

12.47 hrs.

STATEMENT RE. NEW FRIENDS
COOPERATIVE HOUSE BUILDING
SOCIETY

MR. CHAIRMAN: Now, the Minister for Home Affairs.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): Sir, yesterday some Members made a reference to the New Friends' Co-operative House Building Society.

श्री जयू लिये (बांका): सभापति महोदय इस सदन में क्या हर दिन एक-एक मंत्री के द्वारा लेण्ड-पैव के बारे में वक्तव्य दिया जायगा, क्या इस के बारे में हम लोगों को कुछ कहने का मौका नहीं मिलेगा? कल इन्द्र कुमार गुजराल जी ने बयान दिया था आज मिर्धा जी दे रहे हैं, कल किसी और मंत्री का वक्तव्य आयेगा। इस पर एक साथ बहस होने दी जाये, उस के बाद जिसे जो कहना है वह कहे।

सभापति महोदय: इस वक्तव्य को यहाँ देने के लिये स्वीकृति मिल चुकी है, यदि प्रा. नियमानुसार इस के संबंध में कोई वाद-विवाद उपस्थित करेंगे तो उस का फैसला अध्यक्ष महोदय करेंगे।

श्री जयू लिये: मेरा कहना है क्या हर दिन मंत्रियों के द्वारा खुलासा दिया जायेगा—इतना समय बरबाद किया जायगा।

SHRI JYOTIRMOY BOSU (Diamond Harbour): This is not listed in the List of Business, Mr. Chairman. Otherwise, we could have come prepared. We are all the time taken by surprise by this sort of petty issues and the Government has so many skeletons in the cupboard.

MR. CHAIRMAN: They always come before the House according to rules. It is not that after six o'clock, there

is 'Dooms' day. There is always a day after it.

SHRI SAMAR GUHA (Contal): The Member, who raised this issue is not present. It was not known to the House that the hon. Minister would make a statement after six.

It will be proper if instead of the statement being made today it is made tomorrow. It should be listed in the List of Business so that the Members who had raised this issue could also have the benefit of listening it. So, I submit that this statement should not be made today but it should be made tomorrow.

MR. CHAIRMAN: This is no point of order. It has been allowed by the Hon. Speaker to be made here at six o'clock today.

SHRI RAM NIWAS MIRDHA: Sir, yesterday some members made a reference to the New Friends' Co-operative House Building Society. Shri A. B. Vajpayee had written to the Home Minister on the 29th March, 1974 regarding this matter. The text of this letter was also published in one of the local dailies. Most of what Shri Vajpayee had stated had been alleged in certain affidavits filed earlier by Shri M. L. Jaggi and others before the Supreme Court in a writ petition against the Delhi Administration, the Delhi Development Authority, the Society and its Managing Committee. These allegations were rebutted by the Lt. Governor and other authorities in reply affidavits. Since the entire matter is pending before the Supreme Court whose orders are available, I will confine myself to the factual position.

The New Friends' Cooperative House Building Society was registered in 1955. According to the Managing Committee it has a membership of over 1000. About 177 acres of land was initially allotted to the Society. The total land so far allotted to the Society is 205.83 acres. For several years, however, no worthwhile pro-

[Shri Ram Niwas Mirdha]

gress in the matter of development of land and its allotment to members was made. Serious allegations were made against the Managing Committee of which Shri R. L. Jaggi was the President, for causing pecuniary loss to the members declaring some of them as defaulters arbitrarily, improper maintenance of the membership register and accounts etc. A statutory enquiry was conducted into the allegations. A show cause notice was also issued to the Managing Committee asking it to show cause why it should not be superseded. On a reference for arbitration, the then Lt. Governor, Shri A. N. Jha gave an award on 6th July, 1971. On the 9th July, 1971 an order was issued superseding the Managing Committee and appointing a new Committee in its place.

Some members of the superseded Committee filed writ petition in the Delhi High Court challenging the supersession of the old Committee, appointment of the new Committee and the Lt. Governor's award. A writ petition covering more or less the same grounds was also filed in the Supreme Court in 1972 by 287 members. These petitions are still pending. On 17-8-73, the Managing Committee passed a resolution declaring as defaulters those members other than those whose writ petitions were pending who had not paid their full dues despite adequate opportunity having been given. In pursuance thereof, defaulters notices were issued to 161 members. On the 21st September, 1973, however, the Supreme Court stayed further action in pursuance of that resolution. The stay order was vacated by the Court on the 11th December, 1973 but defaulting members were allowed a fortnight's time to make the requisite payments. Many members paid the dues within this period. On the 6th January, 1974, 25 days after the courts order allowing 14 days time, the Managing Committee passed a resolution declaring the 30 members as defaulters.

SHRI JYOTIRMOY BOSU: Did that meeting really take place or did the special assistant go round seeking the signatures of the members of the managing committee, namely Mr. Jain? That is my information. Kindly let him not tell things to the House which are not true.

SHRI RAM NIWAS MIRDHA: On the 26th January, 1974, the President of the Managing Committee wrote to the Lt. Governor....

SHRI JYOTIRMOY BOSU: On the Republic Day, a proper holiday? What a day to choose and what a day to act upon? All very interesting.

SHRI RAM NIWAS MIRDHA:.... seeking permission to enrol 60 new members since about 100 plots were still available for allotment, some members having failed to pay their dues, some to submit necessary affidavits, to establish their eligibility for plots and some others having surrendered their plots....

SHRI JYOTIRMOY BOSU: What about the waiting list?

SHRI RAM NIWAS MIRDHA: The Managing Committee considered the enrolment of additional members particularly to enable repayment of their deposits to the members who had become ineligible for plots....

SHRI JYOTIRMOY BOSU: Depriving an old lady, a widow 60 years old, and it has been given to Mrs. Giri. It is a shame.

SHRI RAM NIWAS MIRDHA: The Lt. Governor granted the permission. Of the 60 names recommended by the Society, only 50 persons were ultimately enrolled on 28th February, 1974. One of the persons declared defaulter moved the Supreme Court seeking a direction that he should not be deemed to be a defaulter. This petition was dismissed by the Court on 25th February, 1974. The plots were allotted to the new members on the 5th March, 1974.

When the Society started enrolling new members, 2 miscellaneous petitions were filed in the Supreme Court seeking orders to restrain the Managing Committee from declaring any person as defaulter and admitting new members. Certain affidavits were also filed and reply affidavits were filed by the Lt. Governor, Delhi, the Inspector General of Police, Delhi and others.

SHRI JYOTIRMOY BOSU: Full of untrue things.

SHRI RAM NIWAS MIRDHA: These are pending before the Supreme Court.

The allegation that the Lt. Governor acted in undue haste in granting permission to enrol new members on January 26, 1974, was also made by one Shri M. L. Jaggi, son of late Shri R. L. Jaggi, who was President of the superseded Managing Committee, in his affidavit before the Supreme Court. Denying this, the Lt. Governor, has in his counter affidavit, stated that taking into account relevant facts about the Society, the orders of the Court then obtaining and the contents of the letter of the President of the Managing Committee, he had passed *bona fide* orders granting permission for enrolment of new members and that it is usual for him to attend to work on holidays also.

SHRI JYOTIRMOY BOSU: Oh, wonderful. Function in the morning, work in the afternoon, reception in the evening, you have got a brilliant Lt. Governor. You should follow his example.

SHRI RAM NIWAS MIRDHA: He has also stated that the selection of members for enrolment is a matter within the purview of the Management of the Society.

Shri Vajpayee observed that fresh enrolment should have been made after a public advertisement. As hon Members are aware, it is not the

practice for a co-operative society to issue a public notice for securing enrolment of members.

SHRI JYOTIRMOY BOSU: Your enrolment was closed in 1958. You are taking new, additional members. That is all right because you are very co-operative, religiously co-operative!

SHRI RAM NIWAS MIRDHA: As far as it has been possible for us to ascertain, out of the 50 new members eventually enrolled, as many as 34 are neither government servants nor are they closely related to government servants.

SHRI JYOTIRMOY BOSU: What about 26?

SHRI RAM NIWAS MIRDHA: The point regarding the Society having a waiting list of 102 persons is also before the Court. The Delhi Administration have submitted to the Supreme Court that there is no such waiting list having the approval of the Lt. Governor in respect of this Society.

SHRI JYOTIRMOY BOSU: I want to ask a few questions because he has brought in something. When was this enrolment closed by this co-operative society originally, and how was it reopened? Secondly, when did the Lt. Governor act on the letter which was brought to him by the Managing Committee personally without an extra charge required on 26th? When did he actually do it? I take it on the very same day. Also, whether the Special Assistant, Shri Jain, who has got a plot in his wife's name by fraudulent means, went round collecting signatures from members of the Managing Committee?

MR. CHAIRMAN: This is not the practice.

SHRI JYOTIRMOY BOSU: Also whether a plot originally allotted to one, Mrs. Jhaveri, aged 60, a widow, has been given to Mrs. Giri, depriving that widow of 60 years of the plot?

[Shri Jyotirmoy Bosu]

I want also to know whether this Lt. Governor has also bungled and committed similar malpractices in other colonies where green belts have been acquired for furthering the interest of the same set of people against the town and zonal plan. Is it a fact that the same thing has been done in Shanti Niketan and Maharani Bagh? I also want to know whether he has got a plot of land in the name of his wife in Jagriti Co-operative colony near Shahdara. I want to know all these details. What steps does he propose to take against this Lt. Governor and those highly-placed persons who have made a misuse of their office?

MR. CHAIRMAN: The House knows that it is not the practice to ask questions after such statements.

श्री मधु लिम्बे : नये मेम्बर ने का
लेक्यूनिट गवर्नर का कोई रिश्तेदार है?
अगर है तो उस का नाम क्या है ?

SHRI SAMAR GUHA: May I make a submission? Many important issues remain unanswered in the statement made by the hon. Minister.

My submission to you is that the issue should be taken into consideration either according to rule 190 or 184. This matter should be discussed on the floor of the House. He cannot run away with just making a statement. Many questions remain unanswered. Many questions have not been answered and some of the answers are such that we just cannot accept them.

MR. CHAIRMAN: What about the business before the House?

SHRI JYOTIRMOY BOSU: Let the hon. Minister answer the specific charge that the Lt. Governor has allotted land to his own nephew's wife who does not live in Delhi but who lives in Patna. There are very serious charges against the top executive of

the Delhi Administration. The House cannot be treated as an ostrich to hide its head in sand. We want a clear and categorical reply from the hon. Minister. He is shielding all these miscreants by saying on the one hand, that they are great civil servants and are patriots, while on the other hand, we find that they are misusing their office and trying to do whatever is possible for their own ends.

SHRI R. V. BADE (Khargone): Mr. Vajpayee who first raised this matter here is not here now. It should be again discussed when he is here. When he is not here, so much is discussed.

MR. CHAIRMAN: It is true. But all these things will be decided according to the rules. So far as any further elucidation of the matter is concerned, you can always seek it and there are rules under which you can do it. About the business of the House I want to know from the Minister of Parliamentary Affairs what his views are.

SHRI JYOTIRMOY BOSU: Let Mr. Mirdha give his reactions to the very serious allegations made. How is it that we have been treated like this? Let him come out with the answer.

SHRI INDRAJIT GUPTA (Alipore): Mr. Mirdha has taken the trouble of preparing such a lengthy statement with which he regaled the House. But to what purpose, we could not follow, because there is no point in making a statement which does not even attempt to explain or answer the very serious, specific charges and allegations which were made here. What is the use of the statement? He said so many new members were enrolled. The point is not that so many new members were enrolled. The allegation was that among these new members there are a large number of relatives of highly placed officials and of the Lt. Governor himself. Let him reply to it, either by denying it or admitting it, or, do not make a statement at all. What is the use of several

pages of this statement? (Interruptions)

MR. CHAIRMAN: Mr. Mirdha wants to say something. Please listen.

SHRI RAM NIWAS MIRDHA: Yesterday this matter was raised and Mr. Vajpayee stated that some of actual statement should be made and we were also directed to do so. So, either we should have abstained from making any statement or we should share some of the facts. I said in the beginning, "Since the entire matter is pending before the Supreme Court whose orders are awaited, I will confine myself to the factual position."

श्री राम निवासे : रेलेटिवज के नाम मध जुडिस है क्या ? कहते हैं कि इतने लोग रेलेटिवज नहीं हैं। वो है उनके नाम देने में क्या आपत्ति है। वे मामले का सब-जुडिस है आप कोई निर्णय नहीं देंगे ? ये डिमांड चाहते हैं।

सभापति महोदय : नियमों के अनुसार किसी दूसरे अवसर पर आप यह जानकारी ले लें।

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): It seems to me that the Education Minister wants another 40 minutes. I think everybody is tired. So I suggest we may postpone it to tomorrow. About the half-hour discussion, I understand from Shri Jyotirmoy Bosu that he is also tired and he wants us to take it to another day.

SHRI JYOTIRMOY BOSU: No, no. (Interruptions)

SHRI K. RAGHU RAMAIAH: We are all tired. You may kindly adjourn the House till tomorrow.

18.24 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, April 11, 1974|Chaitra 21, 1896 (Saka)