

सरकार निधियों की उपलब्धता के आधार पर निम्न आय वर्ग के अपने कर्मचारियों को वास देने का भरसक प्रयत्न कर रही है। तीसरी योजना की अवधि तथा 1966-67 के दौरान दिल्ली में कुल 98 00 क्वार्टर तैयार हुए थे तथा इनमें से 7636 यूनिट टाईप i, ii, तथा iii में थे : टाईप ii तथा iii के 1512 क्वार्टरों का निर्माण भी चल रहा है।

(ख) और (ग). दिल्ली की स्थिति निम्नांकित है :-

टाईप	मांग	वास दिया गया	प्रतीक्षा सूची पर
i	24951	13095	118 56
ii	42746	13681	2909 5
iii	13322	4244	9078

U.S. Rupee Holdings in India

1949. Shri A. Sreedharan:
Shri P. Visawambharan:
Shri Mangalathunadom:
Shri Kameshwar Singh;
Shri P. N. Solanki:
Shri D. C. Sharma:
Shri Yashpal Singh:
Shri R. Barua:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Government have entered into an agreement with the U.S. Government with regard to the U.S. rupee holdings in India; and

(b) if so, the details thereof?

The Deputy Prime Minister and Minister of Finance (Shri Morarji Desai): A statement of the loan and grant agreements so far signed with the Government of the United States out of their rupee holdings in India is given in Annexure I laid on the Table of the House. [Placed in Library. See No. LT-573|67].

12.11 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED REFUSAL OF CENTRAL GOVERNMENT TO MAKE AVAILABLE TO ORISSA GOVERNMENT CBI REPORT ON SHRI B. PATNAIK

श्री: मधु लिमये (गोर) : अध्यक्ष महोदय, मैं अविलम्बनीय लोक महत्व के निम्नलिखित विषय की श्री गृह-कार्य मंत्री का ध्यान दिलाता हूँ और प्रार्थना करता हूँ कि वह इस बारे में एक वक्तव्य दें :-

“कुछ उपग्रहों, जिन में उड़ीसा के भूतपूर्व मुख्य मंत्री, श्री बी० पटनायक, नियन्त्रक हितार्थी हैं, के लेन देन के बारे में केन्द्रीय जांच द्यूरो (सी० बी० आई०) की रिपोर्ट उड़ीसा राज्य सरकार को देने से केन्द्रीय सरकार के इन्कार का समाचार।”

The Minister of Home Affairs (Shri Y. B. Chavan): Sir, in a letter addressed to me, the Chief Minister of Orissa had said that the State Government had decided to appoint a Commission of Enquiry under Section 3(1) of the Commissions of Enquiry Act 1952 to inquire into the charges of corruption and improprieties committed in different spheres of administration by the ex-Ministers of Orissa and that it would be helpful if copies of the report of the C.B.I. and the Cabinet Sub-Committee are made available to the State Government for their reference.

In my reply dated 10th May, 1967, I said that the C.B.I. did not make a regular inquiry into the allegations and did not examine any witnesses. They were entrusted with a limited task of collecting the relevant facts from the records of the Orissa Government and submitted a report on the basis of those facts. The C.B.I. report was intended only for the consideration of the Cabinet Committee,

and the Prime Minister. The documents prepared for the Cabinet or any of its Committees are always treated as secret.

Shri Ranga (Srikakulam): It was placed on the Table of the House.

Mr. Speaker: Let him finish.

Shri Surendranath Dwivedy (Kendrapara): This information I can give: I have published that as a booklet.

Mr. Speaker: Let him finish reading. I will give them an opportunity.

Some hon. Members rose—

Mr. Speaker: No, please; please sit down. Let the hon. Minister finish his answer. The I shall certainly allow them to put their questions. In the middle they should not raise these questions. (Interruption). Hon. Members may take note of the points raised by the hon. Minister and then ask questions.

डॉ० राम मनोहर लोहिया (कनोज) :
यह बड़ी इरेगुलर एन्कवायरी है ।

Mr. Speaker: He can say it is irregular and all that, later I have no objection. He can put his questions later. Let him finish.

श्री प्रद्युम्न मनी वार (गुड़गांव) :
मिनिस्टर साहब बतायें कि यह रिपोर्ट गुप्त कैसे है ।

[श्री: عبدالغنی قلو - ملسو
صاحب بتائوں کہ یہ رپورٹ گہمت
کسے ہے]

Shri Y. B. Chavan: The Orissa Chief Minister was also informed that these documents were not supplied to his predecessor in office (Shri Sadasiba Tripathy) who had also asked for them.

Shri Nath Pai (Rajpur): Sir, on a point of order. The hon. Minister has just now stated that these documents

are secret documents, and therefore, they cannot be made available to another State Government. This may give the impression that the hon. Minister is interested in shielding their own people; it was their own people. Quite apart from that, it is a serious issue, and I want to ask this question. You, Mr. Speaker, perhaps will recall as an hon. Member of this House that the document in question was laid on the Table of the House. (Interruption). Now, so far as the sanctity of a document is concerned, the fact that it was laid by the hand of the hon. Minister does not make it more valuable than the document placed on the Table by an hon. Member of this House. The document laid on the Table has the same sanctity, whether it is placed by Kamath or by the Minister's predecessor. The document in question is not a secret document. It is part of the record of the House. Mr. Chavan cannot take shelter by saying that it is a Cabinet document.

Shri Ranga: The point made by Shri Nath Pai has great relevance to the role we have to play here and I support that. We requested the Government to publish that document, but Government refused to accede to our request. When that document was placed on the Table of the House, objection could have been raised by any member saying that that document ought not to be placed on the Table of the House. Then it would have been open to the Chair not to allow it to be placed on the Table. But when it was allowed to be placed on the Table of the House, it would not be right and proper for the Government to plead ignorance of its existence. It is not proper for the Government not to take cognizance of the document placed on the Table of the House and to refuse to supply it to two successive Chief Ministers of Orissa. (Interruptions).

Mr. Speaker: When points of order are raised, naturally the minister should not reply. The Speaker has to reply. I thought I could ask Mr. Limaye to put his question. But now

points of order are raised. After they are exhausted, I will come to questions.

Shri Chintamani Panigrahi: rose—

Mr. Speaker: Yes, Mr. Patnaik.

An hon. Member: He is not Patnaik; he is Panigrahi.

Mr. Speaker: I am sorry; it is my mistake. Mr. Panigrahi.

Shri Chintamani Panigrahi (Bhubaneswar): On a point of order, Sir.

Shri P. K. Deo (Kalahandi): I object to his taking part in this. He has personal interest in it. When he left the Communist Party and joined the Congress Party (*Interruptions*). He was on the pay roll of Biju Patnaik. He was the representative of the Kalinga papers. (*Interruptions*).

Shri P. Venkatasubbaiah (Nandyal): He has made wild allegations against the hon. Member. It is breach of privilege.

Mr. Speaker: I have called Mr. Panigrahi. He is an hon. Member of the House as much as anybody else. You cannot restrain him. You can go to a court and seek a remedy. I cannot stop him.

Shri Chintamani Panigrahi: I have heard the high-priest of Indian reaction of the Swatantra Party on that side. He said that I left the communist party and joined the Congress Party. I am proud of it. (*Interruptions*).

Mr. Speaker: His point of order is as relevant as anybody else's.

Some allegation has been made against him and he should at least be allowed to defend himself.

श्री बन्धु सिन्हा : लेकिन जो कुछ वह कह रहे हैं, उस में व्यवस्था का प्रश्न क्या है। यह जो अपनी जायगी या मान्य-चरित्र इस मदन के सामने रख रहे हैं।

श्री जू० ए० झा (कासगंज) : अध्यक्ष महोदय, उधर के माननीय सदस्यों का उधर की बात भी सुननी चाहिए। उन का पत्रपत्रों क्यों हारही है, उन में सुनने की भी ताकत नहीं है।

Shri Chintamani Panigrahi: As the Home Minister said, no discrimination has been made so far as the supply of this report to the State Government is concerned.

Mr. Speaker: The minister will answer it.

Shri Chintamani Panigrahi: When the Congress Chief Minister was there, he also wanted a copy of that report but it was not supplied. (*Interruptions*). If there are any charges, we demand, now that they are in the Government, they have access to all the files, let them file a suit in a court of law and if those charges are proved let them punish Shri Patnaik. Let them not make political capital like this (*Interruptions*).

Mr. Speaker: Order, order. I would request everybody to sit down now.

The Deputy Prime Minister and Minister of Finance (Shri Morarji Desai): Sir, I want your ruling on this point of order, whether an hon. Member who has been allowed by you to speak should be prevented from speaking by other hon. Members.

Mr. Speaker: That is what I have been saying. May I now request Shri Madhu Limaye to put his question.

Shri Ranga: Sir, a relevant point..

Mr. Speaker: You have already spoken once.

Shri Ranga: Sir, I rose in support of the point of order because it is a very relevant point; whether you sustain it or not is another matter. He has raised a very good, relevant point.

Mr. Speaker: I agree it is a relevant point, but not a point of order.

Shri Ranga: That is why I took the trouble to rise in my seat and take your time and also the time of the House in order to support it. I also gave you the reasons. If you do not think it possible now to consider all the points that were mentioned by both of us in regard to that document which was placed on the Table, whether it should be taken notice of by the Government, whether it should be taken cognizance of by the Government, and thereafter deal with it and with the State Government also on that basis, that it is already there in public possession, that is a point that has got to be considered by you carefully (*Interruption*). Sir, you are getting impatient and you do not allow me to complete. What I am saying is, if you are not prepared to consider it now, take time by all means. But it is a very relevant point. You may sustain it, you may not sustain but do not dismiss it as if it is of no account.

Some hon. Members rose—

Shri Abdul Ghani Dar: Sir, I rise to a point of order.

Mr. Speaker: Order, order. When I am on my legs everyone else should sit down. When leaders of groups get up, I call them and give them a chance. But if the same leader gets up once, twice and even three times it will be difficult for me to call him every time. I have no objection, but there are other leaders also who want to speak. For instance, Dr. Lobia, Shri Hiren Mukerjee, Shri Abdul Ghani Dar and others also want to speak. I would like to hear them also. Shri Nath Pal has already made a point. Whether it is a point of order, or not, it is a very pertinent point. I would like to say that it is not a point of order (*Interruption*). It is a point all right and the Minister will have to reply to that point. I did not officially permit Shri Nath Pal to put a question but, somehow or the other, through a point of order he made a point. Therefore, I am sure it is going to be answered by the

Minister. Shri Kamath placed a document on the Table in those days. All of us know it is public property. Therefore, the Minister will have to answer that point and he will answer it. I have no objection to that. I have already said that it is a relevant point.

Now, let us proceed. I will call hon. Members one by one. I will allow hon. Members on these benches also. Let them also have their say. After all they are also hon. Members of this House. Let us hear Shri Abdul Ghani Dar first.

श्री अब्दुल गनी दार : मिस्टर स्पीकर, सर, मैं जनाब का रुमिग इस बात पर चाहता हूँ कि मिस्टर चहूवाष ने यह फरमाया कि कुछ हम ने अपने कैबिनेट को सेटिसफेक्शन के लिये डाक्यूमेंट्स इकट्ठे किए, उन पर विचार किया, वह ग़लत है। मैं यह जानना चाहता हूँ कि कोई मिनिस्टर क्या इस हाउस को उस एम्बेसरी से जो उन्होंने किया खामोश रख सकता है या अन्दरे में रख सकता है जब कि वह करप्शन के बारे में हो और एक स्टेट सरकार जब मेंटल सरकार ने कोई ऐक्शन नहीं लिया, मध्यक आफ पावर पर या उस करप्शन की जो रिपोर्ट उन्हें मिली, उस पर वह सरकार ऐक्शन लेना चाहती है तो क्या हिन्द सरकार का कोई मिनिस्टर इस बात का अधिकारी है कि वह यह कह कर के कि ग़लत है एक करप्शन पर किसी तरह में परदा डाल सकता है और आप इस को इजाजत दे सकते हैं कि वह हाउस को जो कि उन्होंने एम्बेसरी की उस से खामोश रखें और वह हाउस के मामले में प्रायः कि क्या किया जा बीज परमायक और बोरेम मिला न ?

[شری عبدالغنی دار : مسٹر

سپیکر - میں جناب کا سوال

اس بارے پر چاہتا ہوں کہ مسٹر

چوہان نے یہ فرمایا کہ کچھ ہم نے

اپنے کونسل کے سیکرٹری کے لئے ڈاکومنٹس اکٹھے کئے۔ ان پر وہ چارہ لکھا۔ وہ گھنٹے میں۔ میں یہ جاننا چاہتا ہوں کہ کوئی منسٹر لکھا اس سٹاٹس کو اس انکوائری سے جو انہوں نے کیا خاموشی رکھ سکتا ہے یا اندھوے میں رکھ سکتا ہے۔ جب کہ وہ کریشن کے بارے میں ہو اور ایک سٹیٹ سرکار جب سٹیٹل سرکار نے کوئی ایکشن نہیں لیا۔ اسوز آف پارر پر یا اس کریشن کی جو رپورٹ انہیں ملی۔ اس پر وہ سرکار ایکشن لینا چاہتی ہے تو کہا ہلد سرکار کا کوئی منسٹر اس ہاٹ کا ادھیکاری ہے کہ وہ یہ کہہ کرے کہ گھنٹے میں ایک کریشن پر کس طرح سے پردہ ڈال سکتا ہے اور آپ اس کی اجازت دے سکتے ہوں کہ وہ ہاٹس کی جو کہ انہوں نے انکوائری کی اس سے خاموشی رکھیں اور وہ ہاٹس کے سامنے نہ آئے کہا گیا تھا وجوہات لکھا اور وہیں مٹرا لے؟

ڈا॰ راج منوہر لہیاریا: پاپ مینڈیشن کی ذراہوں کی دیکھیں۔ سب سے پہلے تا 166-ع۔ 166-ع میں پریس منوہر، لیکھا ہوا ہے کہ جو کچھ راجھ سرکار کرتی ہے وہ گورنر کے نام میں۔ جتنا بھی کاروباری کام راجھ سرکار کا ہوتا ہے وہ راجھپال کے نام میں ہوتا ہے۔ یہ ذراہ باہر رہے پاپ۔ کیر اس کے باہر ذراہ 155 دیکھیں۔ ذراہ 155 میں راجھپال کی نیویٹس کون کرتا ہے؟ راجھپال کی نیویٹس راجھپال کرتے ہیں۔ تو راجھ سرکار کے سبھی کاروباری کاموں کو راجھپال کے نام سے کیا جاتا ہے جس کی نیویٹس راجھپال کرتے ہیں۔ سب سے راجھ سرکار نے 24 مارچ میں کاروباری کام کیا کہ

انہوں نے ایک دستاویز مانگا یا دو دستاویز مانگے۔ ایک دستاویز جو راجھ سرکار مانگتی ہے یا کسی گورنر مانگتا ہے یا کسی راجھپال مانگتا ہے۔ . . . اس کا مصلوب ہونا ہے کہ کسی راجھپال نے راجھپال کا پرمیٹ کیا ہے، راجھپال کا پرمیٹ کیا ہے اور اسے مینڈیشن کی ذراہوں کی کارب کیا ہے۔ وہ اس میں سے نہیں لے سکتے کہ وہ کابینہٹ منب-کمیٹی کی جو رپٹ ہے جو بڑھن بنییا ترہ میں اسے ناہ میں ماملا اڈایا، مان مینڈیشن پوڈی ہیر کے نیچے کابینہٹ کی اپ-سارمیت کی رپٹ کیا ترہ میں اسے نہیں ماننا، لیکن کسی ترہ میں اسے مان میں اسے جاب میں اسے دو باتوں کی چرہا ہے۔ ایک تو کابینہٹ اپ-سارمیت کی رپٹ کی چرہا ہے اور دوسرے مینڈیشن پاپ ڈسٹریبیوشن کی چرہا ہے۔ تو اسے مینڈیشن پاپ ڈسٹریبیوشن بہت ہی ایک سرکاری مہکمہ ہے، جانہ کرتا ہے۔ اس کی رپٹ کسی کسی ترہ میں اسے کابینہٹ کا دستاویز نہیں کہا جا سکتا اور اسے کابینہٹ کا دستاویز کہتا ہے۔ . . . (پاپ) . . . اسے نہیں، اسے تو اسے ذراہوں میں مینڈیشن کی۔ اسے کابینہٹ کے بارے میں کہنا چاہتا ہے، وہ کابینہٹ ہے یا کہا ہے یہ مینڈیشن میں نہیں آتا جو کابینہٹ پاپ ڈسٹریبیوشن کے نام سے میں اسے بات کہتا ہے۔ اس لیے یہ راجھپال یا پرمیٹ ہونے کے ساتھ ساتھ اور کابینہٹ پاپ ڈسٹریبیوشن کا دستاویز بیلنگ ایک مینڈیشن کا دستاویز ہونے سے اسے پاپ کا مینڈیشن اور کابینہٹ 256 ذراہ کی طرف۔ 256 ذراہ میں لیکھا ہوا ہے راجھ سرکاروں کو کابینہٹ کے پرمیٹس بنانے کے لیے کابینہٹ سرکار کو پرمیٹس ہونا کہ وہ کب کب پر اسے کابینہٹ دے سکے جس سے کہ راجھ سرکار کابینہٹ، کابینہٹ اور مینڈیشن کے حساب سے اسے اور اس کے ساتھ ساتھ 257(1) ذراہ میں پاپ کابینہٹ راجھ سرکار کابینہٹ کہتا ہے، تو کابینہٹ سرکار کو کابینہٹ

[श्री० राम मनोहर लोहिया]

है कि वह इन स्कावर्टों को दूर करे। अब घाप झन्डी तरह से जानते हैं, अध्यक्ष महोदय, क्योंकि घाप को दोनों सरकारों का अनुभव है कि ये सारे रिश्ते एक तरफा नहीं हुआ करते, दुतरफा हुआ करते हैं। जब तक ये रिश्ते दुतरफा चलते हैं, तब तक कायदे और कानून से राज्य चलते हैं, लेकिन जब रिश्ते एकतरफा हो जाया करते हैं तो फिर बहा कायदे और कानून खत्म हो जाया करते हैं। अब यह नहीं हो सकता कि चत्तारग माहब अपनी तरफ से संविधान में दस्तूर के इस कानून का एकतरफा चलते रहें और उड़ीसा या किमी और राज्य सरकार को हिदायतें भेजते रहें, जब कि ये खुद राजा नहीं है कि सरकारों महकमों के दस्तावेजों कि उनका सरकार से सम्बन्ध रखते हैं उन को दिये जाय। इन से विश्वास टूट जाया और जहा विश्वास टूटा, प्रायः 256 ईसा और 257 (ए) टूटी। इसीसे राष्ट्रपति के आमान के साथ साथ, श्री गृह मंत्री श्री महाराज ग. श. श. में केन्द्र और राज्यों के बीच में संविधान का सम्बन्ध बना खला है।

Shri H. N. Mukerjee (Calcutta North East): Sir, you will forgive me because like some of us I am developing a growing allergy to so much that goes on in this House, but I think this is an occasion when you should intervene before further information is elicited in regard to this matter. I say this because a report of the CBI vouched for by an hon. Member of this House was, under the rules of this House and after a considerable procedural tussle, permitted by the former Speaker to be placed on the Table of the House. As soon as that was done, that document, I take it, became public property and whatever followed afterwards in regard to investigation of the matter pertaining to that document placed on the Table of the House is surely public property; it should be public property. What

has happened in this case as far as we have been able to gather so far is that the Government in its wisdom chooses to keep away from the Orissa Government even the copy of the CBI investigation report. That investigation report was vouched for by a hon. Member of this House, the veracity of which was not contested by the Government of the day. Now the Government is trying to hide it and put it in some kind of a cupboard. What kind of skeletons are there, I do not know. But, as you always say when a point of order is raised that you will give the answer, Shri Ranga and I have been trying only to insist that you be pleased to give an answer because procedurally it is an important matter of basic principle. Since this document had been placed on the Table of the House, vouched for by a Member of this House and uncontested in so far as its veracity is concerned by the Government of the day, we surely have a right to claim here that the document should have been made available to the Orissa Government and if the Government has proceeded on this wrong pattern then something has to be done at the present stage and before any further information can be elicited.

श्री अटल बिहारी वाजपेयी (बनारस पुर) : अध्यक्ष महोदय, इस सदन के सामने दो मुद्दा हैं। क्या सरकार को अधिकार है कि वह सदन को उड़ीसा के कुछ राजनीतिक नेताओं के सम्बन्ध में सी० बी० आई० ने जो जांच की है, उस जांच की रिपोर्ट से घबराव न करे? दूसरा प्रश्न यह है कि क्या केन्द्रीय सरकार को यह अधिकार है कि उस रिपोर्ट को उड़ीसा सरकार को देने से इनकार कर दे?

अध्यक्ष महोदय, श्री गृह मंत्री महोदय ने कहा कि वह रिपोर्ट मुक्त है। मैं आप से कहना चाहूंगा कि वह कौनसा घापको

करना है कि क्या उस रिपोर्ट का प्रकाशित होना सार्वजनिक हित में है या नहीं है। क्या मंत्री महोदय किसी भी जानकारी को इस सदन से छिपा सकते हैं, यह कह कर कि वह जानकारी गुप्त है। अगर वह जानकारी देना सार्वजनिक हित में न हो, तभी उस जानकारी को देने से इन्कार किया जा सकता है। लेकिन मंत्री महोदय ने यह दावा नहीं किया है कि यदि उस रिपोर्ट को बता दिया गया तो देश की सुरक्षा खतरे में पड़ जयोगी या देश के शत्रुओं को कोई जानकारी मिल जायेगी या... सार्वजनिक हित की हानि होगी। परिस्थिति बिल्कुल उल्टी है, सार्वजनिक हित का तवाजा यह है कि सी० नी० घाई० की रिपोर्ट मदन की मेज पर रखी जाय।

इस से भी इन्कार नहीं किया जा सकता कि वह रिपोर्ट सदन की मेज पर रखी गई थी और यदि वह रिपोर्ट मदन की मेज पर रखी गई थी तो फिर मंत्री महोदय का यह दावा गलत है कि वह रिपोर्ट गुप्त है। वह तभी तक गुप्त थी जब तक कि वह मेज पर रखी नहीं गई थी, मेज पर रखे जाने के बाद तो वह गुप्त नहीं है।

मैं यह भी कहना चाहूंगा कि अगर उड़ीसा की सरकार

Shri Hem Barua (Mangaldai): On a point of order, Sir; it is on your comment.

An hon. Member: On a point of order, Sir.

Mr. Speaker: The only point is whether it is a secret document or the one placed by the hon. Member, in those days when some of you were not in this House, was a valid document or not and whether the Minister can place another document now. That is the point now.

श्री जयजित सिंहारी बाबूदेवी : अध्यक्ष महोदय, इस में केन्द्र और राज्यों के सम्बन्ध

का भी प्रश्न बुझा हुआ है। तबाल यह है कि क्या सरकार किसी राज्य सरकार को केन्द्रीय सरकार के निर्देश में चलने वाले संगठन की रिपोर्ट देने से इन्कार कर सकती है? क्या इस का नतीजा यह नहीं होगा कि राज्य सरकारें इस तरह के मामलों में अपनी रिपोर्ट केन्द्र को देने से इन्कार कर देंगी? क्या गृह मंत्री महोदय यह अच्छी पकड़ बना रहे हैं? क्या इस में केन्द्र और राज्यों के सम्बन्ध मजबूत होंगे?

Mr. Speaker: Shri Surendranath Dwivedy.

Shri Surendranath Dwivedy: Sir, the House is being confused by the reply given by the Home Minister. The simple issue which you have to decide is whether he can take shelter under the provision that it is a secret document.

Now, there are two documents involved in this affair. One is the report of the Cabinet Sub-Committee and a summary of the C.B.I. Report which was placed on the Table of the House by my colleague Shri Hari Vishnu Kamath. The Orissa Government has not asked for that Report. That has already been published in Oriya and about 15000 copies have been sold.

Mr. Speaker: Even at bus stands they were sold.

Shri Surendranath Dwivedy: The other document is the fuller report of the C.B.I. The Orissa Government has asked for that fuller report of the C.B.I. which was submitted to the Government by Mr. Kohli, Director of the Central Bureau of Investigation. On the basis of that Report, the Cabinet Sub-Committee came to some conclusions. In order to enable the Cabinet Sub-Committee to come to some conclusions, a summary of that fuller report was placed before the Cabinet Sub-Committee. What Mr. Kamath placed on the Table of the House is the Report of the Cabinet Sub-Committee and the Summary of

[Shri Surendranath Dwivedy]

the C.B.I. Report. The Orissa Government has not asked for that Report.

The Orissa Government has asked for a Report which I placed on the Table of the House, that is, the fuller report of the C.B.I. which was submitted to the Government of India by Mr. Kohli, Director of the Central Bureau of Investigation. That Report contains the inquiries that they made. Whether they got any evidence from any witness or not, that is beside the matter. They submitted the Report to the Government of India. Now, in order to facilitate the inquiry which the Orissa Government propose to set up, they want a copy of that fuller report. That is no longer secret. I had already certified that what is contained in the Report which I placed on the Table of the House is a true copy of the Report submitted to the Government. I have already got it published and it is priced at Rs. 2; it is called Orissa Affair and the C. B. I. Report. It is already in circulation in the market. Therefore, he cannot take shelter under the provision that it is a secret document.

The question that arises now is this. It is a Report submitted to the Government of India and the Orissa Government wants a copy of that Report. If they refuse, what would happen is this. They will be entitled not to send any report on the law and order situation to this Government henceforward, whatever the relations. After this, they will be perfectly justified in doing that. When the State Government is prepared to make the inquiry on the basis of the preliminary investigation they made, why should they refuse to send a copy to them and take shelter under the fact that this is a secret document. It is no longer a secret document. As the former speaker has said, this is a public document. The Government cannot take shelter under the plea that it

is a secret document and, therefore, it cannot be sent.

श्री जयु लिववे : मैं प्रश्न नहीं पूछ रहा हूँ मैं व्यवस्था के ऊपर बोल रहा हूँ। अध्यक्ष महोदय, मैं श्री सुरेन्द्रनाथ द्विवेदी का प्राचारी हूँ क्योंकि यहाँ पर एक बात को उन्होंने अच्छी तरह स्पष्ट किया। इस वक्त जो बहुत चल रही है वह काबीना की उपसमिति के लिए जो सी० बी० आई० की रपट का सारांश बनाया गया था, मुक्तसर में बनाया गया था। उस की चर्चा नहीं है। चम्पान साहब का यह कहना है :

"The documents prepared for the Cabinet or any of its committees are always treated as secret."

पहले यह बात स्पष्ट होनी चाहिए कि सी०बी०आई० की जो पूरी रपट है, सारांश नहीं जो कि उपसमिति के लिए बनाया गया था क्या वह काबीना के लिए या और क्या वह गुप्त था ? उस के सम्बन्ध में वह कागजात मांग लेने चाहिए फैसला करने के लिए। एक एक बात को मैं रखना चाहता हूँ। इन का यह दावा है कि सी०बी०आई० की रपट काबीना के लिए या उस की उपसमिति के लिए भी और इसलिए वह गुप्त है। उन के इस कथन का मैं खंडन करना चाहता हूँ। जैसा कि श्री सुरेन्द्रनाथ द्विवेदी ने कहा उसका सारांश काबीना के लिए बनाया गया था लेकिन जो मूल रपट है वह काबीना के लिए नहीं है इसलिए गुप्त रखने का कोई सबाल नहीं है।

अध्यक्ष महोदय, मैं आप का ध्यान घब इस सदन की जो नियमावली है उस की धारा 369 की ओर दिखाना चाहता हूँ :

"A paper or document to be laid on the Table shall be duly authenticated by the member presenting it."

मैं अब जिस दस्तावेज का उल्लेख कर रहा हूँ कामध साहब ने रखी थी वह नहीं, यहाँ सुरेश जी ने जो पूरी रिपोर्ट रखी थी, उह का मैं उल्लेख कर रहा हूँ :

"(2) All papers and documents laid on the Table shall be considered public."

यह सार्वजनिक है, यह हमारे नियमों में लिखा हुआ है तो अब चन्दाण साहब कौन से वीसमारखा यह कहने वाले हैं कि यह गुप्त है ? क्या वह इस सदन की प्रक्रिया से भी ऊँचे उठते हैं ? क्या वह इस नियमावली के सामने नहीं झुकेंगे ? जो दस्तावेज सदन की सम्मति से नियम 369 के अन्तर्गत टैबल पर रखा गया है उस को गुप्त कहना इस सदन का धीर इस कुर्सी का अपमान है ।

Mr. Speaker: He has made this point.

श्री मधु लिमये : यह दूसरी बात है । डाक्टर साहब ने संविधान की दूसरी बड़ी बात कही थी । मैं तो छोटी लेकिन बहाव की कुछ बातें ले रहा हूँ । व्यवस्था के प्रश्न के लिए यह जरूरी है । जो उन्होंने कही थी वह संविधान की बड़ी बात है उस पर भी मैं आ रहा हूँ । उस पर अपने नुक्ते रख रहा हूँ । बाकी मैं बिल्कुल व्यवस्था के प्रश्न पर बोल रहा हूँ ।

अध्यक्ष महोदय, मेरा यह कहना है कि संविधान को धाराओं का उन्होंने उल्लेख किया । अब मैं यह कहना चाहता हूँ कि केन्द्रीय सरकार का यह जो कानून है उस का नाम "दी कमिशन ऑफ इनक्वायरी ऐक्ट 1952 है" । उस का भी अमान्य और उल्लंघन चन्दाण साहब कर रहे हैं और राज्य सरकार भी कार्यवाही में बह बाधा उत्पन्न कर रहे हैं । आप उससे मंगवा लीजिये तो प्रकट होगा वरना मुझे पूरा पढ़ना पड़ेगा ।

Mr. Speaker: Please read only the relevant sentence.

श्री मधु लिमये : मैं उतना ही पढ़ूंगा जितना जरूरी होगा । उस का अनुच्छेद है 3(ए) :—

"The appropriate Government may, if it is of opinion that it is necessary to do so, and shall, if a resolution in this behalf is passed by the House of the People, or, as the case may be, the Legislative Assembly of the State, by notification in the Official Gazette, appoint a commission of inquiry for the purpose of making an inquiry into any definite matter of public importance and performing such functions and within such time as may be specified in the notifications, and the Commission so appointed shall make the the inquiry and perform the functions accordingly."

आगे यह कहा जाता है

"Provided that where any such commission has been appointed to inquire into any matter—

(a) by the Central Government, no State Government shall, except with the approval of the Central Government, appoint another commission to inquire into the same matter or so long as the commission appointed by the Central Government is functioning. . . .

केन्द्रीय सरकार का कोई कमिशन नहीं है । हम लोगों की मांग थी । इस को उन्होंने ठुकराया । अब मैं रंगा साहब की सरकार के बारे में एक तारीफ़ का शब्द यह कहना चाहता हूँ कि यह शायद गैर-कांग्रेसी सरकारों में पहली और अकेली प्रांतीय सरकार है जिस में हिम्मत दिखलाई है कि जिन संघियों के कारनामे सारे देश में बदनाम हो चुके थे उन की निष्पक्ष जांच करने की इस हिम्मत के लिए मैं उस सरकार की तारीफ़ करता

[श्री बाबू लिखते]

हैं। असल में यह सभी राज्यों में होना चाहिए। अब जिस राज्य सरकार ने ऐसी हिम्मत दिखाई है उस की तारीफ तो करनी चाहिए।

Mr. Speaker: A point of order should not be a speech like this.

श्री बाबू लिखते : मैं ब्यवस्था पर ही बोल रहा हूँ। अब बोलो में घ्राइये :

"(b) by a State Government, the Central Government shall not appoint another commission to inquire into the same matter for so long as the commission appointed by the State Government is functioning."

अब केन्द्र का नहीं है तो अब राज्य पर आते हैं। अगर राज्य सरकार करेगी तो केन्द्र नहीं करेगा। और अगर केन्द्र करेगा तो राज्य सरकार नहीं करेगी। अब केन्द्र नहीं कर रहा है राज्य कर रहा है। विधान सभा में इस बारे में प्रतिम फैसल करने के लिए जानकारी की आवश्यकता है। इन लोगों के पास रपट है यह देना नहीं चाहते हैं। क्या कारण है? तीन इस के कारण हो सकते हैं। एक तो इस को यह इज्जत का मवाल बनाना चाहते हैं क्योंकि एक विरोधी दल के सदस्य ने रक्खा इर्माए इज्जत का मवाल बढाण साहब इसे बनाना चाहते हैं। दूसरी बात यह हो सकती है कि यह मंत्रियों के खिलाफ आरोप है। उन सब की जांच हो यह बात पसन्द नहीं करने.....

Shri K. Narayana Rao (Bobbili): The hon. Member is not raising any point of order but is only making a speech.

सिक्सिला वह इन देश में चलने नहीं देना चाहते हैं इसलिए उसके ऊपर कुठाराघात कर रहे हैं। तीसरी बात में बड़ी गम्भीरता

के साथ कह रहा हूँ। मुझे ऐसा लगता है कि भूतपूर्व गृह मंत्री और उन का मंत्रालय और भूतपूर्व संरक्षण मंत्री और उन का मंत्रालय जोकि इस वक्त गृह मंत्री हैं उन का बीच पटनायक के साथ लगाव या दोस्ती की दृष्टि से मैं कड़े शब्द का इस्तेमाल नहीं करना चाहता। उन्होंने रेगुलर का इस्तेमाल किया है इस लिये इनकी दोस्ती को भी मैं अनिश्चित और इर्रेगुलर कहना चाहता हूँ। यह क्या लगाव है क्या दोस्ती है इस के बारे में इस सदन की जो कमेटी है और जिसमें राज्य सभा के मेम्बर्स भी शामिल हैं, उस संसदीय कमेटी पब्लिक एकाउंट्स कमेटी की रिपोर्ट में मैं केवल मैं दो जुमले पढ़ने वाला हूँ। उस कं बिना उस का फैसला नहीं होगा (ब्यवधान)

Shri K. Narayana Rao: The hon. Member is not raising any point of order but is only making a speech.

श्री बाबू लिखते: प्राप सुनिये। यह महोदय, यह बहुत गम्भीर मामला है। यह संसद की समिति है। मैं कोई एक मामूली दम्नाबज से उदाहरण नहीं दे रहा हूँ। यह कलिंग एयरबेस को बढाने के बारे में है, जिसका कि विरोध शुरू में संरक्षण मंत्री ने किया और मंत्रालय ने किया था। उस के बारे में उन्होंने लिखा है :

"The thinking in the Ministry of Defence apparently underwent a radical change subsequently for reasons not easy to understand."

हमारी संसदीय कमेटी बहुत ही भीठे शर्दों में और नरमो के साथ बातें करती है.....

Mr. Speaker: How is it relevant to the point that we are discussing now whether a document should be supplied or not: The hon. Member is going far away from it; he is going wide of the mark. He is referring to

various other things. I could understand what Shri Surendranath Dwivedy had said. But the hon. Member is going to other points.

श्री बच्चू लिखड़े : उसी से सम्बन्धित है। उस को क्यों छिपा रहे हैं ? मैं अब एक ही वाक्य में खत्म बिये देता हूँ। उन्होंने उसका चालू किया।

The Committee further note with surprise that a further contract was further concluded for three years without calling for fresh tenders.

Mr. Speaker: This is not relevant here. Shri Gopalan.

श्री बच्चू लिखड़े : घाण्टीचर्च हो रहा है इस कमेटी को कि मुद्रा तथा मह-मंत्रालयों ने कलिया एग्जरेज का डेला बिना डेडर माँगें हुए तीन साल के लिये क्यों बढ़ाया। यह सारा काम बीज पटनायक को बचाने के लिये हो रहा है, यह दस्तावेज गुप्त नहीं है। यह सार्वजनिक है और उद्दीना सरकार को सहायता करने के लिये इस को दिया जाना चाहिये।

Shri P. K. Deo: I would like to say something which is very relevant . . .

Mr. Speaker: No.

Shri A. K. Gopalan (Kasergod): I have no point of order. But I only wish to make a humble submission and would request you to give a ruling on two points.

A member of this House placed the document on the Table. When he placed it, he authenticated the correctness of the document. After that, the member has also just now said that he has published the document. After these two things, does the document remain a secret document? If the document is already published, if it is available for Rs. 2 in the market,

in the commonsense view, in the view of ordinary people, can it be treated as a secret document? Even if in the eyes of Government it becomes a secret document, a document which is already published, what are you going to do with the document which is already published?

Shri P. K. Deo: I would make a submission which is very relevant.

Mr. Speaker: May I request him to sit down?

Shri Tulshidas Jadhav (Baramati): I want to say a few words.

Mr. Speaker: May I request all of you to sit down?

Shri P. K. Deo: This is a very relevant point. I would quote from the ruling of . . .

Mr. Speaker: I appeal to the hon. Member not to insist on his speaking and my resuming my chair. He has got the same copy.

Shri P. K. Deo: What I want to say is quite different. Will you kindly hear me?

Mr. Speaker: Will he resume his seat?

Shri P. K. Deo: You cannot tell me like this. I would like to help you

Mr. Speaker: If he wants to help me, this is not the way to do it.

Shri P. K. Deo: I should be given a chance. Unless I am heard, how can I help you?

Mr. Speaker: He insists on his speaking when I am on my legs. Is this the way to help? Certainly not.

Shri P. K. Deo: Before you give your ruling, I would like to read to you what Sardar Hukam Singh said

Mr. Speaker: Does he think that I am going to give a ruling on all these complicated matters just off-hand right now? I would take time

[Mr. Speaker]

to do so. If the hon. Member wants to help me, I would like to avail of his help also. I would like to understand from the hon. Minister and the hon. Law Minister before I take a decision. I am not going to give an off-hand ruling here and how.

Shri P. K. Deo: I want only one minute.

Mr. Speaker: Not now. I am asking the leaders of Parties to help me.

Shri P. K. Deo: You allowed two PSP Members to speak.

Mr. Speaker: Many of them have been getting up. I have not allowed them (*Interruptions*). Why does he insist on speaking when I am on my legs?

Shri P. K. Deo: I have something new to say (*Interruptions*).

Mr. Speaker: In this way, we cannot proceed. I would appeal to all sides not to proceed in this manner.

Shri P. K. Deo: I assure you that there will be no repetition of what others have said (*Interruptions*).

Some hon. Members: We do not want to hear him (*Interruptions*).

Shri P. K. Deo: I would draw your attention to the ruling.....

Some hon. Members: No, no. (*Interruptions*).

Shri Ranga: What is all this? Can we not be heard? You can send us all out, but you cannot shout us down like this. Is this the way they are going to carry on? You should control them. I am here to protest against this kind of thing (*Interruptions*).

Mr. Speaker: May I request all of you to sit down, including Mr. Deo. You have created this. (*Interruptions*).

Shri Morarji Desai: I would like to say something. (*Interruptions*).

Mr. Speaker: Let us also hear him.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, अगर यह लोग इस तरह से बोलेंगे तो इस सभा का काम नहीं चल सकता। (व्यवधान) और आप किसी को अनुमति नहीं देंगे तो वह नहीं बोलेगा, और अगर आप के अनुमति न देने के बाद भी बोलेगा तो आप उस को लिखावायेगे नहीं, आप उस को सजा देंगे लेकिन अगर कांग्रेस के मेम्बर इस तरह से चिल्लायेगे (व्यवधान) तो यह नहीं चलेगा।

Mr. Speaker: Let us maintain some order now. Let us hear what the Deputy Prime Minister has to say.

Shri Kanwar Lal Gupta (Delhi Sadar): We will not allow the Deputy Prime Minister to speak if those benches do not allow us to speak.

Mr. Speaker: This is most unfair. I called Mr. Vajpayee and Mr. Lohia. Your spokesmen have said what all they wanted to say.

Shri Morarji Desai: May I say that when my hon. friend Prof. Ranga appealed to me to talk to the members on this side that they should not create this kind of thing, I would have been very happy if he had asked his members not to stand up when the hon. Speaker was on his legs. This is not the way to deal with this. I am very sorry that members on this side should shout or do anything, but who is provoking it? This ought to be understood. If all my hon. friends want that the House should work in peace, should not all of us work together for it, and if the hon. Speaker tells the hon. Member to sit down he does not sit down, then when the Speaker helplessly sits down because he is not able to carry out....

Shri A. B. Vajpayee: Then they started shouting.

Shri Morarji Desai: If you are going to shout now also, what am I to do? If you do not want to allow me to speak, and if this is the way things should go on....

Shri A. B. Vajpayee: They should have allowed the Speaker to control the House, they should not have shouted.

Shri Morarji Desai: If I am not heard, then I am afraid I will not be able to say anything, I do not want to say anything, but I would appeal to the hon. Member to look at it not in a partisan way, but to look at the rights of the whole House. If in this way we do not obey the Chair, anybody from that side or this side, all of us should combine in putting down that member, and I will be the first person to do it if my hon. friends cooperate in this.

Mr. Speaker: I appeal to all sections of the House. It is not as though I have not given a chance. I have asked Prof. Ranga to speak (Interruptions) Rangaji should not go on interrupting. (Interruptions). Allow me also two minutes. After all, I have allowed every one of you ten minutes. It is not as though the opposition is not allowed to speak. I allowed Mr. Gopalan to speak. It is not as if I just want to give a decision offhand. (Interruptions). You are beginning again. The paper which my hon. friend is holding in his hand to read out is just the paper on my hands also. If he wants really to help me should he not do it later on? After all, if they want to shout, what can I do? He says two people from PSP spoke. The leader did not want to speak, but Mr. Nath Pai rose on a point. Later on he wanted to speak. Should I prevent the leader from speaking because Mr. Nath Pai had spoken? Can I prevent Mr. Madhu Limaye from speaking because Dr. Lohia has spoken.

What I say is that I am not giving any decision now on the point which Prof. Ranga and all the leaders of the opposition have made. It is one side of the argument. I would like, before I give a ruling, to hear the other side also; the other side must have its say. We should allow that. What is the use of ten people getting up and everybody else wanting to do the same thing? I would like to be fair to the Home Minister and the Law Minister and would like to hear them. Therefore I would postpone this.

13 hrs.

डा० राम मनोहर लोहिया : यह प्राप क्यों कर रहे हैं ।

Mr. Speaker: Therefore, may I suggest that this stand postponed? I will take it up later on.

डा० राम मनोहर लोहिया : इन नड़कों को पढ़ कर जाना है क्या ?

Mr. Speaker: Not today; I will fix up some other day. I would like to take my own time because I am not a legal expert or a constitutional expert. Therefore, I would fix up some other time. The House now stands adjourned for lunch.

13.02 hrs.

The Lok Sabha then adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha then re-assembled after Lunch at Fourteen of the Clock.

[Mr. DEPUTY-SPEAKER in the Chair]

Shri P. K. Deo: Sir, before you take up the next item, I would like to point out that the Calling Attention matter is not closed.

Mr. Deputy-Speaker: It has been postponed.

Shri P. K. Deo: To which date?

Mr. Deputy-Speaker: The ruling on the point of order is given by the Speaker. Then it will be taken up because it involves fundamental points.

Shri P. K. Des: Those who have tabled the Calling Attention notice should not be denied the opportunity of putting questions.

Mr. Deputy-Speaker: In the normal course you will get the opportunity.

Shri Srinibas Misra (Cuttack): When one matter was decided, there was another point of order on that Calling Attention matter.

Mr. Deputy-Speaker: The whole question has been postponed.

Shri Srinibas Misra: But the point that I am going to raise will not be decided by the Speaker; the other point of order would be decided. That is my point.

Mr. Deputy-Speaker: The Calling Attention is not before the House for discussion now. So, you will be raising a point of order in a vacuum. You can take it up when the matter is brought before the House.

Shri Srinibas Misra: The lunch interval came to the rescue.

Mr. Deputy-Speaker: You see the question before us is not the Calling Attention Notice. So, whatever point of order pertains to the Calling Attention Notice was raised or is likely to be raised could be taken when the matter comes before the House.

Shri Srinibas Misra: I want to know whether the Calling Attention has been postponed or the ruling only has been postponed.

Mr. Deputy-Speaker: Unless the ruling is given, that question cannot be taken up. So, if you have anything to say, you communicate to the Speaker. That is the best thing. Order, order.

14.04 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATION UNDER CENTRAL EXCISE RULES

The Deputy Prime Minister and Minister of Finance (Shri Morarji Desai): I beg to lay on the Table a copy of Notification, dated the 8th June, 1967, issued under rule 8(1) of the Central Excise Rules, 1944. [Placed in Library, see No. LT-574/67.]

REPORT OF COMMISSIONER FOR SCHEDULED CASTES AND SCHEDULED TRIBES

The Minister of State in the Ministry of Petroleum and Chemicals and of Planning and Social Welfare (Shri Raghu Ramiah): On behalf of Shrimati Phulrenu Guha, I beg to lay on the Table a copy of the Report of the Commissioner for Scheduled Castes and Scheduled Tribes for the year 1965-66, under article 338(2) of the Constitution. [Placed in Library, see No. LT-575/67.]

NOTIFICATION UNDER CUSTOMS ACT AND CENTRAL EXCISE AND SALT ACT

Shri Morarji Desai: I beg to lay on the Table—

- (1) A copy each of the following Notifications under section 159 of the Customs Act, 1962:—
 - (i) The Crew Baggage Rules, 1967, published in Notification No. G.S.R. 758 in Gazette of India, dated the 27th May, 1967.
 - (ii) The Passengers (Non-Tourist) Baggage (Amendment) Rules, 1967, published in Notification No. G.S.R. 759 in Gazette of India, dated the 27th May, 1967.

[Placed in Library, see No. LT-576/67.]

- (2) A copy each of the following Notifications under section