the way. Therefore I would request not to interpret this rule to identify the dignity of the House with the prestige and privilege of an individual.

आचार्य भगवान देव (अजमेर) : अध्यक्ष महोदय, मुझे माननीय राम जेठमलानी पर तरस आता है क्योंकि वे कहते हैं कि बिना प्रमाण बात करो। कैसे वकील हैं ये ?

SHRI JANARDHANA POOJARY (Mangalore): Sir, I have got a point of order. While endorsing the view expressed by the hon. Minister Shri Stephen, I just want to bring to your notice another rule, rule 352. Being Members of Parliament, we have got certain limitations. In the public interests, we have been subjected to certain limitations. Yet, we have been saying every day that rules are exploited, not only exploited but even violated... (*Interruptions*).

MR. SPEAKER: I do not allow violations.

SHRI JANARDHANA POOJARY: I just want to brtng to your notice that certain important limitations have been fixed in rule 352. A member of this House shall while speaking not reflect upon the conduct of a person in high authority. So, we cannot reflect on the conduct of an officer.

MR. SPEAKER: I have read all this. I have gone through all this. Not only that, I have gone through the rulings. I have gone through all this. I have studied this matter thoroughly—seen the precedents, the rulings, everything, and my own experience, which I have had in the last one year. I have used that, and with the consent of the people who made the allegations on the floor of the House; that is how I went through it; wtth the consent and consensus, derived from all the mem-

[Mr. Speaker]

bers, not all of them, but the members I called.

SHRI JYOTIRMOY BOSU: That is something different.

MR. SPEAKER: On 12th March 1981 I received two communications, dated 11th and 12th March 1981, under rule 353, from Shri Jyotirmoy Bosu, for making allegations against certain officials, and an intimation dated 11th March 1981, which was received on 12th March, regarding the points desired to be raised during the debate on the Appropriation (Vote on account) Bill, 1981. The allegations made therein referred to by name several officials of the Government of India. It also referred to the Chairman and Managing Director of a Coal Company in the public sector, and a private company dealing with coal.

These notices were examined in the light of provisions of Rule 353 and the decisions which were taken at a meeting that I held on 18th July 1980 with the Leaders of Parties and Groups, regarding the procedures for making allegations in the Lok Sabha. Because, I had faced that problem at that time, as now. It would be recalled that this meeting was held when serious allegations were sought to be levelled by the hon. Shri Joytirmoy Bosu against the hon. Minister of Energy and Coal, Shri A. B. A. Ghani Khan Chaudhuri. At that meeting, the earlier rulings given by the Speaker, Dr. N. Sanjiva Reddy on 31st May 1967 and by the Chair from time to time were exhaustively gone into. The underlying principles in these rulings is that persons who are not in a position to defend themselves should not be subjected to attack.

SHRI JYOTIRMOY BOSU: The Minister is here.

MR. SPEAKER: Look here, there are other persons also.

My distinguished predecesosrs have observed in the House on earlier occasions:

> "I have said many times that it is wrong and it is not fair that any member of this House should refer to names of individuals who are not present in the House and who have no opportunity, therefore, of either explaining the facts to the House or replying to charges made.

SHRI JYOTIRMOY BOSU: The Minister of Defence is here.

MR. SPEAKER: He is referring to persons who are not present.

> "A member while criticising the policy of the Government is entitled to give out his views and make the allegations he thinks are well founded. The mistake lies in mentioning names of particular officers and associating them with the allegations. That should not be done."

To a query of a Member, the then Speaker clarified:

> "The member must first come to the Speaker, if he wants to make a charge like that. The Speaker must be satisfied about the facts and then the allegations can be made."

In the light of these decisions from the Chair it was decided that if a Member desires to make allegations, the Member concerned should ensure the following:

> (i) The member should give adequate advance notice to the Speaker and the Minister concerned;
>
> (ii) The details of the charges sought to be levelled should be spelt out in precise terms and should be duly supported by the requisite documents, which should be authenticated by the Member;
>
> (iii) The Member should, before making the allegations in the

House, satisfy himself after making enquiries that there is a basis for the allegations;

(iv) The Members should be prepared to accept the responsibility for the allegations; and

(v) The Member should be prepared to substantiate the allegations.

The decisions taken at the meeting held with the Leaders of Parties and Groups on 18th July, 1980 and guidelines evolved therein are in accord with the provisions of rule 353.

Having regard to the aforementioned decisions given by my predecessor and at the meeting held by me with the Leaders of Parties and Groups on 18th July, 1980, and followed thereon on two occasions, the hon. Shri Jyotirmoy Bosu was requested under my directions last evening.....

(*Interruptions*)

MR. SPEAKER: I will give the names also; please come to me.

.... to give the following information, in support of the allegations which have been outlined by him in his communications:

(i) The basis for making the allegations, duly supported by the requisite documents to be authenticated by you.

(ii) Whether you have satisfied yourself after making enquiries that there is basis for the allegations to be made by you?

(iii) Whether you are prepared to accept the responsibility for the allegation?"

I received last night a reply from Shri Jyotirmoy Bosu wherein he has drawn my attention to the provisions of Rule 353 and reiterated his right to make the allegations on the subject. I need hardly assure the Member that I have an open mind on the subject. As already explained to him personally by me, he should comply with the procedure that has already been agreed to and produce the necessary documents etc. to enable me to go into the matter and give a decision.

SHRI JYOTIRMOY BOSU: Sir, I have a submission to make.

MR. SPEAKER: I have given my ruling. If you are going to challenge this, it cannot be allowed. If you have any other submission regarding any other matter, you are welcome.

SHRI JYOTIRMOY BOSU: You make this file available to me. I will substantiate it, because you try to understand....that Mr. Unnikrishnan....

MR. SPEAKER: You please come to me, you are welcome.

SHRI JYOTIRMOY BOSU: Mr. Unnikrishnan brought certain charges and then the CBI cell is now shadowing him....

(*Interruptions*)

SHRI RAM JETHMALANI: Mr. Speaker, Sir, in this House we are used only to human voices, but stop the non-human voices at least.

MR. SPEAKER: Why did you allow them? ....You stop that.

(*Interruptions*)

MR. SPEAKER: Carry on.

SHRI K. LAKKAPA (Tumkur): Mr. Speaker, Sir, I have a submission to make. Suppose he does not make use of the document. Are you going to take action?

MR. SPEAKER: It all depends upon the events. I am not doing anything.

SHRI JYOTIRMOY BOSU: Sir, I will make a beginning again. The Armoured Corps and the Directorate of Weapons and Equipments in May 1980 proposed to MOD for the purchase of 70 SPCS....

(*Interruptions*)

MR. SPEAKER: He is going with the subject.

SHRI JYOTIRMOY BOSU: They are spending money. Rs. 15 crores has been sanctioned in the Defence Budget.

MR. SPEAKER: He has not sanctioned any money. He is just going...

SHRI R. VENKATARAMAN: Sir, I will explain. This is a Vote on Account. The Demands will come at the appropriate time. It is a Vote on Account.

*(Interruptions)*

SHRI JYOTIRMOY BOSU: Mr. Venkataraman, I am sorry I have to worry you. You have wanted us to clear Rs. 404,07,09,000 on Army account. Therefore, I have to point out how you are draining out the money, how you are allowing the people to make money.

*(Interruptions)*

SHRI R. VENKATARAMAN: What is all this? It is a well-established convention in this House that so far as the Vote on Account is concerned, it is for ...

MR. SPEAKER: He is an experienced Member of the House, he will know.

SHRI JYOTIRMOY BOSU: Mr. Venkataraman is basically a very soft natured pacifist. I am quite opposite. Therefore, we may meet outside, but here in the House we may not meet philosophically.

Sir, the question is that on 19th of Decemeber, 1980, the Armoured Crops, those who would be using this equipment worth Rs. 15 crores, wrote a note to the Directorate of Weapons and Equipments that SPCS 600 should not be bought since it does not have night capability. In February 1981, the Joint Secretary, whose name I am not allowed to mention according to your Ruling, working for PM's Secretariat instructed the Defence Secretary to immediately get the SPCS 600 contract for 70 systems plus additional quantity of 80 systems finalised/ signed immediately overlooking the user Directorate's recommendations.

Sir, I allege that the Joint Secretary (O) received an unsigned note from the said Joint Secretary of the Secretariat stating that the files of SPCS 600 be immediately called for from the DWE Army Headquarters. This note was sent to Armoured Corps and the file was put up. And this is how the whole business was cleared— Rs. 15 crores have been sent down the drain in spite of objections by the user Army, that is, the Armoured Corps.

The second allegation is the extension of the Director-General of Inspection. Can I mention the name?

MR. SPEAKER: No. No name is to be given.

SHRI JYOTIRMOY BOSU: Sir, my charges are that it has come out in press.... *(Interruptions)*. Whom are you trying to hide—** It has come out in the press that he was to be retired under the Prime Minister's clear direction that extension will not be given—repeat not be given. How is this Major General being given extension and under whose patronage?

The allegations are that... *(Interruptions)*

AN HON. MEMBER: It is a hoax.

SHRI JYOTIRMOY BOSU: Let the Minister enquire and report. Let the House judge. I have nothing against these people. I do not know them. I am surprised if Mr. ** has cleared the file because I knew him to be an honest man. I still feel he is an honest man. How has he cleared the file? Again the same Joint Secretary is looking after Defence. The same man, this Major General.* This Director General of Inspection had clearly stated that he had to buy extension....

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**Not recorded

MR. SPEAKER: No name is to be recorded.

SHRI JYOTIRMOY BOSU: We will take it up in the Rules Committee. You convene the meeting of the Rules Committee. You call Rules Committee meeting. For one year you have not done it.

He had to buy extension for Rs. 5 lakhs and 60 thousand. This is going round in Delhi. People are coming from the Ruling Party to me and telling me that this has to be stopped once for all, at least restricted. I would like to know what is the total quantity....

MR. SPEAKER: Have you found out a new source of....

(*Interruptions*)

Have you located a new source?

SHRI JYOTIRMOY BOSU: I shall tell you. You meet Dr. Dhillon. He will tell you my source. Let Mr. Patil hear. (*Interruptions*) Mr. Patil is wanting to be.... (*Interruptions*). I know his tactics. I would like to know from Mr. Patil whether the Director General of Inspection went to Ludhiana on 9th February on a so-called official tour. There he had met Mr. ** who is one of the biggest suppliers.

MR. SPEAKER: No name please.

SHRI JYOTIRMOY BOSU: I have said nothing derogatory. (*Interruptions*) I have said nothing derogatory. (*Interrupthions*). I have said nothing derogatory. (*Interruptions*). I have not used a derogatory word. (*Interruptions*)

MR. SPEAKER: I have already directed my....

(*Interruptions*)

SHRI K. LAKKAPPA: He has been violating (*Interruptions*).

SHRI C. M. STEPHEN: It is not going on record. (*Interruptions*)

SHRI JYOTIRMOY BOSU: I have not said anything against any one. How does 313 come here? (*Interruptions*). Again non human (*Interruptions*). From Basti, Sir (*Interruptions*) He said 'rehriwala'. I cannot call. No, no, I would not agree. I do not agree. (*Interruptions*)

I have a non-aggression pact with him. Of course a secret pact. (*Interruptions*). My point is that Shri Venkataram is getting angry with me. He shall not get angry. I am distressed if he gets angry. Of all persons I get very much distressd. (*Interruptions*). I would like Mr. Patil to tell this House what is the value of supplies that have been made annually by this Ludhiana firm, particularly on this forgings 120 mm and 105 mm shells and fuse for anti tank missiles tracklings for T 54 and T 55 Soviet tanks. (*Interruptions*). I tell you why is this demand for Rs. 5 lakhs and car? You may ask. I asked the person as to why this? He said Rs. 5 lakhs cash and Rs. 60,000 for a car. (*Interruptions*) May be.

MR. SPEAKER: With those Rs. 5 lakhs could they not buy a car?

SHRI JYOTIRMOY BOSU: No, Sir, that is not the custom in that circle

SHRI RAM JETHMALANI: You may need round figure.

SHRI JYOTIRMOY BOSU: Round figures (*Interruptions*)

SHRI JANARDHANA POOJARY: For American development it is a very good equipment. Slowly he is developing. The C.P.M. Member has changed his policy.

SHRI JYOTIRMOY BOSU: It is very wrong that he has not been made a minister. He has the qualities of a minister. (*Interruptions*)

MR. SPEAKER: Why do you not send some recommendations to me so that I could forward?

SHRI JYOTIRMOY BOSU: No, he will never be made a minister. (*Interruptions*) He will not get it.

DR. SUBRAMANIAM SWAMY: That would ruin all his chances.

**Not recorded.

SHRI JYOTIRMOY BOSU: Would he enlighten the House whether this particular Joint Secretary of whom I am talking about was instrumental in giving import licence for two furnaces for producing defence material, which are in fact now for use for different purposes altogether. Though the furnace is not usually allowed so be imported, would you tell us as to why some officer, the Maj. General, goes to Bombay on or about 16th February, and did he meet the Bright brothers who are one of the biggest suppliers of carrier 58A and, after collecting the *darshani* from both the suppliers, the thing was made?

Is it a fact, I would like to find out, that the officer, the Maj. General, has been granted an extension, and the pretext shown therein is that. if the Maj General served for six months, he will not be entitled to a pension of Maj. General and, so, allow him to serve for another six months so that he can be made entitled to a full pension? How much is the amount? The difference between Brigadier and Maj. General is just Rs. 60 a month. But that is not the point. The point is, the gold digging. Will the hon. Minister kindly enlighten the House about it?

About coal business—I do not see the brilliant man here; it is unfortunate—I have given you the figure of 36,000 and odd tonnes. I have proved beyond a shadow of doubt that for every piece of permit, cash was collected. I have now got the figures which tell that at least permits for 4 lakh tonnes have been issued irregularly and the price for 'C' grade is Rs. 50 per tonne, for 'B' grade, it is Rs. 100 per tonne and for hard coke. it is Rs. 400 to Rs. 500 a tonne. Sir. in your State of Haryana and in the State of Punjab where there are small-scale industries, they are paying Rs. 1200 for a tonne of hard coke. Why? ....permit is costing a lot of money.

I would like to ask them, any Minister who is responsible, to tell us whether a permit for 25,000 tonnes was given for 'B' grade a very precious coal, to**

SHRI C. M. STEPHEN: Again, he is mentioning names.

SHRI JYOTIRMOY BOSU: No imputation permit given.

DR. SUBRAMANIAM SWAMY: It is not an allegation.

SHRI C. M. STEPHEN: Why do you mention names? It is not going on record; it is being cut off.

SHRI JYOTIRMOY BOSU: I did not say that he came and gave a bribe to you. Why are you worried? Why are you getting jittery about it?

How was it done? I have been writing letter to Shri A. B. A. Ghani Khan Chaudhuri and he has been writing very clever replies. That is my way keeping on writing and getting replies, and one day I will produce a card.

MR. SPEAKER: You have warned him.

SHRI JYOTIRMOY BOSU: How is it done? Under anyone signature from the Minister or the Ministry, it is done. In actual fact. it was released by ** Chairman/Managing Director of ECIL on receipt of a phone call from ** ....

MR. SPEAKER: No names

SHRI JYOTIRMOY BOSU: No names but this is how "cash and carry" business is going on.

The third item is relating to petroleum and chemicals. The French Consortium which came for giving consultancy on reservoirs system has been given an extension, not on a remuneration, a cash remuneration

**Not recorded.

alone. A big deal has taken place. Money is going to Basle. Sir, you know Basle, the heart of Swiss banking. Basle is a place that rings in my ear all the time whenever I talk about it.

MR. SPEAKER: Why don't we take a trip?

SHRI JYOTIRMOY BOSU: I did. I could not get inside the rooms of the bank for five days. I tried. What happened? This French Consortium, Bombay High people are demanding 4 per cent of the oil. What is the oil? Bombay High has produced oil which is of a superior quality, superb quality, lower quantum of wax and sulphar free. The price of that oil in the international market is 42 dollars to a barrel whilst an inferior oil has been sold at 38 dollars. What is the cost of production, of lifting? It is 8 dollars a barrel. Now, they want 4 per cent of the oil that will be lifted and under, what a thing it is being clinched, and,. clinching is, the payment abroad. I do not want to talk about Snam Progetti, their relation in the household of *bada makaan* somewhere that side. If I say all those things, I will require 2 hours.

Mr. Venkataraman, you are a good man in bad company and, if I may use a word, the bullocks are being made to carry the beef. You go on presenting Bills and taking money and that will be devoured, much of it by these people who are surrounding you.

THE MINISTER OF FINANCE (SHRI R. VENKATARAMAN): Sir, Mr. Jyotirmoy Bosu's entire speech abounds in inaccuracies and terminological inexactitudes. Government cannot be drawn into a discussion on these matters at this stage. For the record I wish to state that the facts stated by him are incorrect.

SHRI JYOTIRMOY BOSU: How he says? In view of your observation, I request you very humbly that the documents he made available to Perusal Committee of this House. It was done in the case of Tul Mohan Ram Licence scandal. Let the files of* these purchases be made available to the House.

MR. SPEAKER: The question is:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1981-82 be taken into consideration."

*The motion was adopted.*

MR. SPEAKER: Now, we will take up clause by clause consideration of the Bill.

"That Clauses 2, 3, 4 and Schedule stand part of the Bill."

*The motion was adopted.*

*Clause 2. 3, 4 and Schedule were added to the Bill.*

MR. SPEAKER: Now. the question is:

"Cluase 1, the Enacting formula and the long title stand part of the Bill."

*The motion was adopted.*

Clause 1, the enacting formula and the long title were added to the Bill.

SHRI R. VENKATARAMAN: I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

*The motion was adopted.*

*Not recorded.