

बल्कि वहाँ जाने के लिए ओ गैलरी भी उस में बह कूपर से रुफ गिरी। उस में जी डी जी एम एस की एनक्वैरी हुई है उस की घभी जो प्रेलिमिनरी रिपोर्ट आई है उस में भी किसी की जिम्मेदारी नहीं रखी गई है। उस में उन्होंने कहा है कि --

"The accident appears to be a misadventure; the accident is due to the factors beyond human control."

यह घभी प्रेलिमिनरी रिपोर्ट है डी जी एम एस की, फाइनल नहीं है। फाइनल रिपोर्ट जब तक न आ जाये तब तक मैं और कुछ कहना नहीं चाहता। लेकिन आज जो एक रिपोर्ट आई है उसके उम में यह बात कही गई है। तो घभी तक तो इस में किसी की जिम्मेदारी की बात नहीं आती है।

जहा तक कम्पेंसेशन का प्रश्न है यह 500 रुपया तो ऐडवाक घभी दिया गया है एक्स-प्रेजिया पेमेंट और 7 हजार रुपया हर परिवार को दिया जायेगा। जो वर्कमें कम्पेंसेशन एक्ट है उस से ज्यादा यह रकम है। उसी के हिसाब से कोई लकीर के फकीर बनने की बात नहीं है, उस से ज्यादा वेगे इसके अलावा वर्कमें भी कुछ काट्रीव्यूट कर रहे हैं कोलियरी माइन के वर्कमें भी 5 रुपया फो वर्कमें काट्रीव्यूट कर के दे रहे हैं जो उन को दिया जायेगा। मैनेजमेंट की तरफ से 7 हजार रुपया हर परिवार को दिया जायेगा।

आप ने पूछा कि डी जी एम एस के अलावा हम लोग क्या कर रहे हैं तो हमने भी एक इंटर्नल सेफ्टी आर्गेनाइजेशन पब्लिक सेक्टर कोल माइन में बनाया है और वह टर्नल सेफ्टी आर्गेनाइजेशन काम करने लगा है। उस में बाहेर बह कम्पनी के स्तर पर हो या एरिया के स्तर पर या कोलियरी के स्तर

पर हो, प्रोडक्शन स जिस का कोई सम्बन्ध नहीं हो ऐसे सेफ्टी इम्प्रोवमेंट निरूपण किये गये हैं जिनको पीछे आ कर माइन्स को इम्प्रूव करना होता है और जिनको बताया गया है कि क्या-क्या चीजों की देखरेख करे जिस से ऐक्सीडेंट्स न हों।

SOME HON. MEMBERS rose—

MR. SPEAKER: No more questions.

11 22 hrs.

ESTIMATES COMMITTEE

REPORT EIGHTY-EIGHTH AND MINUTES  
 SHRI TULSIDAS DASAPPA  
 (Mysore) : I beg to present the following Report and Minutes of the Estimates Committee:—

(i) Eighty-eighth Report on the Cabinet Secretariat (Department of Personnel and Administrative Reforms)—Deputation of Indian Experts and Officers abroad.

(ii) Minutes of the sittings of the Committee relating to the above Report.

11 22½ hrs.

STATEMENT RE APPOINTMENT OF COMMISSION OF INQUIRY TO ENQUIRE INTO ALLEGATIONS AGAINST THE FORMER CHIEF MINISTER AND SOME MINISTERS OF TAMIL NADU.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA) : As the House is aware, allegations of corruption, favouritism, administrative and financial improprieties and abuse of official position, were being received against the erstwhile Ministry of Tamil Nadu for some time. In November, 1972, Shri M. G. Ramachandran, M.L.A. of Tamil Nadu

[Shri On Mission]

had presented a memorandum of allegations, to the President and later Shri M. Kalyanasundaram, M. P., and some others, presented another memorandum of allegations to the President followed by a further communication from Shri M. Kalyanasundaram. These memoranda contained, in all, 54 allegations (not counting the repetitions as separate allegations). 27 of these were against Shri M. Karunanidhi personally, and 13 against other State Ministers. The remaining 14 allegations were of general nature relating largely to abuse of power by the DMK party in that State.

In accordance with the settled procedure, we had asked for the comments of Shri Karunanidhi on these allegations and later also referred to him, for comments, the rejoinders received from the memorialists. The comments received from him, though copious in volume, were not sufficiently informative on various aspects which necessitated seeking clarification on some points. Even the clarifications which were received later, were not entirely satisfactory.

While the matter relating to these allegations was under examination further reports were received from different reliable sources that acts of administrative and financial impropriety, corruption, misuse of authority etc. by State Ministers, were continuing, citing certain specific instances. One such memorandum of allegations dated the 1st December, 1975 was received from Shri K. Manoharan, M. P., and Shri G. Viswanathan, M.P.

The Governor of Tamil Nadu also, in his report to the President dated the 29th January, 1976, recommended that a High Powered Commission should be appointed to inquire into the several serious allegations against the Ministry and the Ministers involved.

Accordingly, it was decided that all these matters should be inquired into by an independent, impartial body. A notification has been issued today appointing a Commission of Inquiry under section 3 of the Commissions of Inquiry Act, 1952 to inquire into allegations against the former Chief Minister and some Ministers of Tamil Nadu. Shri Justice R. S. Sarkaria, Judge of the Supreme Court of India, has been appointed to head the Commission of Inquiry. With your permission, Sir, I lay a copy of the notification on the Table of the House.

For the present 27 out of the 54 allegations contained in the memorandum of Shri M. G. Ramchandran and the memorandum of Shri M. Kalyanasundaram and some others, which appeared, *prima facie*, to require a probe, have been referred to the Commission for inquiry. Some material and information which have been received from different reliable sources, are being examined. If upon such examination it is found that some other allegations, *prima facie*, warrant a probe, the question of referring them for inquiry to this Commission will be considered.

The Commission has been requested to submit its report by 1st February, 1977. Government hope that the Commission will be able to complete its work within this period.

SHRI DINEN BHATTACHARYA  
(Serampore) : Sir, I sent a notice yesterday when the proclamation order was placed here yesterday; and now he has made a statement as stated by the Governor. I ask for a full-fledged debate. It is the statutory right of this House. They have to get it sanctioned by this Parliament at the earliest. I have heard they are not going to allow any debate this session. If you bring it in the next session, God knows whether the next session will take place or not. So my request to you is that—you are so upright—you may kindly consider the situation

Just now I got a telegram from Tamil Nadu that an ex-Member of Lok Sabha belonging to our Party, Shri Ramani, who was lying in the hospital has been arrested. What is this? Hundreds of people have already been arrested. So, we must be given an opportunity for a full discussion here on the promulgation of President rule in Tamil Nadu. Otherwise, injustice will be done.

**SHRI ARAVIND BALA PAJANOR (Pondicherry)** : I don't agree with what the Member has said because from 1970 onwards the matter is pending.

**SHRI TRIDIB CHAUDHURI (Berhampur)** : I can only seek an assurance from you and a clarification. Now, yesterday we heard that President's Rule has been proclaimed under 356 in Tamil Nadu. That is all very well; that is the privilege of the Government. But this House has not been given an opportunity to discuss or debate this. Now comes the announcement of the appointment of a Judicial Commission. Does this mean—and this is the clarification I seek from you—that all these *ex-parte*, allegations that have been made by the Governor cannot be discussed in this House? What is the position? The Government makes an allegation *ex-parte*, dismisses a Government and then appoints a Commission to look into it:

**SHRI H. M. PATEL (Dhandhuka)** : Yes, the enquiry should have been carried out earlier, before taking action and not afterwards.

However, Mr. Speaker, we would like to know whether this matter is going to be discussed in this House or not. Government has to seek the approval of the House to the proclamation, and that approval of the proclamation should be taken at the earliest possible moment—and the earliest possible moment means this week; it cannot be put off. It is true that the Constitution, gives two

month's time, but that two month's time is merely the maximum time.

The other point is that it must be brought before the House when the House is in session at the earliest possible moment. May I ask, through you, what Government's intentions are and when they propose to seek the approval of the House to the proclamation?

**SHRI OM MEHTA** : The Constitutional position is known to the hon. Members of this House. Within two months, we have to get the approval of the House. Before the two months are completed, we shall certainly come before the House and get its approval.

**SHRI ARAVINDA BALA PAJANOR** : I want to congratulate the Government for the action they have taken, though belated. *(Interruptions)*

**SHRI SOMNATH CHATTERJEE (Burdwan)** : What is the position in other States? *(Interruptions)*

**MR. SPEAKER** : Order, please. The House will deal with any matter that comes before it and which forms part of the agenda. I cannot say anything on an item which is not on the agenda or when there is no motion before the House. If there is a proper thing, then I can consider. Discussing the Proclamation in relation to a State just like this is not correct. There are Constitutional provisions. The Minister has said that, within two months, if necessary they will come before the House for approval. At this stage, nothing can be discussed.

We go to the next item. Mr. Darbara Singh.....

DR. Henry Austin.