

12.00 hrs.

RE: REPORTED FIRING ON COL-
LIERY WORKERS IN KARGALI
(BIHAR)

श्री घनशाह प्रधान (शहडोल) :
अध्यक्ष जी, घनबाद (बिहार) के करगिल
क्षेत्र के कोयला खान मजदूरों पर गोली
चलाई गई है। कोयला खान के मजदूरों
के साथ अत्याचार हो रहा है। मैं कोयला
खान मजदूर हूँ, मैं चाहता हूँ कि मुझे गोली
मार दी जाये (व्यवधान)

MR. SPEAKER: I will ask the
Minister to make a statement on it.
I am sending it to the Minister to
make a statement on it. (Interrup-
tions) No, Short Notice Question.
Mr. Naik—he is not here.

श्री घनशाह प्रधान : चार लोगों को गोली
से मार दिया गया। वे लोग अपनी मेहनत
का पैसा मांगने गये थे, लेकिन उन को गोली
मार दी गई

अध्यक्ष महोदय : लेकिन इस ढंग से
इस चीज को नहीं लाया जा सकता। इस
के लिये तरीका बना हुआ है, इस तरीके से
इस को यहाँ नहीं लाया जा सकता। चीज
को लाने का कोई ढंग होता है, यह क्या तरीका
है ?

श्री घनशाह प्रधान : अध्यक्ष महोदय,
मैं अभी भी कोयला खान मजदूर हूँ, पांच
साल की छुट्टी लेकर इस सदन में आया हूँ।
मैं निवेदन करना चाहता हूँ कि उन मजदूरों
के साथ न्याय होना चाहिये। कस्टोडियन
ने सारे देश में तहलका मचा दिया है, सारा
देश उस से आनं कित है.....

अध्यक्ष महोदय : इस वक्त शार्टब
आना चाहिये, इस सवाल को कैसे
लाया जा सकता है? ... (व्यवधान)....

I am taking the information. I will
ask the Minister to make a state-
ment. (Interruptions). May I request
you all to please sit down? I have
already asked the Minister to make
a statement. If you want a Calling
Attention, I have no objection. But
I admitted in the morning one Calling
Attention. If it has not gone in, we
will replace it by this Calling Atten-
tion. (Interruptions). Well this
Calling Attention will

इस तरह से कोई चीज रिकार्ड नहीं होगी
न मैं इस की इजाजत दें रहा हूँ

CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE
REPORTED WITHDRAW OF CASE AGAINST
SHRI S. K. MODI AND OTHERS OF MODI
FLOUR MILLS

SHRI MUKHTIAR SINGH MALIK
(Rohtak): I call the attention of the
Minister of Home Affairs to the fol-
lowing matter of urgent public im-
portance and request that he may
make a statement thereon:

"Reported withdrawal of case
against Shri S. K. Modi and two
other officials of the Modi Flour
Mills by the Lt. Governor of Delhi."

THE MINISTER OF HOME
AFFAIRS (SHRI UMA SHANKAR
DIKSHIT): On 10th February, 1973,
a large number of bags of wheat were
found in a godown of the Modi Cold
Storage situated in the premises of
Modi Flour Mills at Okhla Industrial
Estate, New Delhi. It was suspected
that the provisions of the Delhi Food-
grains Dealers Licencing (No. 2)
Order, 1964 and the Delhi prevention
of Hoarding of Foodgrains Order, 1966
had been contravened. Therefore, the
offices of the Flour Mills as well as
the godown in the Cold Storage
where the stock of wheat was found,
were sealed and a police guard was
posted in the premises of the Flour
Mills. The Deputy Commissioner,
Food & Civil Supplies, Delhi who is
also Additional District Magistrate,
issued detention orders under the
Maintenance of Internal Security Act,

[Shri Uma Shankar Dikshit]
1971 in respect of the Director and Secretary of the Modi Flour Mills and Manager of the Modi Cold Storage on 14th February with a view to preventing them from acting in any manner prejudicial to the maintenance of supplies essential to the community.

On a physical verification of the stock in the sealed godowns, it was found that there were 4,133 bags of wheat. The police registered a case on 15th February under section 7 of the Essential Commodities Act, 1955 for contravention of the conditions of the licence issued under the Delhi Foodgrains Dealers Licencing (No. 2) Order, 1964 and of clause 3(i) of the Delhi prevention of Hoarding of Foodgrains Order, 1966. On 17th February warrants were obtained from the Court of the Additional Chief Judicial Magistrate for the arrest of these persons. On the 18th February proceedings were also instituted and orders of the Court obtained under section 87 and 88 of the Code of Criminal Procedure for declaring these person as proclaimed offenders and for attachment of their property. On 21st February, the property of the Secretary and the Manager were attached in Delhi. On 23rd February orders for the attachment of the property of the Director in Meerut District were obtained and delivered to the District Magistrate, Meerut for execution. On the same day, the Manager was arrested. On 24th February the property of the Director located in Delhi was attached. The Director and the Secretary were arrested on the 27th February. All the three accused were released on bail by the police.

After the issue of orders of detention under the Maintenance of Internal Security Act, and while the case against them under the Essential Commodities Act was under investigation, a representation was received by the Delhi Administration on behalf of these persons from the Modi Flour Mills. It stated that the Flour Mills were working under the direct con-

trol and supervision of the Delhi Administration, the Cold Storage godown had been sealed and the Flour Mills authorities would, in due course, face prosecution in a Court of Law. It was, therefore, requested that in the circumstances of the case the issue of detention orders may be reviewed.

The Lt. Governor, Delhi on ascertaining all the facts was satisfied that while the investigation of the criminal case under the Essential Commodities Act should proceed, it would not be necessary to invoke the provisions of the Maintenance of Internal Security Act, 1971 against these persons. The detaining authority was advised accordingly and he revoked the orders of detention against them. The revocation of the orders of detention does not in any manner affect the investigation now in progress into the offences alleged to have been committed by these persons.

I have asked the Delhi Administration to pursue with expedition the investigation of the case under the Essential Commodities Act with a view to bringing it before a Court of competent jurisdiction for trial very soon. There is no question of the criminal case under investigation being withdrawn.

श्री मुख्तियार सिंह मलिक : स्पीकर साहब, इस मामले के हालात को देखकर और मंत्री महोदय के स्टेटमेंट को सुनकर मैं कहने के लिए मजबूर होता हूँ :

ग्रांथ जो कुछ देखती है लब पे आ सकता नहीं

मेहब-नैरत हूँ कि दुनिया क्या से क्या हो जायेगी ।

यह जो मामला इस तरह से दबाया गया है, जिन हालात में दबाया गया है, यह सेन्ट्रल गवर्नमेंट के ऊपर बड़ा जबर्दस्त रेफ्लेक्शन है । इनका जो स्टेट्स का काम है, यह

इनके इस आइनें से देखा जा सकता है कि सेंट्रल गवर्नमेंट की सीट के नीचे देहली में इस तरह के स्टेटमेंट दे देते हैं, यह कांग्रेस का समाजवाद है । यह कहते हैं हम समाजवाद लाना चाहते हैं, हम गरीब की मदद करना चाहते हैं, हम होर्डर्स के खिलाफ हैं, हम मुनाफाखोरों के खिलाफ हैं, हम जमाखोरों के खिलाफ हैं लेकिन जमाखोरों को किस तरह से पनाह दी जाती है ? बहल साहब जो सिविल सप्लाइज के एग्जीक्यूटिव कौंसिलर हैं उनके पास मुखबिर पहुंचता है कि मोदी के कोल्ड स्टोरेज में हजारों बोरियां इस तरह से दबाई गई हैं लेकिन बहल साहब टम से मस नहीं होते हैं । वह पुलिस के पास पहुंचता है और डी एस पी ने आई जी की मंजूरी से वहां पर छापा मारा । जिस समय वे वहां पर गए तो ताला लगा हुआ था । पुलिस ने ताला तोड़कर बोरियां गिननी शुरू कर दीं लेकिन तभी लाइट आफ कर दी गई कोल्ड स्टोरेज में । 8.9 हजार बोरियां गिनी जा चुकी थीं लाइट करके तो कोल्ड स्टोरेज का जो टेम्प्रेचर था वह फ्रीजिंग प्वाइंट से भी नीचे गिरा दिया गया और फिर पुलिस को मजबूर होकर बाहर आना पड़ा । इन हालात में अगले दिन चीफ कमिशनर, सिविल सप्लाइज से अखबार नवीस जाकर मिले और उनसे पूछा कि यह मामला क्या है तो वह कहते हैं कि 10 हजार से ज्यादा वैज है । यह 11 तारीख को अखबार में आया कि 10 हजार से ज्यादा वैज है । फिर उसके ऊपर केस दर्ज किया गया इंटर्नल सिक्योरिटी ऐक्ट के अन्तर । जो यहाँ दिल्ली का ला

डिपार्टमेंट है उसकी राय से यह केस इन्टर्नल सिक्योरिटी ऐक्ट में दर्ज किया गया । लेकिन बाद में क्या हुआ क्या नहीं हुआ कुछ पता नहीं । चीफ व्हिप जनसंघ पार्टी के जो हैं उन्होंने दो चार दिन के बाद जब कोई ऐक्शन नहीं हुआ तो कहा कि मामला दबा दिया गया है और केस वापिस लिया जा रहा है और अखबार नवीस श्री राधारमण जी के पास पहुंचे और उनसे पूछा कि जनसंघ वाले इल्जाम लगाते हैं कि आप दुनिया को भ्रम में डालना चाहते हैं तो वे कहते हैं मैं अपने बाप को भी नहीं छोड़ंगा, मोदी का छोड़ने की क्या बात है लेकिन प्रेशर बढ़ा जबर्दस्त पड़ा हुआ है । यह कहते हैं कि वारन्ट 18 तारीख को हो गया और वारन्ट होने के बाद उन्होंने मोदी की कुर्की की लेकिन एक कुर्सी, एक जोड़ा जूता और एक बिस्तर—इस सामान की कुर्की हुई । 18 तारीख को जब प्रोक्लेम्ड आफेन्डर डिक्लेयर हो चुका था तो 25 तारीख को यहां पर वाई एम सी ए होस्टल में मद्रास के गवर्नर श्री के० के० शाह को पार्टी दी गई जिसमें होस्ट्स की लिस्ट में श्री एस० के० मोदी चीफ होस्ट थे और चीफ एग्जीक्यूटिव कौंसिलर श्री राधारमण थे .. (व्यवधान)

श्री शक्ति भूषण (दक्षिण दिल्ली) : अध्यक्ष महोदय, मेरा प्वाइंट आफ आर्डर है । (व्यवधान) मैं मोदी जी को डिफेन्ड नहीं करूंगा, मोदी जी को सब्जा जरूर हो और उससे हमको कोई भी सरोकार नहीं है लेकिन यहां पर श्री राधारमण और श्री श्री० पी० बहल जी

का नाम लिया जा रहा है वह यहां नहीं हैं ।
 (व्यवधान) श्री मोदी के समर्थक तो यह विरोधी दल खुद है । श्री मोदी को मैं कण्डेम करता हूं, उनको सजा होनी चाहिए लेकिन ओ० पी० बहल और राधा रमण जी यहां पर मौजूद नहीं हैं उनके बारे में जो गलत बातें यहां पर कही गई हैं मैं उसका जिक्र कर रहा हूं ।
 (व्यवधान) यह राजनैतिक वैमनस्य है ।

श्री मुख्तियार सिंह मलिक : 18 तारीख को प्रोक्लेम्ड आफेण्डर डिक्लेयर हो गया लेकिन यहां की पुलिस गिरफ्तार करने में असमर्थ रही । 23 तारीख को उनके इन्विटेशन कार्ड छपते हैं तो उनमें मोदी का नाम श्री राधारमण जी के साथ होस्ट्स की लिस्ट में आता है । (व्यवधान) यही नहीं, श्री गूजरमल मोदी आते हैं और प्राइम मिनिस्टर से मिलते हैं और प्राइम मिनिस्टर कहती हैं दीक्षित साहब से जाकर मिल लें । ... (व्यवधान) फिर गवर्नर श्री बालेश्वर प्रसाद को टेलीफोन किया तो उन्होंने कहा मामला बड़ा संगीन है और हमारी मजबूरी है अखबारों में आ चुका है, आप एग्जिक्यूटिव कौंसलर से बात चीत करें। अपनी जिम्मेदारी जो वह है वह हमारे ऊपर डालना चाहते हैं । पता नहीं पिता जी ने क्या कसूर किया था जो राधारमण जी छोड़ना नहीं चाहते थे लेकिन रुपया लेकर इस केस को वापिस ले लिया गया । पार्टी मीटिंग में एतराज किया गया कि इन्टर्नल सिक्योरिटी का केस क्यों वापिस ले लिया गया तो अपनी लाइल्मी जाहिर करते हैं कि यह तो मामला ला एण्ड ग्रांडर का

था । गवर्नर साहब ने कैसे ले लिया, हमें पता नहीं कि ला डिपार्टमेन्ट की मंजूरी से उनकी नोटिस में लाया गया था । और किस तरह से आपस में सौदेबाजी हुई यह तो इन की आत्मा जानती होगी । यह एक तरफ तो समाजवाद के नारे लगाना चाहते हैं ।
 (व्यवधान) ।

अध्यक्ष महोदय : माननीय सदस्य हाउस में इस तरह क्यों करते हैं, मुझ पर छोड़िये, मैं देख लूंगा । सब एक साथ बोलते हैं तो न आपकी बात समझ में आती है, और न कुछ काम होता है ।

श्री मुख्तियार सिंह मलिक : मैं मंत्री जी से पूछना चाहता हूं अगर आप को मोदी के खिलाफ केस ही वापस लेना था तो रेड करने और इंटर्नल सिक्योरिटी ऐक्ट के अन्दर केस दर्ज करने का क्या मकसद था ? जिस तरह की कार्यवाही इस केस में की गई क्या इस से साफ नहीं होता कि आप की पार्टी जमाखोरों को शील्ड करती है । (व्यवधान) क्या मंत्री जी बतायेंगे कि श्री के० के० शाह, गवर्नर मद्रास को, जो यहां पार्टी दी गयी उस के अन्दर उन के साथ श्री राधारमण और एस० के० मोदी का नाम होस्ट्स की लिस्ट में शामिल था ?

अध्यक्ष महोदय : आप सवाल पूछिये ।

श्री मुख्तियार सिंह मलिक : मैं सवाल ही पूछ रहा हूं । मैं जाना चाहता हूं कि इंटर्नल सिक्योरिटी ऐक्ट के अन्दर मामला

दिल्ली ऐडमिनिस्ट्रेशन के ला डिपार्टमेंट से राय ले कर दर्ज किया गया था ? यदि हां, तो बाद में केस वापस लेते वक्त ला डिपार्टमेंट से राय क्यों नहीं ली गयी ? और आप के कहने पर लेफ्टीनेंट गवर्नर के टेलीफोन पर डिप्टी कमिश्नर को मजबूर किया गया कि केस वापस ले लिया जाय । तो इस किस्म का घोटाला हो रहा है तो क्या आप सिविल सप्लाइज डिपार्टमेंट के इस घोटाले की ओर अपने एग्जीक्यूटिव काउन्सिलर्स के सारे मामले की जूडिशियल इनक्वायरी कराने के लिये तैयार हैं या नहीं ? क्या आप बतायेंगे कि गूजर मल मोदी के ऐप्रोच करने पर केस वापस लिया गया या नहीं ? (व्यवधान)

अध्यक्ष महोदय : रोज आप लोग ऐसे ही करते हैं ।

श्री उमाशंकर बोक्षित : श्रीमन्, इन्होंने बार सवाल किये हैं । पहला सवाल यह है कि मकसद क्या था डिटेंशन आर्डर जारी करने का मेन्टेनेंस आफ इंटर्नल सेक्योरिटी ऐक्ट के अन्दर ? उस का विधान यह है कि यदि शासन या अधिकृत अधिकारी को यह आशंका हो कि कोई व्यक्ति ऐसा काम करने वाला है जिस से आंतरिक सुरक्षा में बिघन पड़ने वाला है, या हानि होने वाली है तो वह उस को डिटेंशन का आर्डर दे सकता है । डिटेंशन के पांच दिन के अन्दर उनको कारण की सूचना व्यक्ति को देनी होती है । डिटेंशन आदेश को किसी समय रिवोक भी कर सकते हैं । पांच दिन के अन्दर कारण देने के अनिवार्य इपकी सूचना तुरन्त राज्य शासन को देना होता है और 12 दिनों के अन्दर शासन को निर्णय

लेना है कि डिटेंशन आदेश का पुष्टीकरण किया जाय अथवा नहीं । अगर पुष्टी करना उचित समझा गया तो शासन मामले को एक माह के अन्दर एडवाइजरी बोर्ड के पास भेजता है और बोर्ड यदि कारणों को ठीक समझता है तो डिटेंशन आर्डर कायम रहता है । और अगर कारण ठीक नहीं है तो एडवाइजरी बोर्ड द्वारा हुक्म होने पर डिटेंशन आर्डर खत्म हो सकता है ।

इस में यह है कि उन को यह शक गड़बड़ी का था जैसा कि पहले माननीय सदस्य ने बताया कि जब वह गिनना चाहते थे तो वहां से उन को मदद नहीं मिली, 12 और 13 तारीख को किसी ने मदद नहीं दी । तब 14 तारीख को उन्होंने ने यह कार्यवाही की मेन्टेनेंस आफ इंटर्नल सेक्योरिटी ऐक्ट में । और उन पर दबाव डाल कर एमेन्सियल कमोडिटीज ऐक्ट के अन्दर कार्यवाही की जा सके, इन बारे में भी कदम उठाये गये । जैसा मैंने बताया एक के बाद एक कार्यवाहियां की गयीं । उस के बाद जब सारा इंतजाम हो गया, गिनती हो गई, मौजूर हो गया, वहां पर इंस्पेक्टर खड़े कर दिये गये और कालका जी पुलिस स्टेशन में आफिसर ने रिपोर्ट कर दी, उस के अन्दर कार्यवाही हो गई और गिरफ्तारियां एपिशियल कमोडिटीज ऐक्ट के अन्दर हो गयीं । जैसा आप को मालूम है इस में गिरफ्तारी नहीं होती डिटेंशन के अन्दर । यह तो एक निश्चित समय के लिए डिटेंशन होता है ।

लेफ्टीनंट गवर्नर के पास जब यह मामला गया और उन्होंने पहले की नज़रों देखीं तो

[श्री उमाशंकर दीक्षित]

उन्होंने कहा कि एपेंथियल कम्पोडिटीज ऐक्ट के मातहत पहले से ही कार्यवाही हो रही है इसलिए अब इस में इस की कार्यवाही करने की जरूरत नहीं है। यह उन का लिखा हुआ आर्डर है।

दूसरा सवाल उन्होंने श्री के० के० शाह को दी गई पार्टी के बारे में उठाया। . . .

(व्यवधान) . . .

The Lt. Governor is not an officer who can be influenced by anybody. Any one who knows that officer has found him to be an officer of integrity. (Interruptions).

MR. SPEAKER: Order, order. I am not permitting any one. I will only listen to the Minister. (Interruptions).

श्री उमाशंकर दीक्षित : दूसरी बात उन्होंने यह कहा कि रिसेप्शन में मोदी मौजूद थे, उन के नाम से स्वागत का इन्विटेशन निकला था। असली बात यह है कि यह रिसेप्शन 28 तारीख को हुआ था और 27 तारीख को बेल हो गया था। वह अरेस्ट हो चुके थे और बेल आउट हो चुके थे। (व्यवधान) . . . यह गलत बात है कि 28 तारीख को वहां मौजूद थे। . . . (व्यवधान) . . . रिसेप्शन यहां कसे दिये जाते हैं? सब के नाम छाप पर पहले से भेज दिये जाते हैं। इस लिये उन के 28 तारीख को वहां होने का सवाल ही नहीं उठता है। यहां पर रीग ऐलियेशन लगाने जाते हैं। जसा मैं ने पहले कहा, वह 100 फीमदो, इतना पशु है, निराधार है, इनको भी नहीं। मैं तो क्रायनीब सक्से

बतलाय कि कैसे कहा कहा। मैं कहता हूं कि नहीं हुई है यह बात . . . (व्यवधान) . . .

तीसरी बात यह है कि . . . (व्यवधान) . . . मेरी आनेस्टी कम से कम उन लोगों से बेहतर है। . . . (व्यवधान) . . .

MR. SPEAKER: Mr. Jyotirmoy Bosu, please don't pass such irresponsible remarks.

SHRI UMA SHANKAR DIKSHIT: Sir in fifty-two years of my public life at no time, even a false accusation has made against me. . . . (Interruptions).

My integrity has never been doubted by anybody any time in these 52 years of my public life. (Interruptions). I challenge you. . . . गलत कह रहे हैं

कि गुज्जरमल मोदी ने मुझ से कहा या मेरे पर असर डालने की कोशिश की। यह बिलकुल निराधार बात है (व्यवधान)

अध्यक्ष महोदय : आप लोग बैठेंगे या नहीं (व्यवधान)

MR. SPEAKER: Mr. Kachwai, why are you interrupting the House? (Interruptions).

MR. SPEAKER: Shri Mishra, I did not permit you.

The remarks of the gentlemen who are not called by me to speak will not come on record.

SHRI VIKRAM MAHAJAN (Kangra): To-day, India is facing a condition of scarcity. The monsoons have failed and rains have failed and there is drought condition and there is shortage of essential commodities like wheat, rice, sugar and so forth. But, apart from the drought, another major

factor which has caused the scarcity is the hoarder and we, on our part, are committed to eliminate this class absolutely and that is why we have said that the Government should take over the entire grains trade. But who is defending this class of hoarders? (*Interruptions*). I have not taken the name of any party. I have only asked a question: Who is defending this class of hoarders in Parliament and outside Parliament?

So far as the Congress Party is concerned, it has decided to eliminate this class, because this class takes advantage of the miseries of the people. Here, cheap tactics are being played and cheap propaganda is being carried on and allegations are made that Congress Government and its leaders are trying to protect the hoarders. If you go through the speeches of some of these Opposition leaders and their followers you will find that day in and day out, they are shouting at the top of their voices that the hoarders and profiteers should be allowed to remain and there should not be any take over of the wholesale trade. This is what they are saying. When they come to the House, they pick up an instance and throw it at the face of Government. Now, they are trying to shed crocodile tears. Not only are they shedding crocodile tears, but they are trying to take advantage of the immunity given to them, and they are throwing charges left and right on Members who cannot defend themselves. Therefore, the people who are shedding crocodile tears like my hon. friends sitting opposite should not be allowed to protect these hoarders. (*Interruptions*). Therefore, my questions are as follows. When will the Congress Government eliminate this class of hoarders and will they eliminate this class of hoarders and wholesalers by rabi 1973? Will they also increase the penalty and impose the minimum penalty on the class of hoarders who are taking advantage of the scarcity conditions prevalent in our country and raise the maximum

penalty to 10 years' rigorous imprisonment? (*Interruptions*).

SHRI UMA SHANKAR DIKSHIT:
The hon. Member has made a suggestion and also put it in the form of a question, namely whether Government will consider the advisability of strengthening the penal provisions under the Essential Commodities Act, so that much stronger measures can be taken and so that they can have a salutary and deterrent effect? On behalf of Government, I am in a position to say that we shall examine this seriously.

SHRI BIRENDER SINGH RAO (Mahendragarh): This incident throws light on many aspects of the political and administrative situation prevailing in the union territory of Delhi. The press and the public as well as this House are rightly agitated over the things as they have been happening.

The Executive Councillor in charge of Civil Supplies and the Chief Executive Councillor have both expressed their pitiable and miserable helplessness to do anything. In spite of all that, they say that it was at the instance of the Executive Councillor that action was taken. But later on they were not consulted. In an important matter like this, why should the Administration not consult the Chief Executive Councillor and the Executive Councillor? Is it because the Chief Executive Councillor happens to be a nominated person that he does not enjoy respect? Would the hon. Minister be pleased to say whether, in his opinion, it is fair to the people of Delhi that they should not have their democratic rights and they should not be able to rule their own affairs? Would Government think of terminating the present status of Delhi and either making it a full-fledged State, as has been demanded by the people, or merging the Corporation area of Delhi with the neighbouring Haryana State so

[Shri Birendra Singh Rao]

that it becomes the capital of Haryana and the people can take part in their Governments? If Delhi is too small for a State, the New Delhi area may be brought under the Central Government and the rest of the Delhi area could be merged with Haryana. New Delhi can remain the capital of the country and Delhi can remain the capital of Haryana like Washington DC which is the capital of the United States as well as the capital of a State. There should be no difficulty about it.

I would like to narrate the events that followed this incident as there is something fishy about them. The raid took place on 10th February, as the hon. Minister has stated. The detention orders were passed on 14 February, four days later, in an important matter like this, in a crime of this nature. Then the warrants of arrest were issued on 17 February, seven days later. The police failed to arrest those persons under the Maintenance of Internal Security Act. Then proceedings under secs. 87 and 88 of the Cr.P.C. were started on 18 February. They were declared proclaimed offenders after 8 days, that is 18 February. Then the property of the Secretary and Manager was attached on 21 February, 11 days after the raid. The property of the Director which was in Delhi was not attached, but court orders were obtained for attaching his property first in Meerut, and a day later his property in Delhi was attached. I would like to know, since it has not been stated by the hon. Minister when were the orders under the Maintenance of Internal Security Act revoked? No date has been given. (Interruptions). They have not said it. Then persons were arrested on the 27th, 17 days after the raid. To all purposes, this lethargy and inaction on the part of the police was only meant to give them time to approach the authorities and evade arrest.

Now they were taken into custody, but they were immediately released

by the police on bail. They were not produced before the Magistrate.

I would like to know whether Government had not given an assurance in this House while the Maintenance of Internal Security Bill was under discussion that this legislation was meant to take action against hoarders, profiteers, smugglers and other anti-social elements. When the Opposition wanted to know whether this would not be misused against political persons, the Government gave an assurance that it would not be so used. But we have seen in the past that some hon. members of this House have been taken into custody and kept in jail under the Maintenance of Internal Security Act several times.

I can give one example. My hon. friend, Shri Dhote, a member of this House, was arrested and detained twice under the Maintenance of Internal Security Act. But in the case of these persons who are feeling so warm and cosy under the protective wings of the benign government here, right under its nose in Delhi, they can get away so easily with all these anti-social crimes. I would like to know whether these gentlemen, the Modies or the other Modi—(Interruptions) I would like to know whether the Modi who interceded on behalf of another Modi has some relationship with the other; whether it is the same Modi who has been given the Padma Bhushan for his services to the country only sometime back; where S. K. Modi also has been recommended in the past by the Delhi Administration for a similar award by the Central Government; while atta is selling at Rs. 1.60 per kilogram there is hoarding of over 4,000 bags of wheat in one particular mill above. I just cannot understand the Government feeling so soft towards these people; I cannot understand the attitude of the Government in whatever manner the hon. Minister might like to defend the action of the Administration or the Lt.-Governor. Could there be a fitter case for action under the Security Act?

I would also like to know for the sake of information what are the various schemes that these mill owners and hoarders have for making excessive profits by hoarding; whether it was to make suji out of it or maida why this person wanted to avoid the civil supplies rules and regulations? What action Government is taking against the police that was inactive for 17 days, giving them plenty of time to arrange for their bail and withdrawal of the orders under the Maintenance of Internal Security Act, and whether the Government would consider putting an end to this farce of the Metropolitan Council in Delhi, so that the people can fully participate in the administration of the State. The people are only governed through the Lt.-Governor now. In the Metropolitan Council, they are given high-sounding names like the Chief Executive Councillor and the Executive Councillors and they are unable to do anything. I am really surprised why Mr. Radha Raman and the Members of the Executive Council who feel so helpless have not resigned if they really have any sympathy for the people in Delhi.

These are the questions which I would like the hon. Minister to reply; he should clarify the Government's position because this is a matter which has rightly agitated the minds of the people today.

SHRI UMA SHANKAR DIKSHIT: Sir, the hon. Member has finally summarised his long speech in the form of three or four questions. I shall endeavour to give all the information that I have about it. First, he says why was the stock hoarded. Obviously, as this was not accounted for in the books of the mill's godown or was there in No. 5 and 6 cold storage godown, it could not perhaps be for any legitimate purpose, as far as is possible for us to say, at this stage; because the manager himself on the first day said that there was no other stock anywhere in the godowns known to him. Under the licensing order, a description of the godown has to be

given or the company's name or the name of the establishment has to be given, which implies that all the grain stock etc., should be kept there. In this case it was not kept there. Therefore, it could not be accounted for any purpose which comes within the purview or is mentioned in the order. There is another provision in the order that if this is used for speculative purposes—this is another undesirable or unsocial way of being used by him or whoever it is—for speculative purposes, it is an offence. This might be the purpose for which this could have been done, as far as it is possible for us to infer from what has happened, under the provisions of the Act.

Then he says: why did the police take such a long time? The police did not take a long time. They pursued the matter day after day. Only on the first day, 12th and 13th, when they expected them to come and co-operate in the counting of the bags, they had given oral orders. On the 14th they issued a written order requiring them to be present on that day; the manager came and at that time in order to strengthen his intimidation, he issued this detention order. Therefore, so far as the police is concerned, I personally think, as far as records go, they did not allow any delay in the matter.

He suggested in a rather roundabout way to begin with, and finally quite directly, that the Delhi capital area should be attached to Haryana and that it should form part of Haryana State. I think except Rao Birender Singh, no other Member of this House would like to support such a fantastic proposition, not even the Members of the Opposition, though reasons may differ from either side.

Evidently he referred to the order being passed by the Lieut. Governor. As the Act and the Administrative Orders under which the Lieut. Governor, the Executive Council and the Councillors function, the reserved subjects can be dealt with only by

[Shri Uma Shankar Dikshit]

the Lieut. Governor; only the transferred subjects can be dealt with by the others. By consent or convention or tradition, certain amount of overlapping sometimes takes place in the matter of supply of information, consultation, etc. In this particular case, the Executive Councillor referred the matter to the Lieut. Governor that this was a reserved subject and he should pass orders. Therefore, so far as the police, the Deputy Commissioner, the Executive Councillor—so far as these people are concerned, in no case can you object to what has been done. The Lieut. Governor says: I have satisfied myself, on consideration of all the circumstances of the case, and passed these orders. (*Interruptions*).

SHRI JYOTIRMOY BOSU (Diamond Harbour): Before I start, I know that Mr. Dikshit has given a certificate in favour of Lieut. Governor Mr. Baleshwar Prasad. In this connection, may I ask his goodself to tell us whether, when he was posted in Bihar an enquiry was instituted, headed by Mr. Puri, on certain charges.....

MR. SPEAKER: It is not relevant.

SHRI JYOTIRMOY BOSU: The Home Minister's reply to me sounded like that of one coming from the spokesmen of the Chamber of Commerce. The Prime Minister asked the people to fight the hoarders and profiteers. Here it says; "while addressing the people's Forum for Radical Socialism, the Prime Minister, Shrimati Indira Gandhi on Monday asked the people to fight anti-social elements who indulge in jingoism on the one hand and hoarding, profiteering and black-marketing on the other." Mr. Dikshit's party, the Indian National Congress, has always promised to hang the black-marketeers by the nearest lamp post of course there is scarcity of lamp posts in the country. The proof of the pudding is in the eating. Let us see how they behaved. Incidentally, this Modi is one of those Modis of Modinagar, a

nephew of K. N. Modi and G. M. Modi, a very favourite of No. 1, Safdarjung Road—very powerful and very influential..... (*Interruptions*).

One of them 'was given Padma Bhushan immediately after he initiated police firing at Modinagar killing 12 workers. I want to ask the Home Minister if some of them came to see the Prime Minister and the Home Minister. If not, he can deny it. In actual fact, the hidden quantity of wheat kept for making suji and maida was 1 lakh quintals. The Planning Commission sponsored Consumers' Council of India had written a letter to the Commissioner of Civil Supplies, Delhi Administration. I have got a copy of it from the file. It says:

"We have received a number of complaints about the malpractices allegedly being adopted by flour mills in Delhi, specially Modi Flour Mills. According to the complaints, the mills are allegedly hoarding wheat in large quantities not only for making them available for blackmarket but also to turn them to maida, suji, etc., and supply them to leading hotels. We also learn that leading hotels like Oberoi, Ashoka etc, are buying maida for their consumption at abnormal prices."

This letter is dated 16th January, more than a month ago. What did they do? There was no action, no reply, no acknowledgement. This wheat was purchased at a price below Rs. 80 a quintal. Today maida is being sold at Rs. 400 a quintal in the bazar. If they had succeeded in doing this, they would have made at least Rs. 3 crores of black money with people's blood and sweat under the patronage and protection of this Government. But things started moving. When the letter went, they removed 90,000 quintals of wheat from the flour mills within the 3 weeks' time they had at their disposal. We pressurised the police? I am proud to say that the workers' union started insisting on the police.

The matter became public and it could not be suppressed any longer. Then a raid had to be conducted, with of course, part prior intimation on 10th February 1973. Mr. Dikshit is an elderly gentleman and he should be truthful. He looks to be so quiet that I expect him to be truthful. Was this seized stock sealed then and there? Was it not a fact that during that period and at a later date another 6,000 bags were allowed to be stealthily removed? We have evidence. Was Mr. Behal present from the very beginning of the raid or did he arrive afterwards? A drama was enacted. The real culprits were allowed to go underground. Impressive shows were demonstrated. The Maintenance of the Internal Security Act, which is nonbailable, was applied and also the Essential Commodities Act, which is bailable. Attachment orders of Mr. Mody's properties were duly advertised in the papers, because people should know that this Government really wants some hotchpotch and wants to suppress the blackmarketeers and hoarders. What happened? As my friend has just now said, about the time when the man was declared a proclaimed offender he was hosting the Governor of Madras. So the hon. Minister must answer this question also.

13 hrs.

Then comes the juicy part. Negotiations went on with the top-most people in power. They need a lot of money because they have to fight the elections. So, money has to be collected for party purposes. I have never said that Shri Dikshit takes money for himself... (interruptions) Negotiations went on with top and top-most people in power and a price was fixed. I am told that the price was fixed at Rs. 20 lakhs... (interruptions).

In Delhi there is nobody other than the Home Minister who is competent and able to give an order for withdrawal of a major case in such a

serious matter. I am told that no official, no politician, can do it except with the consent of the Home Minister. Let him say "yes" or deny it.

In the mean time, when they were underground no sooner were they arrested than they were granted bail. I was arrested at midnight under section 144. Till 5 O'Clock I was not produced before a magistrate. When I enquired of the reason I was told that the case has been referred to the Home Minister to decide how many days I am to be put behind the bars... (interruptions).

The newspaper report says:

"Till the actual withdrawal of the detention orders, the Civil Supplies authorities had been saying that there was no move to withdraw these orders. The two officials had been declared absconders and their property was attached."

So, he wanted to impress people, go through the drama as best as he possibly could and extract as much money as he could by blackmailing. So, the bail was granted. Here I would say that the whole thing was stage-managed. In this country everything has a price. The elections are coming. The fountain head of corruption survives and prospers on money. It is reported that one very senior political head, very much in power—otherwise, he could not do it—received Rs. 2 lakhs for the election fund. I am told that person has got 28 properties in Delhi. It is your Shri Radha Raman, a Congressman... (interruptions).

MR. SPEAKER: Be relevant to the issue.

SHRI JYOTIRMOY BOSU: I am putting it in a nut-shell. In Delhi which authority can withdraw a major case, once it has been reported, except the Home Minister? Why was it done? Was it not for a price that he paid for that?

SHRI UMA SHANKAR DIKSHIT: Sir, I shall answer the last question first. First he propounded a theory that nobody except the Home Ministry or the Home Minister can get an order revoked or can pass orders for revocation. Then, he proceeded to add that the Home Minister or the Home Ministry participated in it. My reply to that is that under the provisions of the Act, it is wholly unnecessary for the Home Ministry or the Home Minister to come, in any way, into the picture... (*Interruptions*).

MR. SPEAKER: Why are you interrupting him?

SHRI UMA SHANKAR DIKSHIT: Secondly, although in some other cases, the revocation orders were passed, for the first time, this matter was referred to the L. G. Therefore, the entire story is totally baseless. The hon. Member has not tried to apply his mind to understand the provisions of the law. The law does not permit that. The Home Ministry cannot come into the picture. I totally deny it that the Home Ministry has, at any stage, either dealt with it or issued any private directive or anything of the kind. Let us be judged not by his standard but by the common standards which we have known.

Another thing that he said was that Mr. Bahl went there. According to the information with me, Mr. Bahl did not go there.

Then, he asked: Were the bags sealed then and there and, if not, why not? They were sealed then and there. When they arrived, when they saw the bags, they sealed the bags, before they counted them, before they knew how many bags were there. As soon as they came and saw the cold storage godowns, they sealed the bags. There were some left outside and they sealed them and put a guard on them.

The bags were opened in the presence of Managers, etc. and other independent witnesses. How is it possible for anybody to say with any sense of fair-play or justification that deliberately the whole stock was not sealed? There are records; there are registers for these cold storage godowns. There are registers used for entering grains. The registers were complete. Of the 6 godowns, in respect of 4 godowns, there were complete records—I have seen the registers; I am not speaking in the air. As regards the fifth godown, it is inadequate and we have seized it. We are pursuing that matter. As regards the sixth one, the things were not entered. That is why we acted in this matter. We will not spare anybody, whatever may be his situation or his position. (*Interruptions*)

Further, he talked about 1,20,000 quintals... (*Interruptions*) He has a very fertile imagination. Nobody in this context has mentioned it. The largest number mentioned was 10,000. (*Interruptions*) He is a very intelligent person. He is misusing that intelligence. He should use it for the public good and for the development of the country.

Mr. Bosu had raised two more points. One was an allegation against the Lt. Governor. (*Interruptions*) I shall certainly go into it. But *prima facie*—I had met him in Tripura and had also met him three or four times in Delhi—I have gained an impression of this gentleman's strength of character. So far as this allegation that he has mentioned is concerned, I shall certainly inquire into it, but I do want to add that he would not have been given such a position of responsibility if anything serious had been found against him.

Then, he mentioned about money taken. If you permit me, Sir, I treat this allegation with the contempt that it deserves.

श्री भोगेन्द्र झा (जयनगर): अध्यक्ष महोदय
एक स्पष्टीकरण हो जाने दीजिय

MR. SPEAKER: If I allow one, I will have to allow so many. Next item. I have received some motions... (Interruptions) I am not allowing it. Once I follow this practice, there will be no end to it. There has been more than a debate on this today. That item is over.

दिनके नाम कालिग अटेंशन में थे उन्हें मैंने बुला लिया है। अब जिन के नाम नहीं हैं। उनको मैं नहीं बुलाऊंगा।

I am not calling any more. Nothing will go on record. If this is the way, we will just sit and keep watching. (Interruptions).

SHRI S. M. BANERJEE (Kanpur): Sir, I rise on a point of order....

MR. SPEAKER: I cannot permit the hon. Member. We have never allowed it in the past.... (Interruptions) Only those hon. Members whose names appear in the notice will be called. I am sorry I cannot permit the hon. Member.... (Interruptions).

They are holding the whole House to ransom.... (Interruptions).

There was a call attention motion. The Members asked questions and the Minister has replied....

(Interruptions)

If this type of behaviour continues in this Parliament and all of you do not behave, then God help this Parliament.

(Interruptions)

I am sorry I cannot tolerate this. (Interruptions) Now, a call attention motion has been discussed and now, if the matter is not *sub judice*. I have to find out.

Order please. If you so like, you can send a notice and I will see.

I will go according to the items on the agenda.... (Interruptions).

13.20 hrs.

MOTION FOR ADJOURNMENT

ALLEGED UNCONSTITUTIONAL DISSOLUTION OF ORISSA LEGISLATIVE ASSEMBLY

MR. SPEAKER: I shall call hon. Members according to the items that I have kept on the agenda. Sometimes, hon. Members ask me to take up the adjournment motion before the calling-attention-notice. Today, Shri piloo Mody did not get up. Does he not want it to be taken up?

SHRI PILOO MODY (Godhra): It is for you to decide it, Sir.

MR. SPEAKER: I think the hon. Members knows it and he understands why sometimes Members want adjournment motions after the calling-attention-notice....

SHRI PILOO MODY: I am prepared to do either. If you like, I shall raise it both times.

MR. SPEAKER: I have received three types of motions. One is adjournment motion on the situation in Orissa; this is by Shri Piloo Mody, Shri P. K. Deo, and then by Shri Dinen Bhattacharyya, Shri Samar Mukherjee, Shri Krishna Chandra Halder, Shri Saroj Mukherjee and Shri Biren Dutta; there is one by Shri Laxmi Narain Pandey, Shri Samar Guha, and Shri Jyotirmoy Bosu, and Shri Shyamnandan Mishra, and this relates to unconstitutional dissolution of the Orissa Legislative Assembly; the same wording is there almost in all of them.

There is another motion by Shri Atal Bihari Vajpayee about the unconstitutional conduct of the Governor of Orissa. The Proclamation in regard to Orissa is an item on the agenda, and that is also going to be laid on the Table of the House.

I have considered it. I have absolutely no objection against this adjournment motion....