modified forms. In this case the question is whether Shri Madhu Limaye was informed of this modification.

SHRI MADHU LIMAYE has pointed out.... (*Interruptions*)

MR. SPEAKER: The question to which he made a reference is before me. Any member of the opposition could see the papers. It is a routine correction There is no change

SHRI SHYAMNANDAN MISHRA: Was there any missing link What was there to correct?

MR. SPEAKER: I am told that these are just routine corrections. I am prepared to sit with Shri Madhu Limaye or any member of the opposition and see the papers. After all, they can make a mistake. Whatever be the little difficulties in the office, and there are thousands of questions which they are doing at the Secretariat level, I must own what they do. I can discuss it with you.

SHRI SHYAMNANDAN MISHRA: On the face of it, the framing of the question was impeccable What could be the reason for changing it?

MR. SPEAKER I see some corrections have been made I am prepared to sit with Mr. Limaye or any Member of the Opposition. I will discuss it. Certainly, if this is the position, I say, we must evolve a procedure by which when it goes in a corrected form, within a specified time, the Member should let the office know that this does not convey the sense.

SHRI MADHU LIMAYE Why should they correct it?

MR. SPEAKER: They have to correct the language. That is in the rules. If some mistake is committed by the dealing officer, I will certainly see that it is never done again and warn the officer. I am prepared to sit with him.

SHRI K. LAKKAPPA (Tumkur): Sir, the convention is that no Member should make any allegation against the Parliament secretariat.

MR. SPEAKER: Yes. He should bring it to my notice instead of bringing it in the House. I can deal with that.

SHRI H. M. PATEL (Dhandhuka): Sir, you said that the secretariat may edit the Question. But there must be the need for editing it. If you look at this Question, is it not a straight-forward and clear Question?

MR. SPEAKER: I have already offered to sit with him and discuss it I will examine it. If this is done in this way, certainly, the officer will be warned.

12.22 hrs.

QUESTIONS OF PRIVILEGE

AGAINST SHRI R. N. GOENKA, M.P.

MR. SPEAKER: Now, there are a number of privilege motions....

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I have already written to you. I only want two minutes....

MR. SPEAKER: Just by writing to me you do not become entitled. Because you write to me, therefore, these are orders for the Speaker. It is not that. I am not calling you.

I am taking up the question of privilege which is already fixed. This is about Mr. R. N. Goenka.

SHRI JYOTIRMOY BOSU: I only want to draw your kind attention to the statement made by Mr. L. N. Mishra yesterday.... (*Interruptions*)

MR. SPEAKER: That was over yesterday. I am not prepared to hear that again. That statement is not

under discussion now. I am not allowing anything else.....(*Interruptions*).

Mr. Jyotirmoy Bosu is such a noble person. If he devotes his energies to some constructive matters, the country will be lucky. But he goes to the negative side.

SHRI JYOTIRMOY BOSU: At the present moment, the country is in the hands of the destructive forces.

SHRI SHYAMNANDAN MISHRA (Begusarai): Destruction is a part of construction.

MR. SPEAKER: His theory is, first destruction and then construction.

Now, about the question of privilege, there are 10 Members listed and also Mr. Goenka. He wants to come with his reply.

SHRI K. LAKKAPPA (Tumkur): No reply. Under what rule, he will reply? (*Interruptions*).

On what basis can he give a reply?

SHRI PRIYA RANJAN DAS MUNSI (Calcutta—South): He cannot give a reply. (*Interruptions*).

MR. SPEAKER: Why do you go against yourself? Mr. L. N. Mishra was given a chance to reply.

SHRI K. LAKKAPPA: That was a different case. (*Interruptions*).

MR. SPEAKER: Let us settle it once and for all. If there is any question of privilege against Ministers, I will not allow the Minister concerned to reply to that, if you follow this procedure. All of you may please sit down. I have increased my dosage from two to four aspirins. I tell you, previously, in the last Parliament, I used to take only one; upto this time I have been taking two, and now I have to take four every day. Either God may give you wisdom or He may keep me out of this....

SHRI JYOTIRMOY BOSU: Peaceful co-existence.

MR. SPEAKER: Peaceful co-existence will kill me.

Now, Mr. Priya Ranjan Das Munsi. You will take only two or three minutes. I will hear Mr. Goenka also.

SHRI K. LAKKAPPA: How are you allowing him, Sir?

SHRI PRIYA RANJAN DAS MUNSI: I want to make a submission. (*Interruptions*).

MR. SPEAKER: I will listen to Mr. Goenka also. I am not going to reverse my procedure.

SHRI BHOGENDRA JHA (Jainagar): Mine was the first notice of privilege on this point. Please enquire and then decide.

MR. SPEAKER: Mr. Priya Ranjan Das Munsi's is the first.

SHRI PRIYA RANJAN DAS MUNSI: Mr. Speaker, Sir, on the 4th December, 1974, in the authentic progressive daily, Patriot, a newsitem was published which read as follow:—

"Goenka, 4 others to be tried for Forgery.

"Three directors of the Indian Express group are to stand trial for cheating, forgery and criminal conspiracy. Besides the directors—Mr. R. N. Goenka, his son, Mr. B. D. Goenka, and Mr. B. D. Goenka's wife, Mrs. Saroj Goenka—two other employees of the Express group of companies will stand trial on similar charges.

"The case was committed for trial by the Special Metropolitan Magistrate of Madras to the court

[Shri Priya Ranjan Das Munshi]

of the Chief Metropolitan Magistrate, New Delhi, on Saturday.

"According to the prosecution, the Indian Express (Madurai) Private Limited and the Andhra Prabha Private Limited hypothecated between the two of them cash credit facilities of over a crore of rupees with the Punjab National Bank, Madras. These credit facilities could be enjoyed on the basis of monthly stock statements sent by the companies to the bank.

"The prosecution case was that the accused entered into a criminal conspiracy in 1968, to cheat the bank, commit forgeries and falsify the account books and stock records of the companies with a view to obtaining excess cash credit facilities from the bank.

"Fictitious Firm.

"With this end in view, the prosecution case said, false invoices and other documents were prepared and false entries made in the companies' books. The documents by the companies were in the name of a fictitious Calcutta firm and showed purchase by the companies of white printing paper to the tune of Rs. 56 lakhs."

"...Besides the documents, the prosecution case said, false statements of stocks were sent to the bank. The two companies, according to the prosecution case, obtained a wrongfull gain of the order of Rs. 40 lakhs as a result of this cheating."

What I would like to submit is that on that day I expressed my view that I only wanted to have a clarification whether this Shri Ram Nath Goenka is a Member of this House who belongs to the Indian Express Management Group. If it is not so and if this report is a wrong report, then it goes against an hon. Member of this House and it amounts to a privilege and we all ought to protect the Member. In the privilege motion, it may also be considered that if the report is correct, then the entire House is involved and the prestige and dignity of the House is involved as he is a Member of this House. Now, I would like to submit to you that in the charge-sheet against Shri Ram Nath Goenka which is submitted by the Special Police Investigation Branch of Delhi...

SHRI K. P. UNNIKRISHNAN (Badagara): CBI:

SHRI PRIYA RANJAN DAS MUNSI: ...on 21st May 1973 by the CBI Special Investigation Unit and the FIR made is No. 2/71/SIU of 12th April 1974. The charges made are under Section 120B, 420. 469, 467 and 471 of the Indian Penal Code. The chargesheet involves many people including officials, Indian Express Group, son and wife of Shri Ram Nath Goenka, Shri Ram Nath Goenka is directly involved because the report and the charge-sheet say... (*Interruptions*)

MR. SPEAKER: Now, it is *sub-judice.*

SHRI K. LAKKAPPA: The biggest scandal of this country. ...(*Interruptions*)

MR. SPEAKER: It is *sub-judice.* We cannot discuss it.

SHRI PRIYA RANJAN DAS MUNSI: It says that accused No. 1, that is Shri Ram Nath Goenka is directly involved with the signing of the documents and getting money from the bank...

SHRI R. N. GOENKA: It is all false...(*Interruptions*).

SHRI PRIYA RANJAN DAS MUNSI: ...cheating the bank, forgery

and criminal conspiracy. My argument is that cheating, forgery and criminal conspiracy are criminal offences which will be rightly dealt with by the court of law and not by Parliament. There, I entirely agree with you. But, what I would like to submit is that in Shri Tulmohan Ram's case, I found that after the CBI investigation was over, you, in your wisdom, expressed in this House that since a *prima facie* case was established, the House could move any motion. Here also the CBI has completed its inquiry, a charge-sheet has been made and also an FIR lodged and, therefore, a *prima facie* case has been established. The charges against Shri Ram Nath Goenka are cheating, forgery and criminal conspiracy.

The charge is that Radha and Co., Calcutta is a fictitious company and who is connected with the Indian Express Group of Madras and Andhra Prabha got for the company credit facilities twice.... (*Interruptions*). once, to the tune of Rs. 18,67,600 and second time, to the tune of Rs. 37,30,108 in the name of Radha and Company. The report says that there is no such company or group. It is a false company. It is a fictitious company... (*Interruptions*).

These purchases were approved by a Board Meeting presided over by Shri Ram Nath Goenka, if he is at all a Member of this House. I do not know.

What I would like to submit again is that after this thing, Shri Ram Nath Goenka and his management filed writ petitions in Madras and Calcutta High Courts, not once, but twice and every time, it was rejected.

What I would now like to submit is that it may be argued that this was instituted in 1968 and what relevancy it has got in 1974. But what I would like to submit is that if at all a Member of this House commits a dacoity or a murder in 1968 and the findings of the inquiry come out in 1974 that he is genuinely involved, though at that time he was not a member, a *prima facie* case is surely established and a substantive motion can be moved.

So what I would request you now is that you may kindly take it to the Privileges Committee...

MR. SPEAKER: May I ask you one thing? Is it in connection with his conduct as a Member of this House?...

(*Interruptions*)

Is it his conduct as a Member of this House involved ar is it as a businessman?

SHRI PRIYA RANJAN DAS MUNSI: As a Member of this House.

MR. SPEAKER: As a businessman?

SHRI PRIYA RANJAN DAS MUNSI: As a Member of the House.

In both ways. A privilege can come in both ways. Collectively, as a Member of the House and also as an individual.

MR. SPEAKER: Please be clear about it.

SHRI PRIYA RANJAN DAS MUNSI: It is the duty of this House that if the report was found to be false, we should protect the dignity and honour of the hon. Member and we should all stand by him.... (*Interruptions*) Moreover, what I would like to submit is that the country and this whole House are exercised over what Mr. Jayaprakash Narayanji as doing. Shri Jayaprakash Narayan, most of the Members feel, is an honest man. I have, therefore, another request which is to protect Shri Jayaprakash Narayan from the clutches of these corrupt people if at all it is true.... (*Interruptions*).

SHRI MADHU LIMAYE (Banka): He is in nobody's clutches. He is in the clutches of the Indian people and none other.

SHRI PRIYA RANJAN DAS MUNSI: Sir, I conclude by saying this. The investigation report and charge-sheet were drawn after examining 223 officials and these include the Income-tax Department, of Company Affairs, The Indian Express Group, The Punjab National Bank etc. Then I quote. It says:

> "It has also been brought out during investigation that certain amounts alleged to have been remitted by the Express Group of Companies towards W.P.P./I.P.P. supply were in fact utilised for the share dealings at Calcutta and Bombay which were being conducted under instructions of accused No. I, i.e. R. N. Goenka."

This is in the report This is based on the documents, based on the charge-sheet and F.I.R. Now I like to submit this to you, Sir. You kindly take it to the Privileges Committee to find out the truth. It involves not only the question of Tul Mohan Ram There may be thousand Tul Mohan Rams in this House. We should pull them up. Therefore I like to submit, please take it to Privileges Committee and find out the truth. If he is involved he should be removed from the House. If he is not, we should unitedly stand and fight against this. So kindly take it to Privilege Committee. This is my submission, Sir.

SHRI P. K. DEO (Kalahandi): I need a clarification from Mr. P. K Das Munsi. How Tul Mohan Ram and R. N. Goenka can be equated together? Tul Mohan Ram is Member of the House. He used Lok Sabha stationery, Lok Sabha letter pad. He committed a breach of privilege of the House. He has been using Lok Sabha stationery, he forged signature of other Members. He forged the signatures of various Members of Parliament. Shri Goenka is alleged to have committed offences when he was not a member of this House.

MR. SPEAKER: Kindly sit down. After all there cannot be many Tul Mohan Rams.

SHRI SHYAMNANDAN MISHRA: There are already 21.

SHRI BHOGENDRA JHA: I have brought this Privilege Motion and I request that this should be sent to the Privileges Committee. After one scandal was discussed we have a bigger scandal in this House This has come tolight, which has tarnished the image of this House, of every Member of this House. This is equally and even more pernicious in that the huge amounts amassed as mentioned in these cases endanger and help forces causing destruction to the democratic structure itself. Shri Munshi read out from the Patriot of 4th December, 1974. I don't want to repeat that As Member of this House, some influence is brought upon this Government, upon the Finance Ministry that certain very serious things have been suppressed. In the late 1972 when Shri Goenka was in the House, very late 1972, I say, the Chief Cost Accounts Officer of the Union Finance Ministry submitted a report to the Ministry of Information and Broadcasting and uptill now it stands suppressed.

According to that report the investigator found that the Indian Express Pvt. Ltd., has raised by way of loans and deposits about Rs. 23 crores whereas the total share capital of all the newspaper groups was only Rs. 27 lakhs. Even after getting such a colossal sum the Finance Ministry found that Shri Ramnath Ji's empire ran a deficit of Rs 1.95 crore by 1972 after wiping out the share-capital and reserves of Rs. 1 crore. So, it is a defalcation of about Rs. 25 crores.

Another sensational finding of the investigator was in April, 1972 all the nine groups of the Goenka companies constituted themselves into a partnership firm called Express Traders which is ensconced in the Express Towers, Nariman Point, Bombay. This is again in violation of the company rules. Through these methods about Rs. 25 crores have been defalcated. Illegal actions have been committed and there is no point in not coming to the conclusion that as a Member of the House utilising status of a Member of this House, Shri Goenka, has succeeded in suppressing those things uptil now even after a thorough inquiry by the investigators of the Finance Ministry. It is the misfortune of this House that he is here uptil now.

Shri Jayaprakash ji in one of his article in the Daily Hindi Pradeep of Patna dated June 1, 1974 has said:

"जब पिछली बार हम विश्व-भ्रमण के लिए गये, तो हमारा राह-खर्च एक भारतीय मित्र ने दिया।"

Sir, there is suspicion and I also share that suspicion that that Indian friend is Shri Ramnath Goenka. He will say whether he is or he is not or Jayaprakash ji will himself clarify because it is not a question of.

श्री अवधेश्वर सिंह (इलाहाबाद): अध्यक्ष महोदय, मेरा पायंट आफ आर्डर है: क्या आप किसी सत्यापित के आधार पर किसी भी व्यक्ति के विरुद्ध केस बनाने की इजाजत देंगे, चाहे वह व्यक्ति जयप्रकाश नारायण हो, या फिरोज गांधी या जवाहरलाल नेहरू या इन्दिरा गांधी हो? (व्यवधान)

श्री श्यामनन्दन मिश्र: क्या आप श्री जयप्रकाश नारायण के नाम को यहां आने देंगे? आप इस पायंट आफ आर्डर पर अपना निर्णय दीजिए।

My point of order is this. A person like Shri Jayaprakash Narayan's name is brought in here in order to malign him.

MR. SPEAKER: Before the point of order was raised, I invited his attention as to why he should bring in the name of Shri Jayaprakash Narayan in a far-fetched manner. Why should he do that? It is his own business. Why should his name be dragged into?

SHRI SHYAMNANDAN MISHRA: You will kindly prevent him from doing it

SHRI BHOGENDRA JHA: Sir, it is pertinent; it is not irrelevant because Shri Goenka had been to Patna.

MR. SPEAKER: What is wrong with it?

SHRI BHOGENDRA JHA: Kindly hear me (*Interruptions*).

SHRI SHYAMNANDAN MISHRA: You would invite further trouble if you allow him to mention his name.

SHRI BHOGENDRA JHA: Sir, let me complete my submissions.

MR. SPEAKER: May I make it clear from the very beginning that I do not hold this case on the same footing? If you want to make out a case of Shri Goenka similar to that of Shri Tulmohan Ram do it in a way and do not try to drag in the political figure. This is a thoroughly procedural matter. If you want to make it a political debate, I am not going to allow it.

SHRI BHOGENDRA JHA: Sir, I have simply quoted a line from the writings of Shri Jayaprakash Narayan.

SHRI SHYAMNANDAN MISHRA: How is it relevant?

SHRI BHOGENDRA JHA: It is very relevant and I am going to explain that.

MR. SPEAKER: What I have got to say is this. Where is the question of privilege in it? The problem is this. With whom has he connections? His connections with Shri Jayaprakash Narayan and all these are extraneous matters. I have told you to keep this thing aside. What is the question of privilege?

SHRI BHOGENDRA JHA: I am telling you that this is very relevant for the very existence of our democracy. That is why I am mentioning this . (*Interruptions*).

SHRI SHYAMNANDAN MISHRA: I am asking you Mr. Speaker whether you will permit us also to bring in all kinds of names. I am putting it on record that we would not also be prevented by bringing in the names.

MR. SPEAKER: I have categorically told him not to metion the names

SHRI BHOGENDRA JHA: It is pertinent to mention it. I want to clarify it.

MR. SPEAKER: Do not make a political speach.

SHRI BHOGENDRA JHA: Sir, the money is being utilised to destory our democracy.

MR. SPEAKER: Whatever it may be how the privilege is involved in this?

SHRI BHOGENDRA JHA: I am coming to that.

If it will not be destroyed, it is good. I hope you will also co-operate with us. Here, there is a danger. I have not stated anything which cast aspersions because no newspaper can cast aspersions on Shri Jayaprakash narayan. Then, he himself suggested—I am simply quoting—

कुछ महीनों तक मैंने श्री घनश्याम दास बिरला के निजि सचिव के पद पर भी काम किया था। . . .

(*Interruptions*).

SHRI SAMAR GUHA: Sir, Just now, you have given your ruling. This forum cannot be used to bring in the name of Shri Jayaprakash Narayan. You cannot allow anything. This is the violation of your rule.

SHRI JAGANNATHRAO JOSHI (Shajapur): He may say whatever he likes. But, he should not bring in the name of Mr. Jayaprakash Narayan.

SHRI BHOGENDRA JHA: Sir, if I am allowed three minutes..(*Interruptions*).

SHRI PRIYA RANJAN DAS MUNSI: He must mention what are the things. You have allowed the Members of the Opposition to take the name of the Prime Minister.

SHRI JYOTIRMOY BOSU: Sir, I would like to seek a clarification. When did they come to know about this malpractice of 1971?

(*Interruptions*)

SHRI BHOGENDRA JHA: Sir, I would like to clearify certain points raised by the hon. Members.

SHRI SAMAR GUHA: Again he is reading the statement of Mr. Jayaprakash Narain.

SHRI BHOGENDRA JHA: I am quoting him.

SHRI SAMAR GUHA: Sir, you have given your ruling.

MR. SPEAKER: I would invite your attention that we are concerned with the Privilege Motion. Now, Mr. Goenka may have relations with anybody. When he was in the Congress, with Congressmen and now may be with others. But, we cannot discuss his conduct and his relations, with whomsoever he had. The only question is, how it becomes a privilege, so far as the prima facie case is concerned. You can explain it in the context of his being a Member of this

House. I want to make this very clear, from the very beginning.

SHRI BHOGENDRA JHA: You are right, Sir.

MR. SPEAKER: All of you are very good and very fiery people. When I see my old colleague, Mr. Darbara Singh with his white beared and white turban, sitting amongst you, I thought he will moderate you a bit

SHRI DRABARA SINGH (Hoshiarpur): There is no camoflage about me.

SHRI BHOGENDRA JHA: Sir, I do not know why some of the Members have mis-understood me. I have not cast any aspersions.

MR SPEAKER: Please conclude.

SHRI BHOGENDRA JHA: I have not even begun

MR SPEAKER: You can take two or three minutes more.

SHRI BHOGENDRA JHA: If I am allowed. three minutes undisturbed, I will conclude

MR. SPEAKER. I assure you that they will not disturb you for three minutes. But, you must be relevant.

SHRI BHOGENDRA JHA: I will explain how this is connected.

I do not want to cast any aspersion against Shri Jayaprakash Narayan. But he himself has said in that article.

MR. SPEAKER: Do not go out of the way. This is not about Jayaprakash Narain.

SHRI K. P. UNNIKRISHNAN (Badagara): Why do you become so sensitive? I have not seen this earlier. When people from the Treasury Benches were being hauled up, you had not expressed any such sentiments.

MR. SPEAKER: If you like, I can allow him to mention about Shri Jayaprakash Narain but you will not say that when your turn comes. Let this be very clear. I want to be very clear. If you want that I should allow it in the case of other persons, I shall allow it in the case of your members also.

(*Interruptions*)

SHRI N. K. P SALVE (Betul): Are you also going to undo some of the things that they have done? Is it possible to undo certain things that they have done already?

SHRI VAYALAR RAVI (Chirayinkil): There is some relevance. (*Interruptions*) Jayaprakash is the editor of the weekly (*Interruptions*).

PROF MADHU DANDAVATE (Rajapur): You may allow them to mention the name of Jayaprakash because without doing it a hundred times every day they cannot go to sleep.

SHRI H. K L BHAGAT (East Delhi): Everyday you bring in the name of Javaprakash When it suits you, you do it But now when his name is being mentioned by some one else, you protest Practise what you preach.

MR SPEAKER: Let this be treated on a higher level.

SHRI H K L BHAGAT: If you want to bring in the name of Jayaprakash when you like, you must be prepared to listen to others also bringing in his name. (*Interruptions*).

PROF. MADHU DANDAVATE: We have no objection.

SHRI BHOGENDRA JHA: I have not cast any aspersion on Jayaprakash. I am simply quoting from his article which will help the House to come to a conclusion. (Interruptions).

SHRI JYOTIRMOY BOSU: What has Shri Goenka done with Shri Jayaprakash? I cannot understand... (*Interruptions*).

MR. SPEAKER: I can understand Shri Goenka and Shri Jayaprakash together, but not your relation with Shri Goenka.

SHRI BHOGENDRA JHA: I was quoting.

"कुछ महीनों तक मैंने श्री घनश्याम दास बिरला के निजी सचिव के पद पर भी काम किया था। गांधी इरविन समझौते के बाद मैं अखिल भारतीय कांग्रेस में वापस चला गया। बिरला जी फिर भी मेरी तनख्वाह देते रहे।"

MR. SPEAKER: I am sorry. This is absolutely irrelevant.

SHRI BHOGENDRA JHA: Let me finish. This summer Shri Koenka had been to Patna and after his visit to Patna, one member of the Bihar Legislative Assembly belonging to the Socialist Party, Dr. Azam, made a statement in the press that he had been offered some thousands of rupees in order to make him resign from the Legislative Assembly (*Interruptions*).

SHRI SAMAR GUHA: This has been stoutly condemned by the Socialist Party... (*Interruptions*). What nonsense is he talking? (*Interruptions*).

MR. SPEAKER: This has nothing to do with the motion.

SHRI SAMAR GUHA: He is going to malign all parties, Jayaprakash, the Socialist Party and all others. Would you allow that (*Interruptions*).

MR. SPEAKER: I am so sorry. I will not allow you to go on like this. If you talk irrelevantly like this, I am not allowing you. I am really very sorry.

SHRI SAMAR GUHA: If I were to say that he was a British spy, would you allow it? I do not want to say it, but if I were to say it, would you allow it? (*Interruptions*).

MR. SPEAKER: I told you in the very beginning that this is irrelevant.

श्री जनेश्वर मिश्र : जयप्रकाश नारायण को इन के नेता डांगे साहब ने सन 42 में गिरफ्तार कराने की कोशिश की थी।

13.00 hrs.

MR. SPEAKER: Will you please listen? We are not on the question of admissibility of the motion. What Mr. Goenka did and what such and such person said about it, is all a political speech. On the point of admissibility I will not be guided by this speech. I am not going to allow you to make a general political speech. If you want to make a speech it must be relevant. Or, you sit down in a minute; this is what I finally say. Whatever, your views, one has to be relevant to the subject.

SHRI BHOGENDRA JHA: Till now I have not said a word about my views; I only quoted. I want to bring out that this huge amount has been defalcated, about Rs. 25 crores and the matter is still pending. After Investigation having been completed by the Finance Ministry the matter is still pending. Prima facie the Finance Ministry official has established it. A part of this huge amount is being spent in destroying our democracy... (*Interruptions*) On 18th July the Prime Minister made a statement in Calcutta that a certain businessman had sent emissaries to her that the case against him should be withdrawn or there will be trouble in Bihar. I want to know whether this businessman as Mr. Ramnath Goenka or not; whether the case referred to was this case which the officials are at present dealing with. You can ask the Prime Minister or you can ask Mr. Goenka. I am simply raising a question which I have

read in the Press because it is in the public mind and people have been asking me as a Member of this House to get the truth.. . (*Interruptions*) I am coming to the point. Shri Goenka went to Patna; he has a right as a Member of this House or as an individual or as a businessman to do so. But when he came back he made a statement that he went to Patna only to meet Mr. J. P. I am not going to dispute that. What I say is this. A huge amount has been defalcated A prima facie case has been established and the case has been committed for trial A huge fraud has been committed. It is my suspicion that because he is a Member of the House, utilising the status and privilege of a Member of this House, the Ministry and the Government headed by Shrimati Indira Gandhi are being black mailed into not taking proper action against him. The privilege of the Member of the House is being misused and the Government is blackmailed by money power... (*Interruptions*)

The Government and its policy are being influenced by big money and big business and that is why the danger arises to our democracy. Otherwise, if the Government had been immune to big money, there would be have been no danger, even if there are hundreds of Goenkas.

Shri R. N Goenka, by committing these crimes which have been *prima facie* proved, has tarnished the image of this House, and the privilege of the whole House and each member of the House is involved. The image of the House is being tarnished that in this House there are people who have defalcated crores of rupees. We have discussed Shri Tul Mohan Ram's case. Here it is not Tulmohan, but *atulmohan*—it is immeasurable. I submit that by misusing his position as member of this House and by pressurising and blackmailing this Government and the investigating officers, the crime is being continued. I request you, Sir, to accept this privilege motion and send it to the Privileges Committee, so that the image of the House is saved from being tarnished.

SHRI SHYAMANANDAN MISHRA: On the basis of the submissions made by the hon. Member, it seems that a huge amount of money has been defalcated by a particular person and the Government of India is sitting over that matter. May I move a motion of breach of privilege against the Minister of Company Affairs for suppressing this matter? Would you kindly give me permission because the minister wants to extort money from Shri Goenka?

MR. SPEAKER: We cannot bring up another privilege during the discussion of one privilege motion.

SHRI SHYAMANANDAN MISHRA: He has been supressing this with the object of pressumising him to give more money to the ruling party. So, a question of breach of privilege does arise against the Minister of Company Affairs.

MR. SPEAKER: How can you move another privilege when we are already dealing with the previous one?

SHRI SHYAMANANDAN MISHRA: It arises out of this.

MR. SPEAKER: You can raise it separately.

SHRI SHYAMANANDAN MISHRA: The Minister of Company Affairs might be trying to extort more money out of him. So, the question of corruption is also involved.

SHRI P. K. DEO: We would like to hear Mr. Goenka and Mr. Tulmohan Ram.

MR. SPEAKER: I had hardly got rid of the case of Shri Tul Mohan Ram and now we are having another one.

SHRI S. M. BANERJEE (Kanpur): I would like to support what my hon. friend, Shri Bhogendra Jha and my young friend, Shri Das Munshi, has said. You have asked a very pertinent question as to how it becomes a matter of privilege. If you really see the genesis of the case, it started in 1968. At that time Shri R. N. Goenka had all the resources but not the badge of a Member of Parliament My respectful submission is that from 1971 or 1972 onwards he used his influence as a Member of Parliament on the Government, on certain officers of the Finance Ministry, to hush up that case. That is our charge. You will realise that Shri R. N. Goenka is not interested in Rs. 51 per day, because he can spend that in a minute. That is the position of all big business houses. Shri R. N. Goenka is running some newspapers. I have nothing against those newspapers. In fact, I read his newspapers . *(Interruptions)* Shri Goenka has got all the resources at his disposal ... *(Interruptions)*. The question is very clear. He is involved in a case of forgery, whether it is section 420 or 120 I do not know: it had to be established. Of course, I know that he has not been convicted by a court and it cannot be done until the case is established. He has been chargesheeted and the case is going on. It has been going on since 1968. There are four cases, not one . *(Interruptions)*. They were there even before he became a Member of Parliament. In this particular case, Shri R N. Goenka should not have been elected to this House. But thanks to our voters yho elected him. He is now elected, as honourable as I am.

The question is, in this particular case, he has been influencing the officials and he has been using his position as a Member of Parliament. Here, I refer to the case of Mr. Mudgal. What did he do? He was only trying to hold a brief for a particular business house. That was his only fault. During those days, the people had character and he resigned. Now, whether privilege motion or no privilege motion, whether CBI report or no CBI report, nobody wants to resign unless he is dead and an obituary reference is made.

Sir, here I quote the same case which you know better than me, that is, the Mudgal case. There, actually, a Member of the ruling party did something or wanted to influence the officials. At that time, the leader of the House, late lamented Pandit Nehru, brought a motion against him in the House and that gentleman resigned. The same thing has happened here.

I want this matter to be sent to the Privileges Committee for two purposes. Let it be investigated whether he has influenced the officials If he has not influenced the officials either with money or moral force or anything, including some of the Ministers, I am prepared to apologise to him in this House. Who should judge it? The matter is not going to the CBI. The matter should be sent either to the CBI or to the Privileges Committee It should be sent to the Privileges Committee. In the Privileges Committee, he will be given full and adequate opportunity, as required under the Constitution, to defend himself. He can produce all documents and papers to prove that all the allegations against him are false. He can bring a defamation suit against the *Patriot*. I will not claim any immunity. I will apologise to him

You kindly send this matter to the Privileges Committee. Let him come out with flying colours and throw on our face that these are all false allegations against him and that we only wanted to assassinate his character. It is a fit case to go the Privileges Committee to find out whether he has used his position, as a Member of Parliament for the promotion of a particular

business concern which is owned by his group. This is a matter which should go to the Privileges Committee.

SHRI K. P. UNNIKRISHNAN: Sir, I shall begin my submission by saying that this is not an ordinary privilege motion. This is a rather extra-ordinary privilege motion which involves procedural questions of a fundamental importance That is why I earlier submitted to you that you cannot shut us out This would call for a clear ruling from you, not covered by your earlier rulings, not covered by earlier rulings of hon Speakers before the Fifth Lok Sabha

Since this matter involves a question of fundamental importance, we should be allowed to make our submissions clearly and adequatedly and we should be allowed full opportunity to do so. It concerns the unbecoming, undignified conduct and misdemeanour of a Member which is derogatory to the dignity of the House and which has brought this House to odium, ridicule and contempt before the public. It also involves the misuse of his position of a Member of Parliament after he became a Member of Parliament. What I am going to contend is that it is as though another Natwarlal has come to this House.

What I want to submit is this. Here is a habitual offender against whom not only charges are pending, not only charges of a kind that we have in Mr. Tulmohan Ram's case but much more than that, one who has been a habitual offender before he became a Member of this House and who continues to be one even to this day—that is the point; that is the most conclusive thing.

The question regarding such questions of privilege, what to do with such questions, was raised not only in Mudgal's case, but also during the Constituent Assembly debates. In such cases, what do we do? Then, dealing with such questions, Dr. Ambedkar one of the architects of the Constitution said:

I am quoting what Dr. Ambedkar had said:

> "Again it is open to Parliament to take such necessary action against any individual member for anything that has been done by him which brings Parliament as an institution into disrepute...."

This was what Dr. Ambedkar had said. So, it is not an easy question which should be dismissed lightly or where time should not be permitted to develop arguments. Of course, I am not going into the political arguments of the case, but I will refer to the other basic points, what is relevant to the central essence of the issue, about the habitual offender of crimes—crimes worse than what has been perpetrated by Tulmohan Ram or in the earlier case of Mudgal. He is amongst us. As I said—and I would repeat—a Natwarlal has become a member of this House!

On the 4th December, 1974, I saw a news item in the *Patriot* of Delhi which read:

> "Goenka and four others to be tried for forgery, cheating and criminal conspiracy".

I wrote to you, Sir, you would recall, Mr Speaker, and I had also requested you repeatedly to identify for my benefit, for your benefit and for the benefit of the House the person concerned, because I did not go by the name alone—because there are Goenka and Goenkas! So, I sought information from you whether it was the same person who represents the Vidisha constituency of Madhya Pradesh in this House who has been charged with serious criminal offnces. This was the information that I sought from you. Since I received no information from you, I had to make some enquiries on my own before coming to you with

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this motion. I looked into the 'Lok Sabha who is who'. I thought I could know more about this colourful person, this colourful seth! But just as he keeps himself mostly away from the House, he has also hidden himself from the 'Lok Sabha Who is Who'! I wanted to identify the person, I wanted to establish his identity. I would have loved to know his hobbies and pastimes besides floating papers, besides indulging in 420, 468, etc. But that was not available. Then I went through the Lok Sabha List of Members, Seventh Edition, which refers on page 29 to one R. N. Goenka, having his permanent address as Express Estates, Mount Road, Madras-2.

Subsequently after this, I got information that the CBI, on a complaint from an Under Secretary of the Government of India, had conducted investigations and framed a long list of charges. For the information of the House, for your information, Sir, this is not the first CBI inquiry, this is one in a long series of CBI inquiries this is one in a long series of cases pending, that has been going on, that is being inquired into, when involves the entire gamut of the Government of India—all the departments. So, Sir, this is a very serious question.

In one of the last—I hope, it will be the last—there is long series of frauds, cheating and violations of the Indian Penal Code, committed by Shri R. N. Goenka whom I have identified as the Member representing the Vidisha Constituency of Madhya Pradesh. I understand that on F.I.R. No. RC 2|71|SIU of the CBI, the said Ramnath Goenka, son of Shri Basant Lal Goenka, having the same address as mentioned in the Lok Sabha List of Members, has been charged with 15 or more offences, including those of forgery, use of forged documents as genuine, criminal conspiracy, cheating, etc., which reads very similar to the charge-sheet against Tulmohan Ram with which the House was concerned. There were only eleven charges against Tulmohan Ram, but here there are 15!

Mr. Shyamnandan Mishra is not here. Now let me say this that I am interested in defending the honour and dignity of the House and of its members. I am interested in defending not only Tulmohan Ram but also Shri Ramnath Goenka because they happen to be members of this House, and the honour of this House has to be defended.

You, in your wisdom, Sir, told the House on 12th November:

> "We do not like any black sheep which might come out of us."

This is precisely the point. My argument flows out of your ruling and what I have quoted from the Constituent Assembly debates, what was said by Dr. Ambedkar. I beg to submit that this is applicable not only to Mr. Tulmohan Ram but also to Mr. Ramnath Goenka who is a habitual offender, Seth *Golmal* of the Indian business world. Mr. Jyotirmoy Bosu had raised some of these questions earlier. Mr. Madhu Limaye and others are also interested in exposing corrupt elements; they are very alert in this House, they are seasoned Parliamentarians, they are very respected leaders, who are out to jump at anybody and every body. I do not know how this escaped their attention and why they are silent. What is the nexus between Seth *Golmal* Ramnath Goenka and..... (*Interruptions*). Shri Atal Bihari Vajpayee, who is not here now, and Shri Shyamnandan Mishra and said the other day, "We are concerned about the honour of the House. You are humiliting the House". That was the charge raised in Tulmohan Ram's case. They said they were interested in the pursuit of truth. But why is it that those who want to expose the

system, as Mr. Madhu Limaye and Mr. Jyotirmoy Bosu would want, why is it that those who are interested in exposing not only the corrupt but also exposing the.... (*Interruptions*)

श्री मधु लिमये : मुझ मौका देंगे ? मेरा नाम लिया गया है ? यह कोई तरीका है ? मैंने आपका नाम नहीं लिया था । प्रोसिडिंग्ज किस ढंग से चल रही है, यह मैं जानना चाहता हूं

MR. SPEAKER: The question has been brought by him. Chance is given only to those members who bring the motion.

SHRI K. P. UNNIKRISHAN: I was only asking about the nexus. (*Interruptions*). I do not want to go into those things I do not want to refer to names. Here, Sir, I would only say that, some time ago, the said Member got himself admitted in the C. M. C. Hospital, Vellore of South India. It is a private hospital, it is not a Government hospital, and we have found in cases of several smugglers like Bakhia that he nursing homes and hospitals have used not only for treatment but for misconduct and also as places for criminal conspiracy and such other activities...(*Interruptions*).

MR SPEAKER Now, let me know.

SHRI MADHU LIMAYE· Is Jayaprakash Narain a Bakhia? That is what you are trying to make out?

(*Interruptions*)

श्री अनेश्वर सिंह : मेरा पायंट आफ आर्डर है । यह गोयन्का भारत के भूतपूर्व प्रधान मंत्री के दामाद को तीन हजार रुपये महीना देता था, और वह दामाद उस में से 1500 रुपये अपनी बीवी को देता था । मैं चाहता हूं कि रामनाथ गोयन्का ने फिरोज गांधी से ले कर जयप्रकाश नारायण तक जितने राजनेताओं को मदद दी है, उन सब के बारे में वहां पर बहस होनी चाहिए। (व्यवधान) फिरोज गांधी 1500 रुपये इन्दिरा गांधी को देते थे । जब फिरोज गांधी से इन्दिरा गांधी का झगड़ा हो गया, तो वह गोयन्का के यहां यह कहने गई कि आप फिरोज को जो सहूलियत देते हैं, उसको कैन्सल कर दीजिए । इतने लो लेवल पर प्रधान मंत्री जाती हैं ।

MR. SPEAKER: Now, kindly sit down.

श्री अनेश्वर सिंह : अध्यक्ष महोदय, मैंने दूसरा पायंट आफ आर्डर रेज किया है। गोयन्का और बिड़ला जैसे रईसों ने 1947 से ले कर आज तक किन किन राजनेताओं को कब कब मदद दी, और कितने राजनेताओं को भ्रष्ट किया है, उन की एक लिस्ट बनाई जाये । भारत के भूतपूर्व प्रधान मंत्री के दामाद को तीन हजार रुपया यही गोयन्का परिवार देता था, और वह अपनी पत्नी को 1500 रुपये महीना देते थे । इन सब बातों पर बहस होनी चाहिए । हम चाहते हैं कि हिन्दुस्तान के करोड़पति और अरबपति जितने राजनेताओं को भ्रष्ट करते रहे हैं, उन की एक फेहरिस्त बनानी चाहिए और उस पर चर्चा होनी चाहिए । (व्यवधान)

SHRI PRIYA RANJAN DAS MUNSHI: I know what you do. Please do not defend.

MR. SPEAKER: Mr. Unnikrishnan, please sit down. Now, let me know. If some people do not express themselves, it does not mean that you should attribute motives to that. Tomorrow, if my ruling per chance goes against you, you will say that I am also in league with these people?

SEVERAL HON. MEMBERS: No, no. How can it be?

MR. SPEAKER. Some people are sitting and some are listening Why do you go out of the way to attack them? You better express yourself rather than attack others

SHRI K LAKKAPPA: I have so much respect for you.

MR SPEAKER May I request you to please confine yourself to the point of admissibility

SHRI SAMAR GUHA Not on a point of order but on a point of submission Would you permit all these things, the object of which is to use Shri Goenka as a Sikhandi to attack Jayprakash Narayan? Will you allow this game to go on? Will you allow this thing?

If you allow this thing the day is not far off (*Interruptions*) You are playing with fire (*Interruptions*) Jayaprakash Narayan is the people's leaders (*Interruptions*)

MR SPEAKER Will you please sit down, Professor?

SHRI SAMAR GUHA We cannot tolerate these things

अध्यक्ष महोदय : हाउस में जो भी बहस होती है, उस में जिस की जो मर्जी होती है, वह कह देता है। श्री ज्योतिर्मय बसु एक दो दफा नहीं, दस दफा दखल देते है और पगडी उतारने मे किसी को नहीं छोडते हैं। आप ने ऐसी परम्परा को कायम किया है। अब किसी ने कुछ कह दिया, तो कितना गुस्सा आता है। यहां जो परम्परा कायम कर दी गई है, आप उस मे बच नहीं सकते। लेकिन फिर कहूंगा कि आप डिस्कशन को रेलिवैंसी के अन्दर रखिए।

Mr Unni Krishnan, kindly wind up Please conclude. (*Interruptions*).

श्री बरबारा सिंह : अध्यक्ष महोदय, आप इनको मना कीजिए। वह इतनी ऊंची आवाज मे बोलते है। उन्हे ब्लड प्रशर की बीमारी है। कही हम अपना मेम्बर खो न बैठे।

अध्यक्ष महोदय : श्री गोयन्का जितने जोश मे आयेंगे उतना शोर बढ़ता है आप शान्ति से बैठ कर सुनें। जब आप की बारी आयेगी, तब मैं आप का मौका दूंगा। आप को शान्त रहना चाहिए। आप क्या गुस्सा मानते है?

SHRI R N GOENKA (Vaidisha) Why I have not been allowed to speak? Why I am not granted permission Sir? Let me first make a submission to you

MR SPEAKER I will give you a chance to speak Kindly sit down

SHRI R N GOENKA When they attack my friends I feel for it (*Interruption*)

MR SPEAKER Kindly sit down May I tell you, Mr Unni Krishnan, I have undergone lot of strain in these cases in Tul Mohan Ram's case in this case and in other cases? Nobody inside and outside is being spared. Kindly do not convert it into a House

SHRI K P UNNIKRISHNAN While I am not impressed by the historinics there or the tantrums here, but in response to your appeal, I shall not go into the question of CMC Hospital, the bills paid and the various other things I shall come to other points

MR SPEAKER Please conclude in a minute

SHRI K P UNNIKRISHNAN I am not going into the stinking scandals, which are there concerning many

business houses, about various purchases made, about those who specialise in tax evasion and smuggling and violation of all the laws that we make here. I am not also going into the ugly face of free enterprise of which Mr. Piloo Mody talks about. But, Sir, some of these tycoons, including this honourable Member, can only be compared to the high-way robbers of the middle ages, but I am not even concerned with that aspect of the matter. I am only concerned with his conduct as a Member of Parliament, which has brought ridicule upon this House. odium upon this sacred institution and that is where my Privilege Question comes in.

MR. SPEAKER: Please sit down. Kindly conclude now.

SHRI VASANT SATHE (Akola): You are allowing ten days for them, why don't you allow him a few more minutes? You must allow him.

MR SPEAKER: If they are wrong, you are also going to be wrong! What is this? This will be never ending. What is wrong with you people?

SHRI K. LAKKAPPA: Please allow him to conclude.

MR SPEAKER: If they are robbers, you also wish to be so.

SHRI VASANT SATHE: How many hours did Mr. Madhu Limaye take? How many hours did Mr. Vajpayee take? You allowed seven days. Here you should allow him at least 70 minutes.

MR. SPEAKER: Mr. Sathe, you happen to be on the Panel of Chairmen. You don't look nice doing that,—if any other person would do, I would not mind. Mr. Sathe I do not think you will approve of the behaviour of a Member who behaves like this when you are sitting in the Chair. You some time sit here. You happen to be the Chairman and you should not do things like this.

SHRI K. P. UNNIKRISHNAN: My whole point is that the Member from Vidisha is not only charged with forgery but also, unfortunately, seems to be a habitual offender. In answer to unstarred Question No. 679 on 31st August 1970 the then Minister for Company Affairs laid on the Table of Rajya Sabha a long statement about one of the earlier CBI inquiries concerning one National Company. Again the charges in which the Member was involved, who, again I repeat, was a habitual offender were similar, namely, 420 etc. This concerns the National Company and cornering of the II SCO shares. This was one of the charges which is still there in the new chargesheet. To quote: "the agencies were asked to maintain two sets of accounts, namely, (a) concerning actual amounts spent on jute purchases; and (b) concerning inflated amounts which were to be dishonestly obtained for the aforesaid company."

Again in RC-1/70/SIU dated 14-2-1970, the name of number one accused is one Shri R. N. Goenka in his Calcutta address. In the forwarding report to the CBI, the Department of Company Affairs dated 21-7-1970—all of which came to light after he became the Member of Parliament the report says: "it may be pointed out that there are circumstances suggesting that R N Goenka by virtue of his dominant position in the Board of Directors of the company has misused his position in committing breach of trust, fraud, cheating and falsifying all accounts." Again there are the same charges.

Mr. Goenka is a respectable man and I would like to defend him like my other friends but I am sorry I cannot do so. He is not merely a Member of the House. He is a jute baron and a newspaper tycoon and one who controls—to quote the Supreme Court in a case—"who poisoned the wells of public opinion of this country." This is justice Mathew's judgement. There was a

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time earlier when Mr. Goenka could have done anything. There is still in the officialdom a powerful set of people who are with him. There is another set of people, and that is the crux of the problem, who are being pressurised by him in his capacity as Member of Parliament, because in 1966, the then Finance Minister, Shri Sachin Chaudhury and the man who followed him, Shri Morarji Desai the then Finance Minister—I am just quoting his designation—allowed Shri R. N. Goenka to furnish a guarantee—a personal promissory note for Rs. 50 lakhs was accepted as personal guarantee.

SHRI JYOTIRMOY BOSU: On a point of order. Is he quoting from any document? It should be laid on the Table.

SHRI K. P. UNNIKRISHNAN: I am quoting. In response to an answer to an unstarred question.... (*Interruptions*).

SHRI K. LAKKAPPA: The Speaker will look after that.

SHRI K. P. UNNIKRISHNAN: This is in response to an unstarred question in the Lok Sabha No. 5279 dated 21-12-1967. That is my point. Please listen to me. Now, it has been going on.

SHRI MADHU LIMAYE: Who asked the question?

SHRI K. P. UNNIKRISHNAN: By one Shri P. C. Verma.

MR. SPEAKER: This was in 1967.

SHRI K. P. UNNIKRISHNAN: Yes. Now, my point is this. We are not aware of full facts but we have only outlined a conspiracy in which the Member is involved, the bare evidence regarding the various crimes that he has been committing including 420, forgery, fraud. Now, I am demanding a statement from the Government before we proceed with the Privilege Motion. I demand from the Home Minister and also from the the Minister of Finance, from Minister of Law and Company Affairs, in fairness to him, from the Minister of Industrial Development and Mr. Gujral, Information and Broadcasting Minister because this concerns the whole gamut of activities, gamut of industries, where he has been perpetrating these things.

Now, Sir, the basis on which I have come before you is the chargesheet 1/1973 dated 21-5-73 by the Police Station Investigating Unit, S.P.C.B.I., District New Delhi. That is the basis to some of which Mr. Munsi has referred to much earlier. Here is a question of how public money is being misused by a newspaper tycoon. Mr. Justice Mathew himself described it by poisoning the wells of public opinion.' Here is a man who has not even spared Lord Venkateswara of Tirupati who is revered by millions in this country. He has not even left him in peace. He and some other members of his family have used the trust funds of Sri Venkateswara temple to commit the same crimes in any number of cases.

Here is Ivan Kruegar less his good qualities; I hope that he does not meet the same fate. Now, the Chief Accounts Officer of the Finance Ministry who went into the balance sheet of the Express Group (*Interruptions*).

MR. SPEAKER: You must conclude now in a minute. I am not going to give any more time. You will please sit down. I am not going to give any more time. Please sit down.

SHRI K. P. UNNIKRISHNAN: Please have some patience.

MR. SPEAKER: Should I have patience? This man is advising me to have some patience. You request him that let it not be exhaustive.

SHRI K. LAKKAPPA: Huge buildings have been purchased in Karnataka; this was the charge against Shri Nijalingappa. He has to refer to that.

MR. SPEAKER: Mr. Lakkappa how is it that you have come from the back pillar to the front seat.

SHRI K. P. UNNIKRISHNAN: The Express Group of which he was the Chairman or Managing Director or whatever he was—it is very difficult to find out—it undergoes metomorphosis—it was a private limited company in 1959; public limited company in February 1961 and again a private limited company in January 1968! It goes on and on and on! You see in between 420 is fixed at various points!

Now, Sir, the Chief Cost Accounts Officer of the Finance Ministry—I have a grievance against this Government also—I here agree with Mr. Bosu and Mr. Madhu Limaye that they have been sleeping over the misdeeds of this gentleman—in the balance sheet of the Express Group from 1964-65 to 1970-71 found that not only the capital has been wiped out but borrowings in 1971, were Rs. 22.7 crores and deposits from public—with which I am concerned—, particularly from the public in Madras and Bombay, who were impressed by the sign board 'Express' were to the tune of Rs. 10.69 crores. Where is this report, I would like to ask, Mr. Gujral? I would like to ask the Minister of Finance, why is it hidden from the Parliament?

Now, Sir, this is not an ordinary case. It involves the conduct of a Member. We are only interested in the pursuit of truth. Before this House can proceed further in this case, we must have all the facts. Sir, you, in your wisdom, in Tulmohan Ram's case, observed that the information is called for in such cases. You, in your wisdom, were also able to guide us so that we have now come to a point where we have allowed the Opposition leaders to have not only a look at the CBI report, but all the relevant files and various other re-records. Now, Sir, our rights as Members of this House are, I suppose, very much the same. Before I go further into this question, I would demand that before you give your ruling, you should give an interim ruling to the effect that these Ministers whom I have named earlier, should come before the House and tell us as to how many CBI cases have been registered in various cases and also about....

SHRI MADHU LIMAYE: I will support you.

SHRI K. P. UNNIKRISHNAN: CBI report can be shown to some of us on this side, and not to you.

श्री मधु लिमये : अध्यक्ष महोदय, इनको को-आप्ट करने को हम तैयार हैं।

MR. SPEAKER: That is for the leaders of the Opposition. What is your position?

SRI K. P. UNNIKRISHNAN: I would like to know another thing. There is the National Company golmal. It was a very good company in 1959. When the Member took over the company, it showed a profit of Rs. 19 lakhs in the balance sheet and next year, it showed a loss of Rs. 19 lakhs! This was in 1960-61, for the first year. Then, one Shri N. K. Jajoria complained. It was in that background that earlier promissory notes were accepted from him. Sir, it is very relevant that in the charge sheet provided earlier in the other House, there should have been the name of Mr. Choraria. I would like to know from the hon. Finance Minister, who is sitting here, whether this Choraria is the same person who has been taken into custody under MISA for violation of foreign exchange rules Is it the same Mr. Choraria? I would like to have a definite answer. Apart from this, in....

MR. SPEAKER: Now, have you listened to me? I have requested you a number of times to resume your seat.

SHRI K. P. UPNNIKRISHNAN: There was a customs case, when the CBI went into it and made investigation.

Again, accused number one was the Member for Vidisha. I cannot go on, nor can this House go on, I submit, before we have full facts about all these companies with which the hon. member is connected and without the results of the pending CBI inquiries, chargesheets pending before the courts, various other relevant documents and files as the Government may seem fit to lay on the Table.

SHRI MADHU LIMAYE: That is a good demand.

MR. SPEAKER: No more now. Please sit down.

SHRI K. P. UNNIKRISHNAN: I am just concluding.

MR. SPEAKER: In a minute you must sit down. This should be final. I cannot tolerate all this.

SHRI K P. UNNIKRISHNAN: I am just concluding.

PROF. MADHU DANDAVATE: Even Shakdher's book is smaller than this.

SHRI K. P. UNNIKRISHNAN: I charge the Member from Vidisha with grave misconduct and with having lowered the dignity of the House which call for suitable action by the House, but before we do so, again I would request you in your wisdom to direct the Ministers concerned before we go ahead with this privilege motion to come before the House and let us hear them. Here is a member who is a habitual offender, the normal crimes attributed to him being forgery, cheating etc. It is a matter of grave importance, as Shri S. M. Banerjee pointed out earlier, because it brings the whole institution, which we cherish much, into disrepute. Thank you.

MR. SPEAKER: Shri Goswami. How much time does he want?

SHRI DINESH CHANDRA GOSWAMI (Gauhati): Five minutes:

MR. SPEAKER: After Shri Goswami has finished, I will not call any more members for this. Those who want to speak on this will be allowed on Monday. This will be taken up next week, on Monday.

SHRI DINESH CHANDRA GOSWAMI: It is very unfortunate that we have spent most of the time of the last session and also this session in discussing about ourselves, the dignity of the members of this House, rather than discussing the innumerable problems facing the country. It is with great regret that I am placing before the House the case of another member, Shri Ramnath Goenka, who has been chargesheeted by the CBI under 15 heads with all conceivable social crimes under the Indian Penal Code, crimes like forgery, cheating, conspiracy and so and so forth.

The facts of the case, as the CBI report discloses, are that Shri Ramnath Goenka and his family members, who were owners of two concerns, the Indian Express Pvt. Ltd. and the Andhra Prabha Pvt. Ltd. had hypothecation cash credit facilities with the Punjab National Bank. They in return for the stocks that they possessed could take cash credit from the Punjab National Bank.

Around March 1968, accused No. 1 along with others entered into a criminal conspiracy to cheat the Punjab National Bank and its officials by submitting false stock statements including non-existent stocks of white printing paper and Indian printing paper. What they did was that they showed in their account books that they purchased white printing paper

and Indian printing paper worth Rs 55,98,608 from one company, Messrs Radha and Company of 7, Lyons Range, Calcutta The CBI report discloses that when the CBI went for investngation, the investigation disclosed that there is no concern of the name and style of Messrs Radha and Company in existence at 7, Lyons Range, Calcutta Therefore, by showing these fraudulent documents, they induced the Punjab National Bank to increase their cash credit facilities to the extent of Rs 41,98,956

14 00 hrs

I have no time, I will not be able to place all the details before the House But the essence of the allegations are that false and misrepresentations the company belonging to the hon Member if I can call him honourable, and his family made drawals from the cash credit account and obtained wrongful gains to the maximum extent at various stages amounting to Rs 27 97 334, Rs 27 98 198 and Rs 25 74,221 totalling Rs 81 69,744 in the name of one company In the the name of another company it was to the extent of Rs 14 00 767 13 99 838 and 13 99 278 totalling Rs 41 99 884 Together the total misappropriation came to Rs 1 23 69 588

Now Sir you asked a very relevant question Does this conduct of Mr Goenka amount to breach of privilege? I am trying to answer this point As a member of Parliament various rights and privileges are enjoyed by us and we are expected to act with responsibility and the country expects us to behave with dignity in keeping with the rights and privileges that we enjoy We frame criminal laws, Indian Penal Code and Criminal Procedure Code and one amending Bill on the Indian Penal Code is no before the Select Committee If this House consists of Members who commit such serious offences, how will the country have confidence in laws framed by such people? If the people find that there are persons in this House who are guilty of cheatting, misrepresentation and forgery to the extent of crores of rupees, obviously people will have no confidence upon the Codes that are framed here because the Codes had been framed by persons who are guilty of these crimes

Therefore the basic question to which we should address ourselves is this When a Member puts the entire House into disrepute, has he committed a breach of privilege or not? This is the question to which till now we have received no answer In the fitness of things, you, Mr Speaker, Sir has been called upon to give a momentous ruling on this point We have full confidence that after due deliberations, you will give a ruling taking note of the fact that because of the rights and privileges that we enjoy as Members of Parliament the country expects us to do various dealings in such a way that they can repose a certain amount of confidence in us May be it is because of that one of the most important men of this country who is leading a crusade against corruption has placed reliance upon this hon Member It may be because of that he has said that he is a friend and he has placed confidence upon him and he is a close associate of his because as a Member of Parliament he is supposed to be an honourable Member Could we allow this situation to continue? Because of the presence of such persons this House has been brought into disrepute Whatever functions are performed here by us with utmost dilligence, they get adverse reflection throughout the country Therefore, I say that he has brought this House into disrepute and has tarnished the image of Members It is a fit case for an investigation by the Privileges Committee

In order to find out whether the Member has brought the House into disrepute and whether in such cases action can lie against him, the easy

[Shri Dinesh Chandra Goswami]

should go to the Privileges Committee which should investigate into the truth of the matter. Before it goes to the Privileges Committee, I should say I am in complete agreement with Shri Unnikrishnan that for our complete understanding of the question the entire facts should be placed by the concerned Ministers before this House.

MR. SPEAKER: We will take it up next week.

SHRI JYOTIRMOY BOSU: On a personal explanation. Sir, I and my party have been consistently fighting against the malpractices of the big houses. In the course of the brilliant research they have done, if they look into the records they will see that I am the man who had raised it again and again. I am telling you, you institute a probe at once as to whether as a Member of Parliament, he has misused his position to pressurise the Government. If you are worth the salt, institute a probe. Mr. Goenka had been a Congress candidate in 1952 Lok Sabha elections. So this habitual offender had been a Congressman. I do not want to drag other things. I have been consistently fighting against the malpractices of big houses. But here is a Minister sitting. Prof. Chattopadhyaya who defends Asian Cables and then comes and apologises here. I can give dozens of more instances. You institute a probe whether Shri R. N. Goenka as a Member of Parliament has used his influence to pressurise the Government.

MR. SPEAKER: You wanted to make a personal explanation, but this is not a personal explanation. Shri Limaye

SHRI VAYALAR RAVI: Our names are there. We should be called first.

MR. SPEAKER: He wants a minute for a personal explanation. Let him make it.

श्री मधु लिमये : अध्यक्ष महोदय, मैं एक मिनट में पसनल ऐक्सप्लेनेशन देना चाहता हूं ।

अध्यक्ष महोदय, अगर मेरा नाम नहीं लेते तो मुझे स्पष्टीकरण देने की आवश्यकता नहीं पड़ती । जो भी इकोनामिक ग्रोफ़ेन्डर्स हैं मैं हमेशा उन के खिलाफ लड़ता रहा हूं और "इस्को" और "नेशनल जूट" के मामले लगातार हम लोग उठाते रहे । और जहां तक कि नेस मन के राजनीतिक नेताओं से सम्बन्ध का सवाल है मैं ने नोटिस दिया है कि आर० एन० गोयन्का के श्रीमती इन्दिरा गांधी, स्वर्गीय फ़ीरोज गांधी और श्री जय प्रकाश नारायण से जो फ़ाइनेंशियल रिश्ते थे उस पर बहस की जाय ।

और दूसरा यह है कि

"That this House directs the Government to place the CBI report in connection with Shri R. N. Goenka's case on the Table of the House."

इस को प्रायरेटी मोशन का दर्जा दिया जाय ।

(*Interruptions*).

MR. SPEAKER: Papers to be laid.