

ceived pellet injuries were also shifted to Patna Medical College Hospital.

The Government of Bihar have set up a Commission under the Commissions of Inquiry Act to inquire into the incident. The Commission would consist of Shri S. C. Roy, Additional Member, Board of Revenue. The State Government have also sanctioned an ex-gratia payment of Rs 20 000 to the bereaved family

The situation is under control.
 16 hrs

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, on a point of order. The hon. Speaker had announced from the Chair that the Government was under an obligation to make a statement on the starvation deaths and scarcity conditions. Although a week has passed, so far they have not come forward with a statement, to my knowledge I would like you to make some observations in this regard, because this is the last day of the session.

SHRI SHYAMNANDAN MISHRA (Begusarai): The statement on the Kurtha firing which involves the death of an ex-Minister, has caused so much anxiety. Since it is a very small statement, could it not be read?

MR. DEPUTY-SPEAKER: Whether it is short or long it has been laid.

श्री रामावतार शास्त्री (पटना) :
 उपाध्यक्ष महोदय, एक चीज मैंने कही थी, मेघालय के बारे में बार बार मवाल उठाया गया कि मेघालय की गवर्नमेंट के अन्दर सी० आई० ए० की एजेसी काम कर रही है एम० आर० ए० नाम पर, उसके ऊपर गृह मंत्री को बयान देना था। वह बयान अभी तक नहीं आया। हमारी यह स्टेट बहुत ही महत्वपूर्ण स्टेट है, सीमा का राज्य है। तो यह अजीब तरीका है सरकार का कि सभी बातों पर वह बैठी रहती है और जवाब नहीं देती। देश आज जानना चाहता है कि वहां

के लिये सरकार क्या कर रही है? और सी० आई० ए० को खत्म करने के लिये क्या किया जा रहा है ?

MR. DEPUTY-SPEAKER: I hope the Ministers will take note of the submissions.

SHRI S. M. BANERJEE (Kanpur): Sir, let the discussion be over and then let the statement be made. Three refugees have been shot dead. It is a very serious matter. The people are really aggrieved. Let the Minister make a statement.

MR. DEPUTY-SPEAKER: Sometimes the Chair has to play the role of a sounding board, and I have done that. If the Speaker has said like that, I reinforce it. The Ministers may take note of what the Members have submitted

16 04 hrs.

MOTION RE: CONSTITUTION OF PARLIAMENTARY COMMITTEE TO EXAMINE MATTER RELATING TO ALLEGED SIGNATURES OF 21 MEMBERS OF LOK SABHA ON A REPRESENTATION TO MINISTRY OF COMMERCE RE: GRANT OF LICENCES

MR. DEPUTY-SPEAKER: Now we take up the motion of Shri Atal Bihari Vajpayee.

श्री शंकर बेब (वीदर) : उपाध्यक्ष महोदय, मेरा एक प्वाइट ग्राफ आर्डर है। इसी प्रकार का मोशन तीन चार दिन पहले मूव किया गया था और उसके ऊपर कितना हंगामा हुआ था, कितनी गड़बड़ हुई थी यह आप जानते हैं। तो मैं यह आश्वासन चाहता हू कि इस मोशन को मूव करने के बाद उसी प्रकार का हंगामा फिर रिपीट नहीं किया जायेगा। आप जानते हैं कि हिन्दुस्तान की

[श्री शंकर देव]

पालियामेंट की गरिमा और इसके गौरव को देख कर हमारा पड़ोसी राज्य सिक्किम जैसा देश हमारे साथ एक सदस्य के रूप में आना चाहता है। अगर इसी प्रकार का हंगामा होता रहा और जैसा उस दिन मधु भाई ने किया ... (व्यवधान) ... अगर ऐसा ही होता रहा और पालियामेंट की गरिमा और उसके गौरव को गिराया गया तो क्या कोई हमारे साथ आने को सोचेगा? इसलिये मैं आपसे प्रार्थना करता हूँ और आश्वसन चाहता हूँ कि इस बार वंचना हंगामा नहीं होना चाहिये।

MR. DEPUTY-SPEAKER: I fully endorse what you say, that we should conduct ourselves with dignity. But may I request that you start beginning it with yourself now? Now, Shri Vajpayee.

श्री शंकर देव उपाध्यक्ष महोदय, जब तक यह एम्बोरेम नहीं मिलेगा तब तक मैं हाथ जोड़ कर यही खड़ा रहूँगा। मैं यहाँ से हटूँगा नहीं। मैं हाथ जोड़ कर प्रार्थना करूँगा, मधु लिमये जी जिन्होंने उस दिन सभापति के हाथ से माइक छीना, वे इसके लिए खद प्रकट करें और कहे कि वह कभी इस प्रकार का काम नहीं करेंगे।
.. (व्यवधान) ..

मैं बँटूँगा नहीं। मैं आपके चरणों में खड़ा रहूँगा। मैं आपका एम्बोरेम चाहता हूँ कि मदन की गरिमा और इस के गौरव को नीचे नहीं गिराया जायेगा। मैं यह चाहता हूँ कि आप टम तरह का आश्वसन दें।

MR. DEPUTY-SPEAKER: Since the hon. Member is very worked up about this, he should be given some attention. Every member deserves some attention. May I draw his attention to the fact that this whole matter was gone through first in the Business Advisory Committee, some

agreement was arrived at by all sections of the House; then, I think, two or three days ago, Shri Madhu Limaye made a statement here, to which the Prime Minister also responded. Therefore, do not rake up the whole thing again. I would request you to keep quiet. Let us proceed with the business of the House.

SHRI P. G. MAVALANKAR (Ahmedabad): On a point of order. While the House is about to debate a very serious matter in the form of a motion by my esteemed friends, Shri Atal Bihari Vajpayee and Shri Jyotirmoy Bosu, today being the last day of the current extended Monsoon Session, may I know at what stage the Leader of the House will intervene and give a reply on behalf of Government? We all know that the hon. Speaker himself had to cancel his visit to Shri Lanka because of Parliament being in session. The other day the Leader of the House had said that they had a great regard for the authority of the Chair. Therefore, I would like to know whether the Prime Minister is going to intervene and if so, at what stage, and if she is not intervening, whether she is in Delhi and if not, whether she has taken permission of the Chair to be out of Delhi when an important business is discussed in Parliament.

MR. DEPUTY-SPEAKER: In the first place, I extremely dislike bringing in any personal programme into the proceedings of the House. (Interruptions) Order, please. I am on my legs. Since he has raised this point, I would like to say that it is extremely undesirable for anybody to bring in his personal programme into the proceedings of the House. It is wrong for me to say, "I have this programme or that programme and I cancel it because of this and this will go into the proceedings of the House." I think, it is not desirable.

Secondly, with regard to the debate, the Government can field anybody, the Opposition can field anybody, to speak and to reply. For your information, I have before me here the letter which the Prime Minister has written to the Speaker. She has shown that courtesy to this House.

"I write to inform you that I shall not be able to attend the sitting of the House on Monday, September 9, as I have to go out of Delhi to keep certain prior public engagements which were fixed before I knew that the House was sitting on that day."

We have to remember this... (Interruptions). Will you kindly allow me to say in peace what I want to say?

In the first place, this has been an extra-ordinary session. From the 30th July, we have had to extend it to the 9th. Who can anticipate this? Nobody could have anticipated this. Therefore, I think we should not make too much of a point of that. Let us, every one of us, avoid bringing in personal affairs into the proceedings of the House. I do not like this.

Shri Vajpayee.

SHRI JYOTIRMOY BOSU (Diamond Harbour): No personal affair.

श्री अटल बिहारी वाजपेयी (स्वालयर) :
उपाध्यक्ष महोदय, मैं निम्नलिखित प्रस्ताव करता हूँ "कि यह सभा संकल्प करती है कि इस बात को सुनिश्चित करने के उद्देश्य से कि संसद सदस्य सार्वजनिक जीवन में आचरण का उच्च स्तर बनाये रखे, अध्यक्ष द्वारा नाम-निर्दिष्ट 11 सदस्यों की एक समिति गठित की जाये जो लोक सभा के 21 सदस्यों के कथित हस्ताक्षरों में वाणिज्य मंत्रालय को दिये गये अभ्यावदन, मंत्री द्वारा किये गये इस रहस्योद्घाटन कि उनमें से अधिकांश हस्ताक्षर जाली हैं और अभ्यावदन में उल्लिखित फर्मों को

वास्तव में झूठा किये गये लाइसेंसों से सम्बद्ध समूचे मामले की जांच करे और उस बारे में आवश्यक सिफारिशें करे।"

16.12 hrs.

[MR. SPEAKER in the Chair]

अध्यक्ष जी, सरकार द्वारा इस प्रस्ताव की चर्चा के लिये मनवाने की घटना को समाचारपत्रों ने प्रतिपक्ष की भारी विजय बताया है। प्रतिपक्ष से मेरा अभिप्राय श्री जार्ज फरनांडीज के "प्रतिपक्ष" से नहीं है। प्रतिपक्ष से मेरा अभिप्राय विरोधी दलों से है। मुझे लगता है कि अगर यह विजय है तो भारतीय लोकतंत्र की विजय है, केवल विरोधी दलों की विजय नहीं है लेकिन यह विजय अघूरी है। यही कारण है कि मैं किसी उल्लास की भावना से नहीं, गहरे विवाद की भावना से भर कर इस चर्चा को आरम्भ करने के लिये खड़ा हुआ हूँ।

मेरी दृष्टि में लाइसेंस काण्ड भारत का वाटरगेट है। वाटरगेट ने अमरीकी लोकतंत्र की विकृति और अमरीकी लोकतंत्र की शक्ति—दोनों का एक साथ प्रकटीकरण कर दिया। लोकतन्त्र कितना दूषित हो सकता है इसका दृश्य हमने देखा, लेकिन लोकतंत्र जागृत और ज्वलन्त होने पर मत्ता में बैठे हुये सर्वश्रेष्ठ व्यक्ति को किस तरह से अपमद छोड़ने के लिये विवश कर सकता है, यह चित्र भी हमने अमरीका में देखा। लाइसेंस काण्ड ने भारतीय लोकतन्त्र की दुर्बलता और विकृति को बहुत उजागर किया है लेकिन अभी उसकी शक्ति पूरी तरह से प्रकाश में नहीं आयी है।

लाइसेंस कांड के तथ्य सदन के सामने आ चुके हैं। बम्बई के साप्ताहिक में 30 मार्च, 1974 को एक खबर छपी थी, उसके आधार पर राज्य सभा में एक प्रश्न हुआ था, प्रश्न के उत्तर में वर्तमान वाणिज्य मंत्री श्री चट्टोपाध्याय ने स्वीकार किया—(1) एक-ज्ञापन जिस पर 21 संसद सदस्यों के हस्ताक्षर

[श्री अटल बिहारी वाजपेयी]

बताये जाते हैं, मन्त्रालय में 23 नवम्बर, 1972 को प्राप्त हुआ था। (2) मंत्री महोदय ने यह भी माना कि जापान के अनुसार यमन, पाकिस्तान की 6 फर्मों को लगभग 30 लाख रुपये के आयात के लाइसेंस दिये गये। (3) मंत्री महोदय ने यह भी कहा कि मामले की केन्द्रीय जाच ब्यूरो के जरिये गुप्त जाच कराई गई।

जो प्रश्नोत्तर हुये उनमें श्री चटोपाध्याय ने कहा कि जो चीजे मगाने की इजाजत दी गई, वे हैं

Carriage tools, instruments, apparatus and appliances parts, carriage, scientific and medical and surgical instruments, motor vehicle parts.

इसके बाद सदस्यों के पूछने पर उन्होंने यह भी दबी जवान से स्वीकार किया कि इन फर्मों को बाबी, जिन और बिहस्की मगाने की भी इजाजत दी। श्री चटोपाध्याय ने दावा किया कि इन फर्मों को जो लाइसेंस दिए गए हैं वे नियमानुसार हैं मे उनके शब्दों को ही उद्धृत कर रहा हूँ

"All was done according to norms and forms and rules and regulations"

अब यदि यह सच है कि सब कुछ कायदे के अनुसार हुआ, यदि यह सच है कि ये फर्म पुरानी आयतक हैं, यदि यह सच है कि कर्मों इनके नाम काली सूची में नहीं रखे गए, यदि यह सच है कि बीच में इनके मामले पर विचार करके इनके मामले रद्द करने का जो फैसला किया गया, वह फैसला गलत था और मंत्री महोदय ने केवल उसी गलती को ठीक किया—किस मंत्री ने ठीक किया उस पर बाद में आज़गा—अगर यह बातें सब ठीक हैं तो मैं जनाना चाहता हूँ इन

फर्मों की सफारिश में अभ्यर्थित करने वाले 21 सदस्यों में कोई एक भी ऐसा कर्म नहीं निकलता जो यह कहे कि इन फर्मों के साथ अन्याय हुआ था, अन्याय की घटना हमारे दृष्टिकोण में लाई गई, हमने अन्याय के परिमार्जन के लिए इनके मामले मन्त्रालय को भेजे ?

अप यह स्वीकार करेगे कि सदस्य सदस्यों के नाते जब भी अन्याय की कोई घटना हमारे सामने लाई जाती है, वह चाहे व्यक्तिगत हो या सामूहिक तो उसके बारे में हम मंत्री महोदय को लिखते हैं, लिखने में कोई सकोच नहीं करते हैं। लेकिन इस मामले में कोई भी व्यक्ति नैतिक बल के साथ खड़ा नहीं हुआ और न यह कहा कि हा, हमने लिखा और ठीक लिखा। इसके बजाये, इस मामले में तो स्थिति यह है कि 21 लोकसभा के सदस्यों में से 20 सदस्यों ने बारी बारी से इस सदन में खड़े होकर कहा कि हमने किसी आवेदन पर दस्तखत नहीं किये। इतना ही नहीं, उन्होंने यह भी कहा कि हमारे दस्तखत जाली बनाये गए। एक सदस्य जो अब तक कुछ नहीं बोले हैं, वह हैं श्री तुलमोहन राम। 21 सदस्यों की सूची में उनका नाम सर्वोपरि है, वह इस काण्ड के हीरो दिखाई देते हैं। उन पर आरोप है कि उन्होंने और सदस्यों के जाली दस्तखत बनाये। दूसरा यह भी आरोप है कि उन्होंने लाइसेंस दिलाने में धपसा बनाया। कोई कहता है डेढ़ लाख और कोई कहता है कि एक लाख 80 हजार। यह भी प्रकाशित हुआ है कि जब सी० बी० आई० ने उनमें पूछताछ की तो वे टूट गए, और उन्होंने अपना अपराध मान लिया। श्री तुलमोहन राम कहा है ? (व्यवधान) इस सदन में आकर वे अपनी सफाई क्यों नहीं देते हैं ? मेरा निवेदन है कि उनका मौन बाकी और सदस्यों के प्रखर इनकार से भी अधिक मुखर है। उन की चुप्पी अपराध की स्वीकृति है। कांग्रेस

पाटीं कम से कम उन के मामले को तो संसदीय जांच के लिये भेज सकती है । लेकिन यह भी निर्णय नहीं किया गया । क्या इस का कारण यह है कि श्री तुल मोहन राम अकेले नहीं हैं, उन के साथ कुछ और भी ऊंचे पदों पर बैठे हुए व्यक्ति शामिल हैं ?

अध्यक्ष जी, श्री तुल मोहन राम बिहार के सदस्य हैं, शायद ही वे कभी वाद विवाद में भाग लेते हों । मैं प्रयत्न करने पर भी उन को शकल सूरत ध्यान में नहीं ला सकता । प्रश्न यह है कि पौडिचैरी, करायकल, माही और यनम की फर्मों उन के पास सिफारिश के लिये कैसे पहुँची ? श्री तुल मोहन का नाम मारे देश को ज्ञात नहीं है । अगर मेरे मित्र श्री बसन्त साठे के पास हिन्दुस्तान के किसी सुदूर कोने से कोई फर्म आ जाय और अपने अन्याय के प्रति शिकायत करे तो जनता समझ सकती है वे एक जाने माने व्यक्ति हैं ..

श्री बसन्त साठे (अकोला) में उन्हें माननीय वाजपेयी के पास भेज दगा ।

श्री अटल बिहारी वाजपेयी जरूर भेज दीजिये लेकिन रुपया खुद रखकर न भेजिये रुपये के साथ भेजिये ।

अध्यक्ष महोदय आप दोनों ही न रखिये, इस टैबिल पर रख दीजिये ।

श्री अटल बिहारी वाजपेयी जिन्हें मिल गया वह तो रुपये समेत गायब है और जिन्हें मिलने वाला है वह टैबिल पर रखने वाले नहीं हैं, वह जेब में रखने वाले हैं ।

अध्यक्ष महोदय, स्पष्ट है कि इन फर्मों के कुछ व्यक्ति दिल्ली में रहते थे, रहते हैं, जो इन फर्मों को लाइसेंस दिलाने के लिये दलाल का काम करते थे । श्री तुल मोहन राम के साथ उन के सम्बन्ध थे । मैं उन के

नाम लेने के लिये तैयार हूँ । लेकिन मैं नाम नहीं लेता । अगर संसदीय जांच हो तो इस सम्बन्ध में कई सबूत मेरे पास हैं, मैं उन्हें पेश करूँगा । लेकिन अध्यक्ष मैं लाइसेंस लेने के लिए श्री तुल मोहन सम्पर्क काफी नहीं है । श्री तुल मोहन राम तो हमारे जैसे सदस्य हैं । जब तक उन का किसी मंत्री से सम्बन्ध न हो तब तक वह लाइसेंस नहीं दिला सकते । इम्पोर्ट का लाइसेंस विदेश व्यापार मंत्री दिला सकते हैं । यह घटना जब हुई तो श्री ललित नारायण मिश्र विदेश व्यापार मंत्री थे । मैं आरोप नहीं लगा रहा । मैं तथ्य मात्र कह रहा हूँ, एक तथ्य यह भी है कि श्री तुल मोहन राम के साथ श्री ललित नारायण मिश्र के बड़े घनिष्ठ सम्बन्ध हैं । श्री तुल मोहन राम ग्राम सरोनी, जिला सहरसा के निवासी हैं । वे अपने ग्राम में श्री ललित नारायण मिश्र के पिता पूज्य पंडित रबीन्द्र नाथ मिश्र के नाम पर एक स्कूल बनवा रहे हैं । उम के लिये चन्दा इकट्ठा किया गया है ।

रेल मंत्री (श्री एल० एन० मिश्र) : हम को ज्ञात नहीं है ।

श्री अटल बिहारी वाजपेयी लेकिन हमें ज्ञान है । आप को अगर ज्ञान नहीं है तो थोड़ा सा ज्ञान हम में ग्रहण कीजिये । उस स्कूल के लिये पैसा इकट्ठा किया गया है, रसीदे छापी गई हैं । ललित बाबू कहते हैं कि उन्हें ज्ञान नहीं है, मैं मान लेता हूँ । लेकिन अगर पिता के नाम पर स्कूल बने तो प्रत्येक सपूत का काम है कि उसके निर्माण में मदद दे । अध्यक्ष महोदय, हम सभी लोग अपने पितृ ऋण से उद्धृत होना चाहते हैं । ललित बाबू इस में अपवाद नहीं होना चाहेंगे । श्री मिश्र ने कहा है कि इन फर्मों को उन के संबन्धकाल में लाइसेंस नहीं दिये गये । लेकिन उन्होंने माना

[श्री अटल बिहारी वाजपेयी]

क्रि आवेदन मिला। लेकिन यह नहीं बता-
ग कैसे मिला? डाक से मिला या हाथ से
मिला? अगर हाथ से मिला तो किस के
हाथ से मिला? सेटी जानकारी के अनुसार
आवेदन श्री ललित नारायण मित्र के निर्देश
पर तैयार हुआ।

श्री एल० एन० मिश्र गलत बात है,
एकदम गलत बात है।

श्री अटल बिहारी वाजपेयी : उन को
जानकारी थी कि उस आवेदन पत्र में कितने
हस्ताक्षर सही हैं, कितने जाली है। मन्त्रालय
छोड़ने में पहले उन्होंने ऐमा प्रबन्ध कर लिया
जिस से इन फर्मों को लाइसेंस दे दिया जाय।

अध्यक्ष महोदय, श्री ललित नारायण
मिश्र का मन्त्रालय बदल गया। मगर श्री
तुल मोहन राम के साथ उन के सम्बन्ध
नहीं बदले। नाता बड़ा गहरा है, परिस्थिति
बदल सकती है मगर नाते नहीं टूटा करते।
अन्तर इतना ही हुआ कि श्री तुल मोहन
राम ने इम्पोर्ट लाइसेंस दिलाने के बदले रेलवे
के बैगन दिलाने का काम अपने जिम्मे सभाल
लिया। इस सम्बन्ध में मैं एक रहस्य का उद्घाटन
करना चाहता हूँ। 13 फरवरी, 1974 का
फलादी राजस्थान से एन सज्जन दिल्ली आये,
वे मैसर्स विश्वकर्मा नमक उद्योग के लिये
बैगन चाहते थे। वे रेलवे बोर्ड गये, वहाँ
उन्हें रेलवे बोर्ड के दो कर्मचारी मिले।
उन के नाम भी मेरे पास है, मैं समय पर उन
का उद्घाटन करूँगा। वे कर्मचारी उस
व्यापारी को ले कर श्री तुल मोहन राम के
पास गये। श्री तुल मोहन राम ने कहा
हम बैगन दिला सकते हैं, रेल मंत्री हमारे
आदमी है। 25,000 का वायदा किया
गया, 3,000 रुपये उ- कर्मचारियों को
दे दिये गये और श्री तुल मोहन राम को केवल
1,000 रुपये मिले। इस से श्री तुल मोहन

राम नाराज हो गये। उन्होंने कहा हम यह
बैगन दिलाने का काम रोक देंगे। इस पर
मैसर्स विश्वकर्मा नमक उद्योग के आदमी ने
कहा बताइये आप कितना चाहते हैं? श्री
तुल मोहन राम ने कहा हमें 20,000 पये
चाहिये। आदमी ने कहा हम 21,000
रुपये देने को तैयार हैं। 21,000 रुपये
का चैक ले लिया गया। यह चैक श्री सुरेन्द्र
कुमार मिह के नाम से लिया गया। श्री
सुरेन्द्र कुमार सिंह श्री तुल मोहन राम के
सर्वेन्ट्स क्वार्टर में रहते हैं। श्री तुल मोहन
राम सुरेन्द्र कुमार सिंह को अच्छी तरह से
जानते हैं। वह श्री सुरेन्द्र कुमार मिह के
सर्टिफिकेट पर दस्तखत कर चुके हैं। वह
कापी मेरे पास है, अट्टेस्टेड बाई श्री तुल मोहन
राम। यह सर्टिफाइड है

"Attested]- Tul Mohan Ram
Certified that Surendra Kumar
Singh, Sarvashri Chandra Mohan
Eswar Prasad Singh Post-Madhu-
b ni— Distt— Dharbanga — Passed
B.S.S. examination from our
school"

इस पर अट्टेस्टेशन है श्री तुल मोहन राम
का, हालांकि जांच में श्री तुल मोहन राम
की पत्नी ने कहा हमारे यहाँ सुरेन्द्र कुमार
मिह नाम का कोई लडका नहीं रहन हम
उम का नहीं जानते।

अध्यक्ष महोदय, वह चैक 28 फरवरी,
1974 को भुनाना था। वह चैक स्टैंड बैंक
ग्राफ बीकानेर और जयपुर के नाम था।
वह चैक मिलने के बाद श्री तुल मोहन राम
बिहार चले गये। जिस व्यक्ति ने चैक दिया
उस ने कहा था कि आप भुनाइये नहीं, मैं
जयपुर में नरुद रकम भेज दूँगा। लेकिन
इतना सब कहा था। 28 फरवरी को
जगह वह चैक 26 फरवरी को भुन लिया
गया अब इस घोटाले में बैंक भी शामिल है।
बैंक ने नहीं देखा कि चैक 28 फरवरी का
है। 21,000 पये ले लिये गये। लेकिन,

एक शाम को हिसाब मिलाया तो देखा कि जिन्होंने बैंक दिया है उन के हिमाब मे 200,400 रुपये से ज्यादा नहीं है । यह भी देखा कि बैंक 28 तारीख का है लेकिन 26 तारीख को धुन गया । इस पर बैंक के अधिकारी श्री तुल मोहन राम क स्वान पर गये । श्री तुल मोहन राम घर पर नहीं थे । श्रीमती तुल माहन राम ने कह कि सुरेन्द्र कुमार मिह नाम का कोई व्यक्ति यहा नहीं रहता । बैंक ने जयपुर फोन किया । जयपुर से जिस व्यक्ति ने बैंक दिया था उस ने कहा बड़े दुर्भाग्य की बात है कि यह घपला हो गया । रेलवे बोर्ड के दा कर्मचारियों से सम्पर्क करो । वह इस मामले का हल करा सकते है । रेलवे बोर्ड के वही दा कर्मचारी 34 गुरुद्वारा रुकाव गज पर गए, लेकिन मामला लटका रह । जब होला के दिन श्री तुल मोहन राम कागिस आए तो सालह हजार रुपया लाटाया गया । उसमे साठे चार हजार रुपये एक गरीब अदमी का था, साठ पाच हजार रुपया एक दलान का था और कुछ रुपया वैर कर्मचारियों न मुसीबत मे बचने के लिए इकट्ठा किया था बैंक के सारे कागजात वॉ व हैडक्वार्टर मे चले गए है । पार्लियेन्टरी कमेट म ता मै इस आरोप का भाबित करने के लिए अपनी सारी शक्ति लगा दूंगा । यह तथ्य मनगढन्त कहानी नहीं है, लेकिन सुनने मे एक उपन्यास जैसा लगता है । लेकिन यह सच है और ऐसा मच है कि जा मदन मे बैठे हुए किसी मदम्य का कर्चर नही लग सकता । बात इतनी ही नही है । श्री तुलमोहन राम के वि द्वा तीसरा आरोप है कि उन्होंने नरेला के एक व्यापारी का डालडा की एजेंसी दिलवाने का वादा करके 5400 रुपया लिया । इस बात क भी सबूत पेश किए जा सकते है । श्री तुलमोहन राम समद सदस्य है उनके नाते लोग अपनी श्यवा कथा ले कर उनके पास आते हैं । उनका प्रभाव है । वह लोगो की मदद कर सकते हैं ।

2053 LS—6.

एक ऐसा ही व्यक्ति बडा कला का निवासी श्री छोटू राम है । श्री तुलमोहन राम ने उनको जमीन बिकवाई 33200 रुपये में । जमीन को रजिस्ट्री दम जनवरी 1974 को हुई । श्री छोटू राम के कथनानुसार उसी दिन श्री तुलमोहन राम ने अनान जाने में तीस हजार रुपये जमा कराए और उसी दिन स्टेट बैंक सहरमा का एक ड्राफ्ट भेजा गया । रुपया मिलना चाहिये था श्री छोटू राम को हडप लिया था तुलमोहन राम ने । यह रकम और राम के बीच में जो होड लग रही थी उस में रावण भी मान खा गया । अभी तक करीब तेरह हजार रुपये वापिस किए गए है शेष श्री तुल मोहन राम के पास है । कुछ और भी तथ्य मेरे पास है—

श्री श्याम नन्दन मिश्र (बेगुमराय)
यह तो पूरी जन्म पत्नी है आपके पास ।

श्री अटल बिहारी वाजपेयी : यह जन्म पत्नी नहीं, कर्मदात्री है ।

अब इस मदन मे ही नगी पत्निक मदन के बाहर मारे दश में और विदेशों में भी इस काट की चर्चा हो रही है । इस बात को लेकर विवाद उठ खडा हुआ है कि मामले की जांच कौन करे । यह मांग बडे जोरों से उठ रही है कि चूंकि यह ससद सदस्यों के आचरण का प्रश्न है, इस वास्ते इसकी जांच समन्वीय समिति द्वारा होनी चाहिए । लेकिन सरकार भडो है इस बात के ऊपर को जांच पहले सी० बी० आई० द्वारा कराई जाएगी । लेकिन हम सी० बी० आई० के द्वारा जांच कराने के पक्ष में नहीं है । कारण स्पष्ट है । पहला यह कि सी० बी० आई० एक सरकारी एजेंसी है । ऐसे मामले जिन में प्रभावी व्यक्ति फने हैं और उन से भी अधिक प्रभावी लोग उन्हें बचाने के लिए रात दिन एक कर रहे हैं, सी० बी० आई० से सही जांच की आशा नहीं की जा सकती है ।

[श्री अटल बिहारी वाजपेयी]

इस सारे कांड के केन्द्र बिन्दु श्री ललित नारायण मिश्र हैं। उनके कथनानुसार उन्होंने आवेदन पत्रों पर किसी अफसर से कहा कि इसको देखें—

श्री एल० एन० मिश्र ऐसा हमने नहीं कहा। जो कहा है उसको ध्यान से पढ़िये।

श्री अटल बिहारी वाजपेयी फिर क्या आवेदन श्री एल० एन० मिश्र अपनी जेब में रख कर अपने घर ले आए? यह समाचार पत्रों में छपा है कि डम फाइल पर श्री एल० एन० मिश्र ने कुछ लिखा। क्या यह गलत है? क्या यह भी गलत है कि जो मूल आवेदन है वह गायब कर दिया गया है। मचाई यह है कि इन फर्मों को लाइसेंस पहले न देने और बाद में देने के कारणजत में ट्रेगा फेरी की गई है। केवल इस और बेटे हुए सदस्य ही अनुभव नहीं करते, राज्य मन्त्री के कार्यालय के एक विरिष्ठ सदस्य श्री कृष्ण कान्त भी कह चुके हैं कि जाच सी० बी० आई० द्वारा नहीं होनी चाहिये। मैं उनके शब्दों को उद्धृत कर रहा हूँ।

“CBI cannot do it. We know the CBI was headed by Mr. Darbari and now he is in the Railway Ministry. Therefore, no more CBI. It must be held by Parliament.”

श्री श्यामनन्दन मिश्र अब श्री कृष्ण कान्त को कहीं निकाल न दें।

श्री अटल बिहारी वाजपेयी हम उनका स्वागत करने के लिए तैयार हैं।

तीसरी बात यह है कि प्रधान मंत्री इस कांड पर सदन में नहीं बोली। आज उनकी अनपस्थिति में हम अवगत हैं। यह कांड बहुत दिनों से चर्चा का विषय बना हुआ है। वह इस सदन की नेत्री हैं।

इस कांड में उनके मंत्रिमंडल के सदस्य फंसे हैं, उनकी पार्टी के सदस्य फंसे हैं। क्या उनका यह कर्तव्य नहीं था कि वह इस के बारे में यथा बानें। लेकिन वह नहीं बोली। अम्बाला में जा कर वह बोली। वहाँ जा कर उन्होंने क्या कहा है? उन्होंने कहा

“The Prime Minister yesterday criticised the opposition parties for raising the bogey of corruption. It only detracted attention from the grave economic and other problems facing the country. She said, ‘after combing the length and breadth of the country, the opposition has found only four corrupt people—myself, my son Mr Bansilal and Mr Lalit Narayan Mishra.’”

श्री श्यामनन्दन मिश्र हम दो हमारे दो।

श्री अटल बिहारी वाजपेयी हम दो हमारे दो। चलना है, चलने दो।

जब प्रधान मंत्री श्री ललित नारायण मिश्र को अपने दर्जे पर रख रही हैं तो क्या सी०बी०आई० में किसी की हिम्मत हो सकती है जो इनके खिलाफ जाच कर सके? किस का माहम है उनको हाथ लगा सके? श्री ललित नारायण मिश्र को प्रधान मंत्री का पूरा सम्मरण प्राप्त है। सी०बी०आई० उनके मामले का जाच नहीं कर सकती है।

सी०बी०आई० के डायरेक्टर श्री टी० सेन की नियुक्ति किस तरह से हुई है, यह एक आम चर्चा का विषय है। पहले डायरेक्टर श्री अरूण को दिल्ली से मद्रास भिजवाने में जिन व्यक्तियों का हाथ था, आज के डायरेक्टर उन्हीं के हाथ का खिलौना बने हुए हैं, यह कहने की आवश्यकता नहीं है। हाल ही में श्री सेन को एक्सटेंशन

देने का फैसला किया गया। क्यों क्या देश में योग्य व्यक्तियों का अभाव है? क्या सी० बी० आई० में कोई ऐसा नौजवान नहीं है कि जो इस गुरुतर दायित्व का निर्वाह कर सके? उन्हें एकसर्टेशन दी जा रही है क्योंकि श्री मेन एक सुविधाजनक व्यक्ति रहे हैं। उन से जो चाहा करवाया जाता रहा। एकसर्टेशन उनकी योग्यता का प्रमाण नहीं, उनकी सेवाओं का प्रतिदान है। उनकी कार्य कुशलता दक्षता तथा प्रशासनिक क्षमता की एक घटना मेरे ध्यान में लाई गई है। 1970-71 और 1972-73 में सी० बी० आई० ने विदेशों में "हाईली सोफिस्टिकेटेड इन्फर्मेस" मंगा। उनका मृत्यु बरीब एक करोड़ रुपया होगा। यह सामान विशेष विमान से विशेष व्यवस्था कर के लाया गया। यह सामान रखने के लिए वातानुकूलित स्थान जरूरी है। विन्तु हालत यह है कि सामान का आयात कर लिया गया, उसे रखने का इतजाम नहीं किया गया। वह सामान अभी तक क्रेटा में पड़ा है और बरबाद हो रहा है।

डी० जी० एम० एण्ड डी० के डिप्टी चायरेक्टर ने पांच महीने पूर्व मिस्टर सेन का लिखा था कि सामान को ठीक तरह से रखने की व्यवस्था करे। मिस्टर सेन कहते हैं कि उस के लिए 16 राज्यों में लेबोरेटरीज बननी हैं, जब वह बनेंगी तब रखा जायगा। मगर फिर यह सामान मगाया क्यों गया? अगर इस मामले की जांच की जाय तो इस के बारे में भी ऐसे तथ्य निकलेंगे जो सदन को चौंका देंगे। अष्ट नाकरशाही तथा अष्ट राजनीतिज्ञों के अपवित्र गठबन्धन का परदा-फाश कर देंगे। श्री मेन एक पालियामेन्टी कमेटी के सामने आए थे। श्री श्यामनन्दन मिश्र भी उस के सदस्य हैं। उन्होंने श्री सेन से पूछा कि क्या सी० बी० आई० किसी मंत्री के खिलाफ जांच कर सकती है? श्री मेन का उत्तर था—नहीं। यह कार्य-वाही में लिखा हुआ है। श्री समर गुहा भी उस कमेटी में हैं। कुछ कांग्रेस वाले

भी थे जो बोल नहीं रहे हैं मगर मेरी बात की सच्चाई की दाद दे रहे हैं। अगर सी० बी० आई० मंत्री की जांच नहीं कर सकती तो इस लाइसेंस कांड में यदि किसी मंत्री का हाथ है तो सी० बी० आई० कैसे जांच करेगी? मगर निवेदन है कि ऐसे मामले में सी बी आई प्रारंभिक जांच भी नहीं कर सकती। मैं वाणिज्य मंत्री श्री डी० पी० चट्टोपाध्याय की स्मृति को ताजा करना चाहता हूँ। गत अधिवेशन में मैंने उन से प्रश्न पूछा था कि क्या यह सच है कि सी० बी० आई० के कार्यालय में काम करने वाले दो अधिकारियों के विरुद्ध सी० बी० आई० ने इस आरोप की जांच की है कि उन्होंने वम्बई की एक फर्म को इम्पोर्ट लाइसेंस देने में धांधली की? मंत्री महोदय के कहने पर मैंने उन अफसरों के नाम भी बताए—मिस्टर मनोचा और मिस उस्मानी। मंत्री महोदय ने कहा कि ये दो व्यक्ति उन के कार्यालय में हैं, किन्तु उन्हें इस बात का ज्ञान नहीं है कि उन के किसी आरक्षण की जांच सी बी आई ने की है। मंत्री महोदय ने वादा किया था कि वे तथ्या का पता लगाएंगे। किन्तु उन्होंने पता नहीं लगाया। यदि पता लगाया तो मदन को सूचित नहीं किया। अब इस मामले में कुछ और तथ्य मेरे पास आए हैं। इस फर्म का नाम है माडर्न सिक्सटीन सिने लेबोरेटरी, वम्बई। इसे फिल्म रिडक्शन मशीन का एक ऐकम्सेरी लर्जेमीटर आयात करने के लिए 40 हजार विदेशी मुद्रा की स्वीकृति दी गई। यह स्वीकृति 10 अक्टूबर 1968 को दी गई। किन्तु कुछ ही दिन बाद 40 हजार की रकम बढ़ा कर 2 लाख 92 हजार कर दी गई। क्यों की गई? कारण यह बताया गया कि फर्म यह माग करती रही है। यह कोई वैध कारण नहीं था। फिर भी लाइसेंस दे दिया। इस लाइसेंस को दिलाने में अय्यर नाम के एक व्यक्ति का हाथ था। मामला प्रारंभिक जांच के लिए सी० बी० आई० की भेजा गया। उस में पता लगा कि सारे

[श्री अटल बिहारी वाजपेयी]

कांड मे से एक मसद सदस्य संबधित है । अख्यर ने ससद सदस्य का नकद रुपया देने के अलावा एक रेडिओ ट्राजिस्टर, एक हम कूलर और एक रेकार्ड प्लेयर भेंट किया । सी० बी० आई० ने जिन दवानो से यह माल गया था उन से पूछताछ की और यह सिद्ध हो गया कि सारे सामान का पैसा अख्यर ने दिया है । मामान दवानो से सी० बी० ससद सदस्य के घर भेजा गया । यह भी प्रमाणित हो गया । जब सी बी आई के अधिकारी ने ससद सदस्य के घर की तलाशी ले कर माल बरामद करने की इजाजत मागी तो इजाजत नहीं दी गई । उस समय के होम सेक्रेटरी भी इस मामले मे रुचि लेते थे । यह 1968 की बात है । नतीजा यह हुआ कि मामला न केवल दबा दिया गया, उस ईमानदार अफसर का दिल्ली से तबादला कर दिया गया । सी०बी०आई० एक ससद सदस्य के मामले की जाच नहीं कर सकती, तथ्य को प्रकाश मे नहीं ला सकती, उन के पाप का घडा नहीं फोड सकती तो जिस मे मंत्री लिप्त है वह मामला कैसे सी०बी०आई० के द्वारा तथ्य-परक जाच के लिए भेजा जा सकता है, यह मैं नहीं समझ सकता ।

इम सदन मे ससदीय जाच की माग केवल प्रतिपक्ष ने नहीं की है, सत्तासुद्ध दल के सदस्यो ने भी की है । अगर समाचार पत्रो मे प्रकाशित रिपोर्ट सही है तो कांग्रेस पार्लियामेन्ट्री पार्टी के 50 मेम्बर जिस मे कहा जाता है श्री भागवत झा आजाद, श्री शंकर दयाल मिह, श्री कृष्ण कात शामिल है उन्होने प्रधान मंत्री को स्मृति पत्र द कर सारा मामला ससदीय समिति को सोपने को कहा है । इस सदन मे भी आप ने 29 अगस्त को एक नो-डेट नेम्ड मोशन बिम्बुवर के लिए स्वीकार किया है जो हमारे कांग्रेसी मित्रो द्वारा दिया गया था । कहते

हैं कि उस मे से दो ने अपने नाम वापस ले लिए । मगर बाकी अभी तक डट्टे हुए हैं । उन का मोशन यह है कि

no-date-moved motion

"This House resolves to appoint a Parliamentary Committee to go into all questions arising out of replies given to Starred Question No 730 on the 27th August, 1974 in the Rajya Sabha"

आप जनमत को ले, समाचार पत्रो की राय ले, आम अवागो की राय ले सब इस सबध मे एक मत है कि इस कांड के तथ्य तब तक मामने नहीं आ सकते जब तक कि सारा मामला एक ससदीय समिति को नहीं सोपा जायगा ।

मैं अपनी बात को उपसहार की आर ले जाना चाहता हू । जब हम इस मामले पर विचार करते है तो हमें मुदगल कांड की याद आती है । श्री मुदगल भी लोक मभा के सदस्य थे । वे भी कांग्रेस पार्टी के मेम्बर थे । उन्होने बम्बई स्टॉक एक्सचेंज के प्रेमीडेट और कुछ डायरेक्टरों को उन समय के वित्त मंत्री श्री देशमुख से मिलाना चाहा । वित्त मंत्री ने मिलने से इन्कार कर दिया ।

श्री दशमुख ने लिख :

"I do not understand why the Bombay Stock Exchange members should seek to make an appointment with me through you I would prefer to deal directly with any request that they may have to make"

SHRI SHYAMNANDAN MISHRA that was the Congress Party in those days.

SHRI PILOO MODY (Godhra): The virtue lay in the fact that Shri Deshmukh was not a Member of the Congress Party.

श्री अटल बिहारी वाजपेयी एक आरक्षण का वह स्तर था । आज यह है कि

वाणिज्य मंत्री को कोई भी लाइसेंस की सिफारिश वाला मेमोरेण्डम दे सकता है । न केवल दे सकता है बल्कि उन से लाइसेंस भी ले सकता है । श्री मुद्गल ने ससदीय जाच से बचने के लिए कांग्रेस पार्टी द्वारा जाच का सुझाव दिया । लेकिन पंडित जवाहर लाल नेहरू ने उसे ठुकरा दिया । उन्होंने 27 मई 1951 को मुद्गल के नाम अपने पत्र में लिखा

"You suggest that an inquiry be made by the Congress Party. I am afraid this is neither feasible nor desirable as the whole House is concerned with this matter. It is not a party question."

इतना ही नहीं श्री मुद्गल ने देश में उस समय विद्यमान वातावरण का हवाला देकर कहा कि उन के खिलाफ जाच कराने के "अनकोरमीन रिपरकशंस" हाँ सकते हैं । पंडित जी ने एक वाक्य में उसको समाप्त कर दिया । अपने जवाब में उन्होंने लिखा—

"I do not understand your reference to 'unforeseen repercussions' in the existing atmosphere in the country"

प्रधान मंत्री स्वयं श्री मुद्गल के विरुद्ध प्रस्ताव लाए । एक ससदीय समिति बनी, उस कोर्ट आफ़ आनर का दर्जा दिया गया । वह कोई भी कागज भगा सकती थी, किसी भी व्यक्ति को गवाही देने के लिए बुला सकती थी । वह किसी तकनिकल रूल में बंधी हुई नहीं थी । उस का उद्देश्य था— ascertainment of truth

fairplay and justice to all concerned."

आज हमारी सरकार, सरकार के मंत्री और उन की नेत्री प्रधान मंत्री सारे मामले पर ससदीय जाच के लिए तैयार क्यों नहीं है ? जाच को आच क्या? कांग्रेस के सदस्य कह चुके हैं कि उनके दस्तखत जाली थे । ये जाचों

दस्तखत बिना ने बनाए ? यह दस्तखत कहाँ बनाए गए ? यह दस्तखत बनाने की आवश्यकता क्यों पड़ी ? यह दस्तखत किसके घर पर बँठ कर बने । क्या इन बातों की जाच आवश्यक नहीं है ? सी० बी० आई० नहीं जाच कर सकती है ।

जिस दिन इस सदन में सदस्यों ने खड़े होकर कहा कि हमारे दस्तखत जाली बनाए गए, हमने दस्तखत नहीं किये उसा दिन सारा मामला इस ससद की सम्पत्ति बन गया । अब ससद सदस्यों का आचरण सदन की जाच का विषय होना चाहिए, किसी बाहरी एजेंसी की जाच का विषय नहीं । मेरे पास समय नहीं है, इस प्रश्न पर राज्य सभा की विशेषाधिकार समिति ने गहराई में जाकर चर्चा का है बिल आफ़ ग्राइस के नाइथ आर्टिकल के अनुसर ससद सदस्य इस सदनमें जो कुछ कहते हैं उस पर सदन जाच कर सकता है, कोई बाहरी एजेंसी जाच नहीं कर सकती है । आज इस परम्परा को भी ठुकराया जा रहा है । उस दिन इन सदस्यों ने इस सदन से सरक्षण माग़ा था अध्यक्ष महोदय, आपसे भी सरक्षण का माग़ था और अब सरक्षण के बजाये इनका सी०बी०आई० को दया पर छाटा जा रहा है ।

सी बी आई मामला तय करने में सालों लगाती है । आपने दोबाग़ घटी बजा दी । मेरे पास मसला बहुत है । (अवबचान) पृथडा काण्ड के कुछ हिस्सों के मामले को जाच अभी तक सी बी आई कर रही है, जाच पूरी नहीं हुई है । (अवबचान) अहमदाबाद के एक उद्योगपति के घर पर छापा मारा गया, सीबीआई को जाच सौंप दी गई, वह उद्योगपति हाईकोर्ट में चला गया और सी बी आई को जाच हक़ गई । ससदीय समिति को जाच नहीं हक़ सकती है सी बी आई को जाच हक़ सकती है ।

अभी बम्बई के साप्ताहिक ने बसुभती के बारे में छापा है, 6साल हो गए सीबीआई जाच कर रही है ।

[श्री प्रमन बिहारी वाजपेयी]

जब श्री अमोव सेन सत्तारूड दल में होने के साथ साथ सत्तारूड गुट में भी थे, तब तक मामला दबा रहा अब जब वे दल में तो हैं लेकिन दलदल में निकलने का थोड़ा प्रयास कर रहे हैं तब मामला नेश कर दिया गया है ।

मैं कहना चाहता हूँ कि देश में इस समय मूल्यों का संकट है । मूल्य केवल भौतिक अर्थ में नहीं केवल आवश्यक वस्तुओं के मूल्य नहीं, देश में नैतिक मूल्यों का भी संकट है । सदन की प्रतिष्ठा दाव पर लगी है । मन्त्रीय लोकसभा कमीटी पर वसा जा रहा है । आज ससदसदस्यों का चार दलाल कहा जाता है इस सदन की चारों दलों के झड़के के रूप में वर्णित किया जाता है । क्या हमारा यह दायित्व नहीं है कि हम अपने नाम पर लगी हुई कालिख का धाये ? क्या हमारा अधिकार नहीं है कि हम सारे मामले की तह में जाकर तथ्यों का समन लाये जा अपराधों हों उनको कठघड़े में खड़ा करे और जो निर्दोष हों उनको निराश्रिता प्रमाणित करे ? इसी भाव से मैं यह अपना प्रस्ताव लाया हूँ ।

मैं कांग्रेसी मित्रों से कहना चाहता हूँ इसमें पार्टी का सवाल नहीं है, लोकतन्त्र अगर अप्टाचार से ग्रस्त हो जायेगा अगर लोकतन्त्र की जड़े अप्टाचार खोखला कर देगा तो फिर लोकतन्त्र जनता का क्याण तो कर ही नहीं सकता, लोकतन्त्र जीवित भी नहीं रह सकता ।

आज अनेक संकट हमारे सामने हैं मगर सबसे बड़ा संकट है राजनीतिज्ञों की प्रमाणिकता में जनता का बढ़ता हुआ अविश्वास । केवल कुछ लोग कठघड़े में नहीं खड़े हैं, हम सब जनता के सामने मुह दिखाते हैं लज्जित हैं । क्यों नहीं पार्लियेन्टरी कमेटी की जाच मान ली जाती ? इस मामले पर विधि मंत्री के दो बयान हैं, वे परस्पर विरोधी बातें कहते हैं ।

कहते हैं सी बी आई इन्वेस्टिगेशन कर रही है, इन्वेस्टिगेशन कम्प्लीट होगा तब देखा जायेगा । फिर कहते हैं देखेगा तो कोई ही देखेगा । फिर कहा बाद में चाहे तो हाउस देख सकता है । मेरे पास समय नहीं है उनके पूरे भाषण उद्धृत करने का, लेकिन विधि मंत्री के द्वारा ऐसे लचर तर्कों की मैं आशा नहीं करता था । यह सारे तर्क गढ़े जा रहे हैं ससदीय जाच का टालने के लिए । आज आप बहुमत के जल पर मेरा प्रस्ताव टुकरा सकते हैं लेकिन जनता की अदालत में फंसला आपके खिलाफ होने वाला है—दमको याद रखियेगा ।

MR SPEAKER Motion moved

"That this House resolves that with a view to ensure high standards of conduct in public life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard"

About this motion, you will kindly note that I have received a number of amendments to the main motion by Shri Vajpayee One is by Shri Madhu Limaye, One each, by Sarvashri Samar Guha, Banerjee, B V Naik Janeshwar Mishra, Shenoi, Nimbalkar, Mavalankar, Sezhyan etc

I think they are 16 in number All them are treated as moved There is not one—there are so many of them

SHRI MADHU LIMAYE (Banka) :
I beg to move

That in the Motion,—

for "that with a view to ensure high standards of conduct in public

life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha, the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard”

substitute—

“to set up a Committee consisting of 17 Members, 8 from the Opposition including the Chairman and 9 from the Ruling Party to probe the following —

- (a) Whether the signatures on the memorandum recommending grant of licence to certain parties allegedly signed by 21 members of Lok Sabha or any of them are genuine,
- (b) Whether the applications for licences of those parties had earlier been rejected
- (c) Whether any irregularity was committed by the Ministry of Foreign Trade/Commerce in amending the notification with a view to include some parts of the Union territory of Pondicherry for the benefit of the parties,
- (d) Whether the processing of this memorandum of MPs was done when Shri L N Mishra was Minister of Foreign Trade and whether the decision to clear the licences was made in principle during his tenure of office;

- (e) the responsibility of the Minister of Commerce Prof Chattopadhyaya, in the issuance of the licences,
- (f) whether any of the alleged Member signatory lied in denying the genuineness of his signature accepted any gratification or otherwise committed impropriety or misdemeanour,
- (g) the responsibility of the officers of the Commerce Ministry or any other officer under the Central Government in this regard,
- (h) whether the parties to whom the licences were issued were black-listed and were reported to have doubtful antecedents by any of the Government agencies,

- (i) whether these parties have been trafficking in the licence, and have violated the conditions attached to the Letter of Authority or other rules
- (j) whether the Ministry of Foreign Trade/Commerce and any Member or Members of Lok Sabha any official, the licencees and other citizens were involved in the offering and taking of gratification,

and other matters which in the opinion of the Speaker or the Committee Chairman is relevant

The House further resolves that the Committee give a preliminary report during the Winter Session of Lok Sabha” (1)

SHRI SAMAR GUHA (Contd) I
beg to move

That in the motion,—
for “11 Members” substitute
“15 Members”. (2)

That in the motion,—

add at the end—

“and for appropriate and adequate examination of the whole issue, preliminary report of the CBI in this regard and all documents connected with the case which are in possession of the CBI and the Ministry of Commerce be seized immediately and kept in the custody of the Speaker and all investigations about the cases and other measures thereof registered according to different provisions of the Penal Code be suspended forthwith”. (3)

SHRI S. M BANERJEE (Kanpur)

I beg to move.

That in the Motion,—

for “that with a view to ensure high standards of conduct in public life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha, the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard.”

substitute—

“to constitute a Committee of the House consisting of 15 Members, to be nominated by the Speaker, to conduct an inquiry to identify the persons, circumstances and factors that have tended to lower the dignity of the Lok Sabha as a whole as a result of alleged association of names of some Members of Lok Sabha with the recommendation letter for the grant of licence to the parties referred to in reply to Starred Question No. 730 in the

Rajya Sabha on 27-8-1974 and that the Committee may submit an interim Report on the first day of Winter Session.” (4)

SHRI B. V. NAIK (Kanara): I beg to move:

That in the motion,—

add at the end—

“and that the eleven members nominated to the Committee be those who have honestly worked for their living all their lives and who will make a statement of their financial position before, during and after the above parliamentary probe” (5)

SHRI JANESHWAR MISRA (Allahabad): I beg to move:

That in the motion,—

add at the end—

“and further resolves that the Committee may submit its first report before the commencement of the next Session of Lok Sabha and that the proceedings of the enquiry to be made by the Committee be conducted as an open enquiry (open for Press and public)”. (6)

SHRI P. R SHENOY (Udipi): I beg to move:

That in the motion,—

after “mentioned in the representation” insert,—

“and also all cases of licences in various Ministries and departments of the Government of India in which any member or members of 5th Lok Sabha has or have or presumed to have made any recommendation or representation to any Minister or official of the Government”. (7)

SHRI MADHU LIMAYE: I beg to move:

That in the motion,—

for “and the actual allotment of licences to parties mentioned in

the representation and to make necessary recommendations in that regard"

substitute—

"the details of the licences given to the parties, the charges about illegal trafficking in these licences the question of gratification to the signatories, justification, if any, for the demands that the Minister concerned be removed from office and officers involved suspended during the pendency of the inquiry, and to make the necessary recommendation in that regard with a view to providing guidance for the future (8)

SHRI SAMAR GUHA I beg to move

That in the motion,
add at the end—

"and for appropriate and adequate examination of the whole issue preliminary report of the CBI in this regard and all documents connected with the case which are in possession of the CBI and the Ministry of Commerce be seized immediately and kept in the custody of the Speaker and all investigations about the cases and other measures thereof registered according to different provisions of the Penal Code be suspended forthwith and the terms of reference of the Parliamentary Committee should include examination of, (a) the original text of the joint signatures and the date and the names of the officers who received the recommendation of the 21 M Ps, (b) noting made over it by the former Foreign Trade Minister, (c) whether any verification of the signatures was made before issuing the licences, (d) name or names of the officers who sanctioned the licences, (e) whether the Minister concerned was consulted and whether he made any noting over the applications for licences, (f) names of the licences

and the amounts of licences issued in each case, (g) whether the licences were black-listed earlier and if so, the reasons for issuing licences to them (h) whether the licences were sold out, and if so, to whom and on what conditions and whether intermediary agencies worked for transfers of such licences and when such licences were utilised for imports, (i) why and when CBI inquiry for verification of signatures of M Ps was ordered and whether the editor of *Blitz* was contacted and if so the text of the report of examination of the said editor, (j) when preliminary report of CBI was submitted and whether an interim report was also sent to the concerned Ministry, (k) whether the Prime Minister and the Minister of Foreign Trade were informed about the matter and if so, their reaction thereabout, (l) why the signatories and Parliament were not informed about the CBI inquiry earlier (m) what are the relevant papers and with whom such papers have been kept, (n) whether the CBI was given the original signatures of the M Ps along with the joint recommendation or their photostat copies were given to them, (o) when was the preliminary report of CBI received and it was examined by whom (p) the text of the preliminary report of the CBI (q) when fulfilled CBI inquiry was ordered and registering of cases against the licences, (r) the text of the order issued for fulfilled inquiry into the matter and the terms and conditions of such inquiry and other related matters as may be decided by the Parliamentary Committee" (9)

SHRI NIMBALKAR (Kolhapur) I beg to move

That in the motion,—

after "nominated by the Speaker" insert—

"who, in his opinion, are capable of complete impartiality and justice" (10)

SHRI P G. MAVALANKAR:
(Ahmedabad): I beg to move:

That in the motion,—

for "11 Members" substitute "15 Members". (11)

That in the motion,—

after "11 Members" insert—

"representing various parties and shades of opinion in the House". (12)

That in the motion,—

add at the end—

"and, with a view to ensuring further that the whole examination by the said Parliamentary Committee is independent and impartial, all investigations and inquiries including the one by CBI be carried on under the direct supervision and regulation of the said Committee, and for that purpose, all necessary and relevant papers and documents be put promptly under the custody of the Speaker, so that such a free and fearless investigation into the truth of the entire episode clears the whole climate fully and effectively" (13)

SHRI M C DAGA (Pal): I beg to move:

That in the motion,—

add at the end—

"after the findings of the present C.B.I inquiry have been announced and the House has given its opinion thereon" (14)

SHRI ATAL BIHARI VAJPAYEE

That in the motion,—

add at the end—

"The House further resolves that in so far as Shri Tulmohan Ram, one of the alleged signatories to this representation is concerned, his conduct ever since the revelation of this licences' issue amounts, *prima facie*, to an admission of guilt, and

that, therefore, pending the completion of the probe Shri Tulmohan Ram be suspended from the service of the House." (15)

SHRI SEZHIYAN (Kumbakonam):
I beg to move:

That in the motion,—

add at the end—

"and that the Central Bureau of Investigation shall submit to the Committee by 30th September, 1974 its report of verification/investigation in the matter along with all documents and evidence available with them and shall render further assistance as required by the Committee" (16)

श्री चन्द्रजीत यादव (आजमगढ़)
अध्यक्ष जी अभी वाजपेयी जी ने जो प्रस्ताव रखा है और अपने प्रस्ताव के सम्बन्ध में उन्होंने अपने भाषण में जिन तथ्यों को सामने रखा है, जहाँ तक माहें और यत्न की उन फर्मों का सम्बन्ध है किन्हे यह लाइसेंस दिए गए, वाजपेयी जी ने स्वयं इस बात को स्वीकार किया है कि वह फर्म पहले से आयातक थी (अवधान)

श्री अटल बिहारी वाजपेयी: मैं ने पूछा है।

श्री चन्द्रजीत यादव वह फर्म पहले से आयातक थी। यह बात भी सही है कि वह फर्म वाली सूची पर नहीं थी। यह बात भी सही है कि यह फर्म पिछले 14 वर्षों में, जबसे इनको लाइसेंस दिए गए, इस बात की मांग कर रही थी कि उनके साथ न्याय नहीं हुआ है, उनके साथ भेदभाव हुआ है और इसलिए जो उनका हक है, जो उनका अधिकार है वह उन्हें मिलना चाहिए। (अवधान)

अध्यक्ष महोदय जब वाजपेयी जी बोल रहे थे, उनको किसी ने रोका नहीं, सब शांति थी न रोकिये। ऐसे गम्भीर प्रश्न में आप हस्तरे, पूरे कानून द्वारा तो वह अच्छा नहीं है।

श्री चन्द्रजीत दादब : अध्यक्ष जी, यह बात सही है कि जितना विलम्ब उन फर्मों को लाइसेंस देने में और उनकी बातों को मानने में हुआ, मैं समझता हूँ खुद यह बात सरकार के लिए एवः नसीहत की होनी चाहिए कि अब उसके कायदे कानूनों व नियमों तथा कामों को करने में परिवर्तन होना चाहिए। कोई फर्म हो या कोई भी व्यक्ति हो अगर उसको इन्माफ मिलने में या उसके काम के होने में अनावश्यक विलम्ब होता है तो इस तरह की परिस्थितियाँ पैदा होती हैं जोकि दुर्भाग्यपूर्ण होती हैं।

श्री तुलसोहन राम जी के बारे में बाजपेयी जी ने बहुत तथ्य रखे हैं। इस सदन में पहली बार यह तथ्य आये हैं। मैं समझता हूँ एक माननीय सदस्य के आचरण से यह सम्बन्ध रखता है, यह एक गम्भीर बात है। जब इस माननीय सदन के एक माननीय सदस्य के बारे में वे इस तरह की बात करते हैं तो वे उनकी गम्भीरता को समझकर कहते हैं और मैं समझता हूँ उसके पीछे कोई तथ्य होंगे, उनकी कुछ जानकारी होगी। उनके जैसे व्यक्ति से मैं आशा करता कि वे कोई आधारहीन बात, निराधार बात कहने का प्रयास करेंगे वह अपने में एक गम्भीर बात है, वह सदन के सामने रखी गई है, माननीय तुलसोहन राम जी स्वयं इस सदन के एक सदस्य हैं, उनको इस बात का मौका जब भी मिलेगा (व्यवधान) वह है, नहीं है, मैं नहीं जानता कहां है, ठीक है आज सदन में उपस्थित नहीं है लेकिन उन्हें भी इस बात का मौका मिलेगा कि वे इस बात की सफाई दें। लेकिन मैं यह कहना चाहता हूँ माननीय बाजपेयी जी ने जिन तथ्यों को सामने रखा है उन तथ्यों को सदन के नेता के सामने रखें और जो भी उनके पास प्रमाण हैं वह उनको दें। कोई भी नहीं चाहेगा कि सदन का कोई भी माननीय सदस्य इस तरह का आचरण करे जिससे स्वयं उसकी और इस सदन की प्रतिष्ठा को धँका पहुँचे, वह सदन

जो हमारे प्रजातन्त्र में हमारी जनता की आकांक्षाओं, आशाओं और कार्यक्रमों की गरिमा का प्रतीक है। तो यह बात अपनी जगह पर सही है, इस में कोई दो रायें नहीं हो सकती। प्रश्न यह पैदा होता है कि यह प्रश्न इतना गम्भीर रूप क्यों धारण कर गया? मेरी सूचना है, मंत्री महोदय बतायेंगे जब तथ्यों को सामने रखेंगे कि इन फर्मों को लाइसेंस देने में कोई गलत तरीका नहीं अपनाया गया। इन फर्मों का अपना दावा था कि उन्हें लाइसेंस मिलना चाहिये था। प्रश्न यह है कि मंत्री जी ने कोई लाइसेंस दिया या उन के विभाग ने दिया बगैर पूरी जांच पड़ताल किये हुए, या तथाकथित 21 सदस्यों ने एक आवेदन प्रस्तुत कर दिया उस के आधार पर लाइसेंस दे दिया बगैर किसी जांच के? मैं समझता हूँ इस को पहले भी मंत्री महोदय कह चुके हैं कि इस से कोई सम्बन्ध उन का नहीं है, और माननीय बाजपेयी जी स्वयं इस बात को मानते हैं और मैं समझता हूँ कि सही मानते हैं कि हमेशा इस सदन के सदस्यों को इस बात का अधिकार है कि अगर कोई आदमी उन के पास जाय और यह कहे कि हमारे साथ इन्माफ नही हुआ है, मारे साथ अन्याय हुआ है आप हमारी सहायता करें तो सदस्य उस की सहायता करने में, अगर वह ईमानदारी से सहायता करता है, कोई गलत बात नहीं करता है, कोई रुपया या धूस नहीं लेता है, तो उस का यह अधिकार है, और इस में कोई गलत बात नहीं है। लेकिन मंत्रालय का भी यह काम है कि मंत्रालय केवल सदस्य के लिखने से ही नहीं बल्कि यह देखे कि कहां तक सच्चाई है, कहां तक उन्हें इस बात का हक है कि वह काम उन का होना चाहिये यह मंत्रालय को जांच पड़ताल कर के देखना चाहिये।

17 hrs.

इस पर पहले भी मंत्री महोदय ने कहा है कि उन्हें इस प्रकार का मैमोरेण्डम मिला। लेकिन मैमोरेण्डम के आधार पर नहीं बल्कि गुण और दोष देख कर के उन फर्मों को लाइसेंस

[श्री चन्द्रजीत पादव]

दिया गया। प्रश्न यह सम्झिए आता है कि: इस में 21 सदस्यों का नाम आया। 21 में से 20 माननीय सदस्यों ने इस सदन में खड़े हो कर यह कहा कि 'उन्होंने हस्ताक्षर नहीं किये। अब माननीय बाजपेयी जी पृष्ठते हैं किसी के अन्दर इतना नैतिक बल होता कि खड़े होकर बहता जब उम ने हस्ताक्षर किया ही नहीं उसे इस बात का जानकारी ही नहीं है, तो जो उसे पहला अवसर प्राप्त हुआ जब सी० बी० आई० के अधिकाारी पृष्ठने गये और जब उन्हें इस बात की जानकारी हुई कि हमारे हस्ताक्षर किसी आवेदन पर है जिस पर उन्होंने हस्ताक्षर नहीं किये हैं, तो पहला अवसर मिलने पर उन्होंने इस बात से इन्कार किया, उन्होंने कहा कि हमारे हस्ताक्षर नहीं हैं।

मबल उठाया गध, कि सी० बी० आई० को क्या दिया गया? आप जानते हैं एक माननीय सदस्य ने आप का एक पत्र लिखा, आप के मन्त्रालय को लिखा, मन्त्री ने यह समझा इस का बेरीफिकेशन जरूरी है देख लिया जाय कि कहा तरु मन्त्री है किसी के हस्ताक्षर है कि नहीं, इसलिए उन्होंने एक ऐमो एजेंसी को जा एस्टेबलिशड है जिस के द्वारा जाच होती है। पुलिस के द्वारा जाच होता है। सी० बी० आई० के द्वारा जाच होता है, सी० आई० डी० के द्वारा जाच होता है, उन्होंने यह समझा कि मामला गम्भीर है इसलिए सी० बी० आई० के एक उच्च अधिकारी का जाच के लिए दे दिया। तो 20 सदस्यों ने पहला अवसर मिलते ही इस बात से इन्कार किया कि हमारा कोई वास्ता है। और जब राज्य सभा में उन के नामों को पचा हा गई तो पहला अवसर मिलते ही उन्होंने इस सदन में कहा कि हम को इस

कोई मतलब नहीं है, हम निर्दोष हैं, हमारे हस्ताक्षर कर्जों हैं, जालो है।

अब प्रश्न यह होता है कि इस की जाच करने के लिए क्या सीधे पार्लियामेन्टरी कमेटी बनायी जाय या और कोई तरीका हो सकता है। प्रश्न यही है, और कोई प्रश्न नहीं है। अब दूसरा प्रश्न लाया जा रहा है। मैं कहना चाहता हू कि जो सी० बी० आई० ने इस वक्त तक ऐफ० आई० आर० लाज की है उम में उन्होंने कहा है कि इस केस में फोर्जरी हुई है, इस केस में चोटिंग की घाराये इन्वाल्ड है (ध्यवधान)

श्री मधु लिमये अध्यक्ष महोदय, मेरा पाइंट आफ आर्डर है। विजनेस ऐडवाइजरी कमेटी में आप को याद होगा कि मैंने कहा था कि ऐफ० आई० आर० फाइन किया जायेगा, कोई ओबलाइजिंग मजिस्ट्रेट कम्प्लेजमें लेगा। ऐफ० आई० आर० का कागज शायद माननीय सदस्य ने देखा है। हम लोगों को देखने का क्यों नहीं मिला? इस सदन की टेबिल पर क्या नहीं रखा गया? अगर हम प्रस्ताव पर ठीक से बहस करना चाहते हैं तो सब म पहले माननीय बाजपेयी को आप का देन, चाहिए था और हम लोगों का देना चाहिए था। क्या इत लोगों को ब्रीफ किया गया है? (ध्यवधान)

श्री अटल बिहारी वाजपेयी . विधि मन्त्री महोदय दो बार बोले। उन्होंने क्या नहीं बताया ऐफ० आई० आर० में क्या लिखा गया है?

श्री मधु लिमये . हम लोगों को दस्तावेज मिलने चाहिये। इन लोगों को निजी ढंग से सरकार न बह सारे दस्तावेज किये हैं, और बहा पर बकालत की जा रही है। हम लोगों को ऐफ० आई० आर० मिलना चाहिये।

SHRI K P UNNIKRISHNAN (Badagara) Sir, here is an allegation which has come from Mr Madhu Limaye It has to be repudiated Now, Mr Chandrajit Yadav has only said apparently a forgery has been committed I come to the point FIR is a public document (Interruptions)

श्री मधु लिमये वही उन्होंने ऐप्लीकेशन दी थी? स्टम्प लग कर अर्जी दी थी? हा या नहीं कहिए (इच्छान्वित)

श्री अटल बिहारी वाजपेयी अध्यक्ष जी, अब यह एक गम्भीर मामल है। अगर एक आई० आर० दाखिल किया गया है तो विधि मंत्रों ने यह तथ्य सदन से क्या छिपाया? उन्होंने यह क्या नहीं कहा एक आई० आर० दाखिल किया गया है। उन्होंने यह नहीं कहा एक आई० आर० मे क्या क्या चीजें हैं। य बात काग्रेस के मन्त्रों का कैसे मालूम है? जब कंस रजिस्टर किया गया तब उन को पूछा गया था कि राजस्तर का मतलब यह है। कि आप इस केस के बारे में प्री एमटिव एक्शन ले रहे हैं। उन्होंने यह नहीं कहा एक आई० आर० दाखिल किया गया है।

SHRI SHYAMNANDAN MISHRA (Begusarai) Sir, on a point of order The point is this that earlier, we had repeatedly asked the hon Minister of Law to tell us as to what had been registered and when But, he refused to give us any information about that Now, it appears that all that has been made available to the Members of the ruling party The House has been meeting all the time But, this information has been withheld from the House I would like to know, whether it was proper to do

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS

(SHRI H R GOKHALE) Sir, I have not kept back anything Actually, when I dealt with this matter, on the earlier occasion, one hon Member wanted to say and put it in my mouth that the matter has gone to Court I said, the matter has not gone to Court, and therefore, it is not sub judice (Interruptions) You are asking me an explanation and I am giving it What I said was, a case has been registered in respect of what appears to be commission of some offences, that a case has been registered, investigation has commenced and that we have to await the results of the investigation Anyone who knows even a little of how the criminal law is set in motion would know that when a case is registered in respect of certain offences, it always begins by way of first information report I may not have used the word 'first information report' But, as I said, a case has been registered, it has not gone to Court Investigation has commenced Any investigation can commence only on first information report

SHRI SHYAMNANDAN MISHRA Was it not the duty of the Government to tell us what was the content of the FIR, when the House was seized of it? Why was the Government withholding it from us?

MR SPEAKER Now, any case that is registered is on FIR The FIR is an accessible document and the rule on accessible documents is that they are not produced in the House

SHRI SHYAMNANDAN MISHRA No Sir this applies to documents in Parliament Library, not to documents outside

श्री मधु लिमये यह एक रीजल केस है।

SHRI SHYAMNANDAN MISHRA: He did not want to give the date on

which the F.I.R. was filed. I ask you: did he not refuse to give the date on which the FIR was filed? He said: a couple of days ago. Why was the Minister so hesitant?

SHRI JYOTIRMOY BOSU: All that I want to know from the hon. Law Minister is why he had chosen to use the word 'registered' instead of mentioning that it was the F.I.R. Surely, he knows how to take the House for a ride (*Interruptions*).

SHRI NOORUL HUDA (Cochar): Unless the F.I.R. is lodged in the court, it does not become a public document

श्री चन्द्रजीत यादव आपने सही कूलिंग दिया है और सही कहा है कि वह पब्लिक डॉक्यूमेंट है और कोई भी उसे देख सकता है। सीक्रेट डॉक्यूमेंट इस मदन में तीन दिन पहले लिमये जी ने पेश किया था

श्री मधु लिमये मैं मेज पर रखने के लिए नहीं आ रहा हूँ। इन्होंने मेरी चुनौती स्वीकार नहीं की।

श्री चन्द्रजीत यादव हमने अधिकार को चुनौती नहीं आप दे सकते हैं। मुझे भी सूचना है कि उम में फोर्जरी, चीटिंग के अलावा यह कहा गया है कि उस में कास्पिरेसी है और यह भी कहा गया है कि इलीगल प्रेटिफिकेशन उम में इनवाल्ड है। ये क्रिमिनल आफेंसिस हैं। क्या समद बैठ कर इन बातों की जांच करेगा कि कितने लोग इनवाल्ड है बाहर के किसी आदमी ने जानी हस्ताक्षर किए हैं, किम ने घूनी ली है। कास्पिरेसा किस ने की है। सदन का अधिकार नहीं है कि अडर दो ला आफ दो लैंड जो फ़ाइम फ़मिट हुआ है उसका पढ़ कागजिसे ले। यह प्रिटिस पार्लियामेंट की भी मानी जानी

परम्परा है। हमारे सदन की भी है। अगर किसी सदस्य के आचरण सम्बन्धी काम है या सदन का बीच आफ प्रिविलेज हुआ है या सदन का कंटेम्प्ट हुआ है या सदन की मान हानि का प्रश्न है, सदन के डिसेम्बलिकारो का प्रश्न है तो उसका यह सदन नोटिस लेगा लेकिन आज जो तथ्य सामने आए हैं उन से यह प्रतीत होता है कि कई ऐसी धाराएँ हैं जिन के अन्दर केस रजिस्टर हुआ है, क्रिमिनल आफेंस हुआ है और अब उस क्रिमिनल आफेंस की जांच कौन करेगा? दुनिया के हर देश में इस तरह के आफेंस की जांच कोई एस्टेबलिशड तथा आर्गेनाइज्ड एजेंसी करती है और हमारे देश में चाहे न्यायपालिका हो या पुलिस हो या सी बी आई हा वही उसकी जांच करती है।

सब से बड़ी बात यह है कि बीस सदस्यों ने कहा है कि उनका वाक्ता इसमें नहीं है। वाजपेयी जी ने बहुत से प्रश्न उठा दिए हैं और कह दिया है कि पार्लियामेंटरी कमेटी बना दो। अब वहाँ पर साल दो साल मामले का लटकाए रखा जाए तो क्या होगा? उनके हस्ताक्षर है या नहीं? इसकी जांच कौन करेगा? इंटरव्यू एक्सपर्ट ही तो उसकी जांच कर सकता है। वहाँ जांच पड़ताल हा जाएगी तो यह साफ हा जाएगा कि जो बीस सदस्यों ने बयान किया है, उनका इससे सम्बन्ध है या नहीं है।

अब प्रश्न यह है कि जो बीस सदस्य हैं उनका दोष है या नहीं है। सयोग की बात यह है कि इन बीस सदस्यों के नाम लिख दिए गए हैं, उनके हस्ताक्षर जाली बना दिए गए हैं। अब किसी का भी नाम लिखा जा सकता था, हमारा लिख सकते थे, वाजपेयी जी का लिख सकते थे, एस एम मिश्र का लिख सकते थे और भी कोई सदस्य ही सकते हैं जिन के सिगनेचर फॉर्ज कर सकते थे।

वाजपेयी जी ने इस कांड के सम्बन्ध में कई तथ्य दिए हैं। इस सम्बन्ध में आपने मुडगिल का हवाला भी दे दिया है। लेकिन वह किस अलग था। उस केम में कोई क्रिमिनल आफेंस इनवाल्ड नहीं था। एक सदस्य ने यह तथ्य किया था कि वह सदन में सवाल पूछेगा, मिनिस्टर्ज के पास रिप्रिजेंटेशन्स करेगा, लोगों की उनके पास बकालत करेगा और ऐसा करने के लिए उन में वह पैसा लेगा। अब हम में एक सदस्य का परसनल कन्टैक्ट इनवाल्ड था। मार्च 1951 में जब यह तथ्य प्रवान मंत्री के सामने आया तो उन्होंने इसकी पूरी जांच कराई। मार्च में यह तथ्य उनके ध्यान में आया और जून में उन्होंने प्रस्ताव सदन के सामने रखा। इस में तीन चार महीने लग गए। जांच कराने में तथा तथ्यों का मदन के सामने रखने में तीन चार महीने लग गए अब वाजपेयी जी कहते हैं कि फौरन पार्लिमेण्टरी कमेटी बिठा दो और मामले का उसके सुपुर्द कर दो। एम प्रतीत होता है कि वाजपेयी जी की बहुत हमदर्दी उनके साथ हो गई है। हमदर्दी होना अच्छी बात है। वाजपेयी जी ऐसे आदमी हैं जिन की हमदर्दी सब के साथ होनी चाहिए चाहे वह किसी भी पार्टी का हो। लेकिन प्रश्न हमदर्दी दिखाने का नहीं है। प्रश्न पैदा होता है कि जा बीम सदस्य इनवाल्ड है उनके बारे में कैसे और कौन जांच करे, सी० वी० आई० करे या कोई दूसरी एजेंसी करे। प्रमाण मौजूद है कि मदन के सदस्यों में से कुछ ने हम के पहले भी क्रिमिनल आफेंस किए हैं। उनकी जांच किस ने की। पुलिस ने ही तो की। सजा अदालतों ने दी। सदन का उमसे कोई मतलब नहीं था। वह परसनल कन्टैक्ट था। इस वास्ते सदन ने उसका नाटिस नहीं लिया।

अब यह कहा गया है कि सी० वी० आई० की जांच पर हमें विश्वास नहीं है, वह पक्षपात करेगी, निष्पक्ष जांच नहीं करेगी तो इसके बारे में मेरा निवेदन है कि बिरोधो

दलों का काम ही है कि आप किसी भी अधि-कारी को जांच करने का काम सौंपें उसके चरित्र के ऊपर, उसकी न्याय बुद्धि के ऊपर, उसकी निष्पक्षता के ऊपर सन्देह का एक वातावरण पैदा करने की ये कोशिश करने हैं। मंत्रियों का नाम भी लिया जाता है। यह एक गम्भीर बात है। गम्भीर इसलिए है कि मदन के बीम सदस्यों के फर्जें दस्तखत करके उनको बदनाम करने की कोशिश की गई है, गम्भीर इसलिए है कि इस मदन की गरिम का ठेस पहुंचान की किसी व्यक्ति ने कोशिश का है और जिन ने इस तरह का गम्भीर अपराध किया है, उसकी पूरी जांच पड़ताल होनी चाहिए, अच्छे तरीके से होनी चाहिए। मैं प्रार्थना करता हू कि उच्च से उच्च अधिकारी के द्वारा यह कर्वाई जाएगी। सी० वी० आई० में जो भी अधिकारी जांच कर रहा है मैं समझता हू कि प्रगर वह नीची श्रेणी का हो तो उच्च श्रेणी के अधिकारी में इसकी जांच करवाई जाए और आपका निर्देश देना चाहिए कि जल्दी से जल्दी जांच का जो निष्कर्ष है वह सामने आए और प्रगला सत्र शुरू होने से पहले यह जांच रिपोर्ट प्राप्त करने की कोशिश की जानी चाहिए। तब तक दूध का दूध और पानी का पाना ही जान चाहिए। कौन दोषी है कौन नड है इसका पता चल जाना चाहिए।

यह कह गया है कि प्रवान मंत्री चुन रही है, उन्होंने इस कुछ नडा किया। मैं समझता हू कि प्रवान मंत्रों के पास जब यह मसल आया या इसकी जानकारी उनको मिली तो इसकी पूरी जांच पड़ताल उन्होंने की। सदस्यों ने उनके पास अपने प्रतिनिधि भेजे और उन्होंने प्रवान मंत्री को इसके बारे में बताया। प्रवान मंत्री जी ने इसको देखा और कार्रवाई शुरू की। आखिर एक तरीका होता है काम करने का एक दम फैसला नहीं हो सकता है। वाजपेयी जी ने तुलसीदास राम के बारे में गम्भीर आरोप लगाए हैं। यह नहीं हो

[श्री चन्द्रजीत यादव]

सकता है कि आज आरोप लगाए और आज ही उनके खिलाफ एक्शन ले लिया जाए। उस सदस्य को भी मौका मिलना चाहिए कि जो आरोप लगाए गए हैं उनका वह जवाब दे सके। उतावलेपन में कोई काम नहीं चल सकता है।

श्री इयामनन्दन मिश्र : छ महीने पहले चार्ज लगाए गए थे।

श्री चन्द्रजीत यादव : श्रवत कर वारे में आज .

श्री इयामनन्दन मिश्र : डेढ़ लाख रुपये लिए हैं।

श्री चन्द्रजीत यादव : सीनियर प्रादमी हो कर के इस तरह अपना दिमाग गरम मत कीजिए।

श्री इयामनन्दन मिश्र : छिपाइए मत। छिपा कर बात मत कीजिए।

श्री चन्द्रजीत यादव : छिपा कर बात मैं नहीं कहता हूँ। मैं सच्ची बात कहता हूँ। इसलिए आप को दर्द होता है। अटल बिहारी वाजपेयी जी ने दो चार्ज और लगाए हैं आज। जरा बुद्धि का प्रयोग कीजिए।

श्री इयामनन्दन मिश्र : पुराने का क्या हुआ ?

श्री चन्द्रजीत यादव : पुराने को छोड़िए। तुलसीदास राम जी आज नहीं है यहाँ पर। उन्हें इस बात का मौका मिलना चाहिए ... (उग्रवचन) ... मैं किसी की बकालत नहीं करता। मैं ने शुरू में कहा है कि अगर किसी सदस्य के सदस्य के आचरण के संबंध में कोई गंभीर बात कही जा रही

है और अटल बिहारी वाजपेयी जी ने कही है, मैं उन की बात की चुनौती नहीं देता हूँ, मैं नहीं कहता कि वे झूठ बोल रहे हैं या ऐबसब बात कर रहे हैं, वे एक जिम्मेदार व्यक्ति हैं, उन्होंने एक तथ्य सदन के सामने रखा है और मैं आशा करता हूँ कि जब वे तथ्य सदन के सामने रख रहे हैं तो उन के साथ और जितने उन के पास प्रमाण है वह सारे के सारे प्रमाण सदन के नेता को दें या आप को दें श्रीमान्, आप हमारे अध्यक्ष हैं, आप के सामने रखें। आप के सामने एक बात आई और तत्काल आप ने उस के ऊपर कार्यवाही की। तत्काल सरकार ने उस के ऊपर कार्यवाही की, कोई परदा डालने का मशा नहीं था। लेकिन कोई दान है तो उस की जाच पड़ताल एक विधि तरीके से कायदे से होनी चाहिए और इसीलिए मैं कहता हूँ कि इन बातों के ऊपर कोई ससदीय कमेटी आज के वक्त बनाना मुमकिन नहीं है जब तक तथ्य सामन नहीं आ जाने है। और मैं दरवाजा बन्द नहीं करता। मुमकिन है कि सी० वी० आई० की रिपोर्ट आए, उस में सी० वी० आई० की रिपोर्ट आने के बाद यह बात साबित हो कि बहुत सी बात ऐसी है जो सी वी आई नहीं कर सकती, जैसे अगर सदस्य के आचरण का सबध है तो सी वी आई उस उस में कुछ नहीं कर सकती, सदन की मान-हानि का सवाल है तो सी वी आई नहीं कर सकती, सदन के विशेषाधिकार का प्रश्न है तो सी० वी० आई० कुछ नहीं कर सकती, इसलिए जब वे तथ्य सामने आ जाएंगे तब उस वक्त अगर सदन उचित समझता तो मैं आप को यह विश्वास दिलाना चाहता हूँ कि उस अवसर के ऊपर या किसी भी अवसर पर अगर यह उचित होगा कि सदन की कमेटी इस काम के लिए बनाना जरूरी है तो सदस्यों को जिन के नाम इन्वाल्ड हैं उन के नाम को इस से मुक्त करने के लिए और जिन के आचरण दोषयुक्त हो या अगर कोई अपराधी हो तो उस को उचित सजा देने के लिए सदन की कमेटी बनाई जा सकती

है। इस को मैं रूल आउट नहीं करता हूँ। इन्हीं शब्दों के साथ मैं यह समझता हूँ कि इस बात को इतना तूल नहीं देना चाहिए। हमारे 20 सदस्यों के नाम इस में इन्क्लूड हैं। उन्होंने भी एक बात कही है। लेकिन तथ्य सामने आए, सच्चाई सामने आए, सही बात पर परदा न पड़ सके उस के लिए एक जांच हो रही है। जांच होने के बाद मैं आशा करता हूँ कि सदन को भी उस के क्या परिणाम हैं उन से अवगत कराया जायगा ताकि जो एक माहौल बन रहा है उस की सफाई हो सके।

मैं एक और प्रार्थना करना चाहता हूँ। अभी वाजपेयी जी ने कहा कि प्रजातंत्र के बड़े गंभीर दोष भी हैं। हम सब जानते हैं। लेकिन प्रजातंत्र की बहुत सारी अच्छाइयाँ भी हैं। सारे दोषों के वावजूद भी अगर दोष और अच्छाई दोनों को तराजू के दो पलड़ों पर रखा जाय तो यह दुनिया ने साबित किया है कि प्रजातंत्र से बेहतर कोई राजनैतिक व्यवस्था नहीं है और इसीलिए हम ने अपने देश में एक प्रजातांत्रिक जनवादी व्यवस्था कायम की है। हम समझते हैं कि प्रजातंत्र हमारे देश में मजबूत हो, उस की गरिमा बड़े, जनता के अधिकारों की रक्षा हो और उस के लिए जो कुछ भी करना होगा मैं इस सदन को विश्वास दिला कर कहना चाहता हूँ कि विरोधी दल का कोई भी व्यक्ति प्रजातंत्र की रक्षा के लिए और इस सदन की गरिमा के लिए जिददा भी करना चाहते हैं, उससे कस हम कांग्रेस दल के लोग नहीं करना चाहते हैं। इन्हीं शब्दों के साथ मैं यह कहना चाहता हूँ कि इस प्रस्ताव को इस वक्त नहीं स्वीकार किया जाना चाहिए।

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, चर्चा सार्थक हो और यह चर्चा सब तथ्यों को सम्मने रख कर चले इस के लिए जरूरी है कि एफ आइ आर की एक कॉपी सभा पटल पर रखी जाय। यह बहुत जरूरी है।

SHRI SHYAMNANDAN MISHRA:
It is very material for the consideration of the motion. Let them place a copy of the FIR on the Table of the House.

MR. SPEAKER: The Minister has already informed the House of the position. The FIR is not a secret document. Under the Indian Penal Code and the Code of Criminal Procedure, the practice is that when the case goes to the court you can see the FIR.

SHRI SHYAMNANDAN MISHRA:
We are not told about the date when the FIR was registered and where it was registered. That is also not being mentioned to us.

SHRI SEZHIYAN (Kumbakonam):
On that day I put a specific question as to when the case was registered and the Minister said, 'A couple of days ago'. 'A couple of days' would mean anything.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I made the statement on the 3rd and when I was asked about date, I said, 'Within the last couple of days'....

SHRI SHYAMNANDAN MISHRA:
We want the exact date.

SHRI H. R. GOKHALE: At that time the date and time of registration were not exactly known to me. I can tell the House that the case was registered on the 2nd morning.

SHRI BHOGENDRA JHA (Jainagar): We are not being told from which court a copy can be had. Unless we get the case number and the name of the court from where we can get a copy, the discussion will be incomplete. (Interruptions)

अध्यक्ष महोदय : अगर आप मुझ से कहते, मुझे नोटिस देते तो मैं ही उन से पूछ लेता।

श्री श्याम नन्दन मिश्र : उस दिन हम लोगों ने कई बार इलतजा की, कई बार पूछा, बड़ी मिन्नत की, हमारे पूछने से इन्होंने नहीं बताया। ऐसे ही इधर उधर की कहते रहे। इन को तनख्वाह हम सबों से मिलती है और काम करते हैं सिर्फ अपनी पार्टी का।

SHRI BHOGENDRA JHA: He must tell us the name of the court also.

MR. SPEAKER: Please try to make use of every available minute. If you start raising points of order, the time will be over.

Mr. Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU: Mr. Speaker, Sir, at the very outset I must express my disappointment at the way Mr. Gokhale, a former High Court judge and the Minister of Law of Government of India, has tried to take advantage of the ignorance of law on the part of many of us. He had chosen to evade the question which I had put to him repeatedly till such time as my friend in the *Hindustan Times* had made it a front-page story in clear and categorical terms which was the only indication available to us which was acceptable. Mr. Gokhale knew that, if he had used the words 'F.I.R.', some of us would at once make a move to get hold of a copy of that. Therefore, instead of that—he had chosen to hoodwink us—he had used another expression 'the case has been registered'. 'The case has been registered', to a layman like me, could be a case registered in a court of law. could be a case registered by the CBI. CBI itself taking cognisance? I am not really an expert. Mr. Gokhale, taking advantage of his knowledge in law, has taken advantage of our ignorance of technicalities of law. That is a matter of great shame and pity.

To say much on this issue, which has been debated considerably will amount to "gilding a lily", because

such things have been revealed during the last seven days. After that, I do not really think that there was any necessity for the Government to put up a defence to-day. If I were you, I would have boldly come forward to say that a parliamentary probe will be instituted, to put an end to all suspicion and controversies.

To-day, a day, when practically a no-confidence motion is being moved against the Government, the Prime Minister is away and her close partner and confidant in those adventures is in the dock. To-day, Mr. Vajpayee reminded us about her utterance in Ambala in which she had chosen to bracket herself with this Minister against whom serious corruption charges including the demand for the one by the Commission of Inquiry on Bharat Sevak Samaj are there.

MR. SPEAKER: The debate is purely on the licence matter but you are going over a hundred and one things.

SHRI JYOTIRMOY BOSU: I want to ask. Mr. Gokhale, have you covered in the CBI or FIR registration, the aspects of cheating, the aspects of forgery, the aspects of IPC Section 162 regarding inquiry into illegal gratification of MPs., officials and others and tell us how big the canvas of this investigation.

The CBI, as it stands to-day, cannot cover the Ministers of Governments which is so very important and necessary in this case because Mr L. N. Mishra is the first man who should be examined.

I want to know whether you have told the CBI to submit an interim report before the winter session so that those who are in favour of the CBI inquiry, at least could see what they have to say about instituting a parliamentary probe, but we are not in that

category. We are strongly in favour of a parliamentary probe.

Secondly, the day I spotted the news in the Blitz which I congratulate for focussing the nation's attention on this matter, I immediately wrote to you, Mr. Speaker and you wrote to the Government. Then the CBI came into the picture and they kept even the Speaker in darkness. Then five months have passed after I had written. Only when I moved the privilege motion in the House a case was registered. Shame on them. In Tulmohan Ram, he had broken down and confessed that a lakh and a half of rupees had come to his pocket. I want to know. You have said categorically and clearly that you were kept in darkness. You were not given any intimation by the CBI. Why is it? Why have you kept you them in darkness? What did the Prime Minister do on the Blitz publication? Now you had five good months from the end of March. Why is it that now you are coming out with a proposal for a CBI inquiry? What were you doing during the last five months? Is it a fact that you told them to treat it as an unregistered case and an unregistered inquiry so that nothing, no document and nobody would be caught. Now, after you have been caught red-handed here, you are forced to make it a registered case and you are enacting dramas and doing gimmicks.

These licences were worth Rs 30 lakhs and I am told the market value including the premium that goes with it is over Rs. 1 crore. I am also told that Shri L. N. Mishra signed the file only two days before he relinquished charge of Foreign Trade Ministry

SHRI L. N. MISHRA No I contradict it.

SHRI JYOTIRMOY BOSU A parliamentary probe will discover it
(Interruptions)

I want to say that this is the reason why the Lokpal Bill has been kept in

cold storage because the Ministers of the Congress Government must be kept out of the purview of any inquiry into charges of corruption.

Shri D. Sen, the present Director, as a token for his services rendered, has been promised an extension of two years, but not at a time. It would be one year and after seeing the performance he renders for the removal of Garibi Hatao of Shri L. N. Mishra and Shrimati Gandhi, he will be considered another extension.

Mr. Mishra considers Shri Darbari a competent man against whom corruption charge has been levelled. I have also written to the Prime Minister that he owns an industry in Ghaziabad, he owns shoddy mills and own taxis in Delhi. But nothing happened to that. He has to look after the interests of Shri Mishra. Let us analyse the issue now. What is it? Shri Chattopadhyaya said that seventeen parties had asked for the revival of licences. On scrutiny it was found that six cases were rejected. Whatever was allowed to be imported by them was not to the fullest extent but only to the extent of 50 per cent.

When this was pointed out by Shri Kulkarni, a Congress Member, the Minister was stating that by a mere slip of mistake those industrialists were not included. Was it not a fact that the very industrialists approached the Government in 1955-1956 for getting the licences and the government, for reasons well known to them—I do not know them—refused the licences. Then, suddenly the applications were received and Shri Mishra granted the licences. There are reasons for it. I would like to know from the Government what is the valid reason taken into consideration for issuing the licences.

Then, Sir, I want to find out from the hon. Minister whether these firms are really owned by licensed parties or whether these licences were sold and the importers themselves did not

[Shri D. Sen]

import anything. Is it also a fact that Shri Mishra's contributors wanted to make use of the title that they were established importers?

Also I want to know how many more licences were issued to the same set of firms. Also we want to know whether this issue came up before his three predecessors—Shri Manubhai Shah, Shri Bali Ram Bhagat and Shri Dinesh Singh. Is it not also true that this is a case similar to that of Messrs. Tulsia Stainless Steel Case—Karnataka Export—when my friend, Shri Mishra's vital conditions and opened the flood-gate of loot favouring the importation of the stainless steel by Shri Tulsia Steel?

Is it a fact that all the three predecessors had rejected their applications? But, all the seven applications were rejected by Shri Manubhai Shah, Shri Bhagat and Shri Dinesh Singh after considering them.

Now I would like to know what was the ground on which they had rejected the applications? They went to the Madras High Court where the litigation was going on for four years and then Shri Mishra did a good job. In that litigation case he made them withdraw the case. What was the reason? If I am right, was it for pre-1972 election fund collections? May I put the question? The Minister wrote that if justice had not been done, licence should be given. I want to ask both of you a hypothetical question. Were you in possession of all the facts before you? Then comes the question—why a memorandum from as many as 21 Congress M.Ps. was necessary? Was it to strengthen your elbow? It was all very well thought-out and all those whose signatures are genuine are very very close to Shri Mishra. Then, of course, M. Ps. from Bihar were feeling very strongly to help in the economic growth of Pondicherry in Tamil Nadu. It is very significant that Shri Mishra is a mere commissar to put the needle

and extract blood. The *Hindustan Times* clearly said at least seven to eight signatures were genuine. I want to ask Shri Gokhale, the former and the famous High Court Judge, my lord, as he was accustomed to be called a question. Did you both or advise them to refer the signatures before they were stolen and mis-placed? Did you send them to hand-writing experts? You have got so many hand-writing experts with you. The answer is 'n'. I guess in some cases signatures have been forged because I know at least one M.P. who does not even spare his own brother. The names of such M. Ps. have been included in it with whom he does not see eye to eye. He shrewdly killed two birds with one stone. That is a wonderful performance. He has feathered his own nest and at the same time broken the nest of his opponent. It has become a standing scandal in this country and particularly for the ruling party going in for permits, licences and favours.

श्री विभूति मिश्र (मोतीहारी) : हम लोग किसी के लाइसेंस के लिये नहीं जाते हैं। आप गलत कहते हैं।

श्री ज्योतिर्मय बसु : मिश्रा जी, आप के बारे में कुछ नहीं बोला, शुगर मिल अमेर के बारे में कुछ नहीं बोला।

Sir, I know of one M. P. whose brother is in coal business in Bihar coal-fields area. He did not spare his own brother for giving wagon permits. He collected Rs. 30,000. There are cases of cooking gas, petroleum, railway wagons, etc. It has become a 'Give and Take' affair. That is, Mr. Minister you remain a Minister and have the plunder but let us have a little slice. Don't forget the legs of your 'kursi'. Shri L. N. Mishra has a scientific mind with regard to distribution of power. His mechanisation and arrangement in Parliament and his arrangement in Patna are superb,

I would like to learn from his methods.

Sir, many of them pressed for a Parliamentary probe but under the Prime Minister's pressure they withdrew. If you read the articles in *National Herald*, *Hindustan Times* and Part II daily one after another you would be more convinced. Sir, my information is the whole thing was done at Akbar Road residence of the Minister.

In one case the paper was taken to Nursing Home for signature and the most interesting thing is the Congress M. P. is closest to Lalit Narain Mishra. Mr. Tulmohan Ram—Mr. Vajpayee has said and the information was also in my possession with photostat copy—I am subject to correction, has already collected and contributed rupees one and a quarter lakhs. To keep him going with silk kurta and beautiful hair oil, of course complexion does not matter—why are you trying to discredit your dead father? Why are you allowing such people to build schools and give honour to your father's name?

SHRI L. N. MISHRA: How could you say I have done it?

SHRI JYOTIRMOY BOSU: Sir, I would like to ask one simple thing. The matter came up in Rajya Sabha on the 27th August and today is 9th September. Thirteen days have passed. Where is Mr. Tul Mohan Ram, Mr. Raghu Ramaiah? You have a vanishing trick, I know. Can I not demand that this Government was responsible to produce him on the 28th August. But, because of this conspiracy, which involves the fountain head of corruption in the country, down to Mr. Tul Mohan Ram, you cannot see his face. He is under the protection of the Government of India's rubber seal. You cannot approach him.

Sir, I am told that this man is reported to have confessed that he has received a lakh and a half. I would like to ask this question. Mr. Speaker,

Sir, you acted on my letter and wrote to the Government. I would like to ask, what did the Prime Minister do? She has a large establishment of information and broadcasting, who are giving out paper clippings every day. What did she do? *Blitz* is one of the largest circulated weeklies. It came out with a broad face that one of her MPs. has taken money for selling licence. What did she do? Nothing was done. This shows, corruption is from the top to the bottom. Sir, he is shielded by very powerful persons including Mr. L. N. Mishra and he is doing very brisk business in coal wagons. He has mentioned about salt. I will tell you the rates

Sir, I will take ten minutes more. This is the last day. For two months, I will not come near you. I assure you I would not take much time.

MR. SPEAKER: You conclude in three-four minutes.

SHRI JYOTIRMOY BOSU: The business in coal wagons has become one of the juiciest things. But, still, I am told, the Minister is not very happy because Industrial Development Ministry offers better scope for operation, than Railways. Applications are being made 'Let me be shifted from Railways to Industrial Development', where there is lot more money, no accounting, no *hisab*. But, you have fixed the rates for Punjab and Haryana. For one rake of 60 wagons, between 60,000—80,000 tonnes, for Bombay, it is Rs. 2 lakhs. Therefore, Sir, if Mr. Tul Mohan Ram prospers, his master also prospers and prosperity is assured. *Garibi Hatao* is taking place; distribution of wealth is taking place.

MR. SPEAKER: You confine yourself to the motion.

SHRI JYOTIRMOY BOSU: I am absolutely on the motion. I would like to ask Mr. Uma Shankar Dikshit a question. Is it a fact that Mr. Tul Mohan Ram was involved in the case of a car being caught smuggling? Is it a fact that the car was taken in

[Shri Jyotirmoy Bosu]

the name of an MP of your party, Mr. Besra and that car was taken to Bombay and caught smuggling? I would like to know the details.

MR. SPEAKER: May I tell you this. This motion is very specific. If you bring in any other MP or any other issue, proper notice has to be given. It is not a general debate

SHRI JYOTIRMOY BOSU: I am only discussing Mr. Tul Mohan Ram, Mr. Dikshit could tell us whether the car was taken out of Mr. Besra's MPs' quota and it was caught in a smuggling operation. Is it also a fact that the car was given to a person—sold or given I do not know—at the request of Mr. Tul Mohan Ram? Is it also a fact that Mr. Tul Mohan Ram collected Rs. 24,000 from a Chandigarh firm with promises made to them? I would like to know this.

MR. SPEAKER: Try be relevant on the motion.

SHRI JYOTIRMOY BOSU: Sir, Mr. Tul Mohan Ram

MR. SPEAKER: Call a man Tul Mohan Ram and damn him. What is this? You should be relevant to the motion.

SHRI JYOTIRMOY BOSU: I am not talking about Misras, Pandeyas, Jadavs and Besras I am only saying that Mr. Tul Mohan Ram is flourishing under the god-sent patronage of Shri L. N. Mishra; he is a God-fearing man; does puja with talisman all over the body; you cannot touch him. These are small fry; they are used as baits for the wolf and the wolf is sitting opposite. Even if you take Shri L. N. Mishra's personal explanation of 29th August, 1974, can he be absolved of the charges? No. According to the Chagla Commission report, it is quite clear. The report says:

"In my opinion it is a clear that constitutionally the Minister is responsible for the actions taken by the Secretary or other officers. With regard to this transaction it is clear that the Minister must take the responsibility for actions done by his subordinates and he cannot take shelter behind them nor can he disown their actions. The doctrine of ministerial responsibility has two facts: the Minister has complete autonomy within his sphere of authority, as a necessary copollary he must take full responsibility for the actions of his servants. The Minister must fully and squarely accept responsibility for his Secretary."

This clearly lays down that Mr. L. N. Mishra cannot escape responsibility. I know full well, unless proved otherwise, that he was the mastermind behind this. The reverse process had been started by him. We know his misdeeds in the Bharat Sevak Samaj and the Tulsian stainless scandal. The file was burnt. There was then the rag scandal.

He wrote to Mr. Tariq IMPEC to give Rs. 80,000 to friends in Bihar under pretext of some documentary film. Mr. Tariq refused and declined to give money. He was after Tariq. I am concluding, Sir. Tariq wrote to the Prime Minister with a photostat copy. When Mr. Tariq spoke in Ambassadors' Conference about film smuggling, Shri L. N. Mishra asked the Joint Secretary, Sardarji, to write to Mr. Tariq not to raise it because it embarrassed the Government. He says do not speak against smugglers; Mr. Haksar knew about it. In another case Mr. L. N. Mishra pressurised Tariq to give a big loan to a Hindi film.

MR. SPEAKER: This is a debate on the licence issue. You are raising all sorts of questions which have nothing to do with it.

SHRI JYOTIRMOY BOSU: I only want to say that the two reports of the

Bihar M.L.As and the Committee of Privileges should be gone through. A parliamentary probe is necessary because he is the master-mind. When they asked for further loans from the IMPC and those were refused, he immediately started attacking the IMPC and letters were written by MPs of the Congress Party. I am told that my friend Mr. Barupal can say about this. So, it should be done only by a Parliamentary Committee; the CBI is totally incompetent to do this (*Interruptions*).

MR. SPEAKER: The main motion is about the licence issue. If you extend the scope I am afraid that the real subject will be lost.

SHRI PILOO MODY: Shri Tul Mohan Ram is already lost.

SHRI JYOTIRMOY BOSU: I mentioned only Mr. Tul Mohan Ram whose immediate boss is Mr. L. N. Mishra and the immediate boss of Mr. L. N. Mishra is Mrs. Gandhi.

MR. SPEAKER: I think one day I will allow you to say anything that you want to say.

SHRI JYOTIRMOY BOSU: When will be that day?

MR. SPEAKER: Sometime, so that your main ambition may be fulfilled.

SHRI PRIYA RANJAN DAS MUNSI (Calcutta-South): Sir, I was listening to the speech of the most sincere and non-corrupt member, of Parliament, Shri Jyotirmoy Bosu. I do not believe that any Government can rule a country by legal and constitutional authority alone. It also requires moral authority. Now, who is the judge of morality? Morality can be judged from the past and present conduct of the party ruling the country and from that people can know about their future postures. In some cases, specially in developing nations, due to the monopoly press propaganda or suspicion, efforts of character assassination are made by a section of vested interest among the people against a party or individual in the party. In such cases, morality comes from within and that cannot be judg-

ed by sayings of the people. I quote Swami Vivekananda, who is the fountain of our moral power:

"Let people say whatever they like. Stick to your convictions and rest assured, the world will be at your feet. They say, 'Have faith in this fellow or that fellow'. But I say, 'Have faith in yourself first.' That is the way. Have faith in yourself. All power is in you. Be conscious and bring it out. Say, 'I can do everything'. Even the poison of the snake is powerless if you can firmly deny it."

The heritage and traditions of the Congress Party to which I have the honour to belong are such that in spite of some shortcomings and failures, it had proved to the people that it had never refused to face any challenge and faced the truth whatever the consequences might be, on the ground of ideology, rules and principles. Members belonging to Punjab will know that Mr. Pratap Singh Kairon had to face a probe, although he had done so much for the progress of the country. Similarly, Mr. Biju Patnaik of the Pragati Party formerly belonged to our party and the Congress Party did not spare him from a probe. There are several such instances in the States where whenever serious allegations have been made by the opposition parties or even by the Congress Party members, the Congress Party had faced the challenge with courage and came out successfully in establishing the truth. To give a recent instance, the West Bengal Government has appointed the Wanchoo Commission and the ministers are facing the probe ordered by the same Government. Mr. Vajpayee was quoting with pride the Mudgal case which was—ordered to be enquired into by Pandit Jawaharlal Nehru. From where did that heritage and tradition come? It is from this very Congress Party. Today when the country is facing such a serious economic situation, not only members of

[Shri Priya Ranjan Das Munshi]

this House but outside people also have developed some doubt in the general establishment because of their many difficulties in regard to food, shelter, accommodation, etc., and they might have challenged the Government's authority in regard to many questions like corruption, scandal or any other thing. I do not like to deny all those points. But I would like to submit that this Parliament has the authority of the Constitution, this House has the authority of the people of this country to find out the truth. At the same time, let us not place this Parliament and its Members in a situation where people will have a doubt, a suspicion or disbelief and misgivings about the very existence of Parliament and the conduct of the Members of this House. It does not matter whether a member belongs to the Congress Party or any other party, the moment he enters the office as a Member of Parliament he undertakes upon himself two responsibilities, one to the people through whom he got elected and another to the party and the nation which he represents.

18 hrs.

While serving as a Member of Parliament in a mixed economy, in a society like ours, can any member from the opposition or the ruling party deny that, in spite of his unwillingness, he is forced to move, to fight for individual cases, be it a person or a company, where he finds that deliberate injustice has been done in that case? It is not a question of what *Blitz* published or what Shri Tulmohan Ram did. Let us ask our conscience, is it not a fact that we have many a time pleaded for this party or that party, be it for an industrial licence or some other thing, to one Minister or another, for the people in our constituencies when we felt that an injustice has been done? I am not accusing any particular political party or questioning the *bona fides* of any particular member. I am only stating what is generally happening in the

performance of his duties by a Member of Parliament in this country. Merely because the society has developed a feeling of taking it for granted that anybody who functions will function only in a corrupt way because of the feeling that political people are generally dishonest, to say that every member or the leader of every party is dishonest is not proper and I cannot understand this way of looking at things.

I am extremely sorry that for the last one week arguments have been put forward by the members of the opposition on many aspects connected with this licence issue. It is alleged that the signatures of 21 members have been found in a representation and those signatures are alleged to be forged. Is it not a clear criminal case? In the case of a criminal case there are various agencies of the Government which will deal with it. It is not the function of Parliament to enquire into criminal cases. Merely because some Members of Parliament are involved in a criminal case, merely because some members belonging to the ruling party are involved in a criminal case, why bring in the agency of Parliament to enquire into such cases?

This very Parliament itself, by its own laws, set up various agencies for dealing with various aspects of administration, one of which being the CBI. If the Parliament is to take up all those functions, then let us abolish the CBI, the Vigilance Commission, the income-tax department through which Shri Ganesh is raiding lakhs and crores of rupees by way of raids. Let us also abolish the entire judicial system and let everything be done by Parliament through a Committee. If a theft is committed in the house of Shri Jyotirmoy Bose, the whole case will go before a Parliamentary Committee. If there is a burglary in the house of Shri Atal Bihari Vajpayee, another Parliamentary Committee of ten members belonging to a particular party will look into it. If this is the

way we are going to function, then what is the point in creating those various agencies for administering the country?

Then it is being alleged that the CBI is being guided either by the Congress Party or by Shrimati Indira Gandhi. The real test is how the ruling party or the Government functions in a crisis. Can anybody from the opposition deny that in the hour of crisis, at the time of war, the Government functioned in a way which got acclaim from all sides of the House? When we fought for the liberation of Bangladesh, there was praise from all sections of the House for the way in which we functioned. I agree there are bad officers, there are bad policemen and bad political leaders. Nobody denies that because it is that society to which we belong and we are fighting to change that society.

I do not know who indulged in this game of licence. May be, it is somebody who is not wanted by the people or the House. The truth will definitely come out. I know it is the character of the Congress Party that, whosoever it may be and howsoever powerful he may be, it always takes the stand by what people desire, what people want, and not by the pressure or counter-political conspiracy or game of some mischievous political forces who always take such issues and not the issue of the people of this country. I am not saying that Mr. Jyotirmoy Bosu is a corrupt man, nor am I talking of what he does or he does not do. Mr. Jyotirmoy Bosu always uses the expression 'I am told'. He says, 'I am told that Shrimati Indira Gandhi is doing this'. 'I am told that Rs. 30 lakhs have been given' and so on. I am also told Sir, in Calcutta he does certain bad things. I am told in Calcutta that he is in league with the British controlled business; he has dealings with Hindustan Motor management. Does that amount to any substantial truth? If I say that I am told that some Members belonging to CPM were involved in employing

gangsters to rob a bank, would you agree for a Parliamentary probe? Can that be established? If I say that I am told that three or four members sitting on that side are involved in robbing the National & Grindlays Bank could that be proved? I can take advantage of 'I am told' to malign people. (*Interruptions*) Why are you getting excited. You go and file a suit against Indian Observer... (*Interruptions*).

SHRI JYOTIRMOY BOSU: That pornographer has become the biographer of the Prime Minister. Here you can see Mr. L. N. Mishra's photo

SHRI PRIYA RANJAN DAS MUNSI: I am not taking advantage of *Indian Observer* because I know its tradition is to expose, to make naked pictures, to publish vulgar things, and if Mr. Jyotirmoy Bosu belongs to that category, vulgarity, I do not find any objection. If he does not belong to that, I am glad. (*Interruptions*)

SHRI JYOTIRMOY BOSU: Mr. Durlab Singh and Mr. Harbans Singh have been paid by the Congress Party to malign us. (*Interruptions*) The pornographer has become the biographer of our Prime Minister. How many times have they been prosecuted? (*Interruptions*) You find the photo of Mr. L. N. Mishra. A shame on you. You are quoting the *Observer*.

SHRI PRIYA RANJAN DAS MUNSI: I am extremely grateful to Shri Shyamnandan Mishra, Shri Atal Bihari Vajpayee, and Shri Jyotirmoy Bosu for their sympathetic observations. for their attitude towards the members of this side. Three or four days back they said that it was not that they wanted to fight politically, they wanted to get the charges cleared. I am grateful to them for their sympathy towards the members on this side.

SHRI PHILLO MODY: I have no sympathy.

SHRI PRIYA RANJAN DAS MUNSI: You were busy because in Orissa the Swatantra Party's Government had been trapped by the Kendu Inquiry Commission for plundering crores of rupees in which Shri Piloo Mody has a large share. Mr. Bosu, have I done anything wrong to you? Why are you then interrupting me?

Interruptions

SHRI JYOTIRMOY BOSU: Your Mr. Ram Gopal Reddy says something in the morning and says 'Galath' in the evening. Shame, shame. Do you talk through your mouth? (*Interruptions*)

SHRI PRIYA RANJAN DAS MUNSI: Have I no liberty to express my views?

SHRI JYOTIRMOY BOSU: A bunch of dishonest people... (*Interruptions*)

MR. DEPUTY SPEAKER: Order, please... (*Interruptions*)

SHRI PILOO MODY: The Chair cannot be abler than the Member.

SHRI PRIYA RANJAN DAS MUNSI: I am extremely grateful to hon. Members, Shri Shyamnandan Mishra, Shri Atal Bihari Vajpayee and Shri Piloo Mody for their sincere sympathies for the Congress members and they said that they want to protect the Congress Members from this trap. I am grateful for this but I would like to quote also one popular *shair* in this connection. It says that some members who have neither their house nor shelter nor any protection of defence do try to protect those who have found their establishment and shelter. The popular *shair* goes:

नहीं है जिनको भरोसा खुद अपनी कानों पर
बढ़ नाखुदा के सहारों की बात करते हैं ।

Now, you know Shri Piloo Mody the leader of the national alternative. Sir, if this side is full of thieves, I do not know whether the national

alternative is some better, dacoits or not. But the national alternative is also wedded to this demand. But this national alternative should know that the Kendu Leaves Inquiry Commission has come out with the truth. Let them have a look at that report first...

SHRI MANORANJAN HAZRA (Arambagh): On a point of order, Sir.

SHRI PRIYA RANJAN DAS MUNSI: This is not your Party, but his party.

SHRI JYOTIRMOY BOSU: The hon. Member said...

(*Interruptions*)

SHRI PRIYA RANJAN DAS MUNSI: I am not accusing your Party. Why are you getting excited?..

(*Interruptions*)

Mr. Jyotirmoy Bosu, please do not interrupt me. I will reveal the whole thing.

SHRI PILOO MODY: Would you not yield to me?

SHRI PRIYA RANJAN DAS MUNSI: No, no. There are three questions. The first question is that full facts are yet to come... (*Interruptions*) All the facts have come, nothing still remains to be revealed. Everything has been revealed.

The second question is: whether it should be a parliamentary probe or probe by the CBI. I have not come here in defence of CBI nor any officer of CBI. I would like to submit. Is it our task every time to accuse and condemn wholesale the agencies of the Government who had done some good work in their respective fields? Is it that the Members of the Jana Sangh are worried about the CBI because the CBI is inquiring into the Ananda Marg scandal and R.S.S. affairs? Is it that the Cong (O) is worried about the CBI because it is inquiring into the misdeeds of its

members and also because it is going to take up another scandal relating to Shri R. N. Goenka? If they are really worried about CBI and that Shrimati Indira Gandhi is protecting any officer, well, in that case, we have no objection if, after the report is submitted, members find that they are not satisfied. They have every right to demand again for the truth or the revelations as hon. Shri Samar Guha demanded the result of the Netaji inquiry. We have no objection to it, but let the investigation be first over.

About parliamentary probes in England, you know, most of the members know and especially, Shri Madhu Limaye to whom I have great respect and I do take it as a privilege to learn from him about rules of procedure of this House and those obtaining in the House of Commons. I would like him to enlighten me on one point.

Is it not a fact that in the House of Commons, immediately after the enactment of 1921 Tribunal of Enquiries Act there was a clear observation on the point that in the case of a deep-rooted nature where criminal things were involved, there, even a parliamentary probe was not sufficient because, in that case, political aversions and political vendetta are always revealed and as such, this should have been taken first for investigation by a government agency?

I would also cite one case of 1912. It is known to Mr. Madhu Limaye. It is about the British Marconi Company. The report of the parliamentary probe committee very clearly revealed that there was a tremendous fight not to reveal the truth but to pull down one political group or the other political group.

I am not questioning that this House is not above all. I am saying that they are a political wing and we too are political wing. Some of our Members will be in a Committee; some Members on the other side will also

be Members of the Committee. It is a fact that in a parliamentary democracy, everybody knows that everyone wants to test everything. But, there is a limit for this which is permitted by the Committee. If a parliamentary probe is conceded, who will examine the forgery—will he be Shri Bosu or Shri Vajpayee? They can at the most have an interlude with Shri Lalit Babu for their political satisfaction.

ललित बाबू, आपने क्या लिया, हा हा हा
 I agree that we can do this job through an agency of the Government since we have confidence in the agency of the Government. If the report of the investigation comes before the House and if the Members find that there is something lacking or if the Government has deliberately suppressed anything, there is nothing to prevent us from reopening the chapter. What I would submit is this. It is no good maligning the Members of my party or the Members of the opposite. Today Shri Tul Mohan Ram may be a Member from this side and tomorrow, he may be a Member of the other side. (Interruptions) Why are you laughing? He was once a Member of the Socialist Party. You were also a member of the British managed house. You are now not even a Member of the Communist Party (Marxist). How does this matter? I would submit one thing to Members from this side as well as the other side that this Parliament should take it as granted that truth should come out and we must ask for the truth and it should not be suppressed. I do swear in this House that if we find that after the investigation report comes that some offence has been committed by the Member, however powerful he might be, the Congress will act as it had acted earlier. If things go on like this, I know excepting a few Members from the Opposition, all other Members of parties are taking us as granted that the Congress can be bullied by character assassination. They started the character assassination with

[Priya Ranjan Das Munshi]

the Prime Minister not today but even in 1969. That was the speech made about her by the Jan Sangh and Swatantra Party. Even Shri Acharya Kripalani made that in his speech. And today there is no difference in it. Only the chapter is revised. It was at that time a paper edition and now it is a deluxe edition. Character assassination will neither help us nor you. Do you find interest if Prime Minister is being maligned in Great Britain, America, Poland, Soviet Union and in West Germany as you see here. What is the alternative that you have? Are you sure about the alternative? Is Shri Mody sure of that? (*Interruptions*) Has he taken part in our national freedom movement? Or, did Bosu take part in that in the British days when they were ruling us? Shri Shyamnandan Mishra has not understood us by staying in the Congress for a very long time.

If you go on maligning the Congress Party—I do not mind if you malign us—we know how to face it boldly. I have repeatedly heard in this House from the Members of the Opposition, particularly, the C.P.M. and J.S., that the Prime Minister had taken Rs. 20 lakhs; Shri L. N. Mishra has taken 30 or 50 lakhs; Congress Members are getting money etc. I agree with you on one thing that we are always less than you. The question asked today is this that these charges made against the Minister and the Member may be fought politically or in a manner in which country could have restored their confidence in us. Today's charges against 21 Members who admitted that we have not signed the press reports are defamatory. I cite the example of the incident of the girls in the Bombay special train. Reports carried that the girls were raped and a serious defamation committed. When I went to Bombay the girls came and admitted before me that no such incident took place and they were surprised that womanhood is being charged and insulted by the monopoly press

without any basis. How can the damage be undone?

The moment Indira Gandhi took power after 1969 elections they are finding opportunity every moment to malign the ruling party. I agree we must be careful. I agree if there are shortcomings we should try to overcome. If we give contradiction of any such defamatory news they will print it on the seventh page after the share-market schedule in such a manner that nobody takes interest to read it. I do not want to make any charge against the journalists because most of the time they have to work under the system and pressure of the monopoly press. If they get some autonomy—which the Government should consider—I hope, constructive healthy public opinion would be developed.

Now, about this whisky licence case; let us accept one fact—Mr. Bosu will agree with me as he drinks whisky—that whisky is sold at a shop and a licence has to be given by some authority. The question is whether the licence was given against the standing principles or against the natural course of law. The fact should be judged whether the Member of Parliament, whosoever he might be, recommended the case with money or without. These are the matters which are already under investigation. Is it not a fact that the moment Mr. Bosu wrote to the Speaker, the Speaker wrote to the Minister and this Ministry sent the matter for investigation?

I am grateful to Mr. Vajpayee for citing Krishan Kant's reference in Rajya Sabha. If he rightly revealed the truth nobody insults him and neither our Party takes any attitude to make him victim but certainly we do not make compromise with Members on the ground of ideology. When the time so comes we may expel many people if we like. Take the example of Prof. Balraj Madhok's expulsion. Why was he terminated? Is it because he was truthful or Jan Sangh did thing he was wrong?

So, the charges should not be levelled in that narrow angle. There should be dignity of Parliamentary democracy. The other day when Prof. Mukerjee was making a speech I was carried away by his speech as to why we are not catching the thief. Basing on that assumption we have not yet been able to project to the nation a clear image and a bold character. If you want to improve the standard of Parliament before the nation it should not be an issue of 21 Members in isolation, let the entire Members of Parliament decide their personal conduct and personal life from all the angles. I have said in this House... (*Interruptions*) The telephone and house are given on rent, I know. No enquiry was made. It is a fact. We have to judge all of us, not 21 Members. We have to improve the standard of the whole Parliament, not Congress. Congress may lose the election. It does not matter. You have to come; you have to rule the country. If I level the same charge on that day, on some fake allegation without any authority or agency, would you agree? You have not got that courage.

Sir, Mudgal case was referred to. This is absolutely a civil offence. Why don't you understand the basic difference between a civil offence and a criminal offence? Unless you understand the difference between the two, what is the use of passing the Criminal Procedure Code, Civil Procedure Code, Indian Penal Code etc. and then sitting in the Select Committees on those Bills and getting allowances? This is absolutely a farce. I submit with all humility to you, Sir, that we do feel that this is a matter, which is really to be condemned and which is really a matter for suspicion. It is very unfortunate. A stand has been taken by the Government. If it is found wrong after investigation, it is open to the Members of Parliament to come and take a stand in this regard. I know confrontation within and confrontation outside. The Congress Party is not only fighting against poverty, but we fight within also. We have the tradition of leaders like Pan-

dit Jawaharlal Nehru, Bose, Mahatma Gandhi and others. A Party should be judged by the nature of its work. It is the Prime Minister of this Government who took the risk without enjoying power for one more year and dissolved the Parliament. For what? It is not the real test of the leader of the nation? She wanted to take the mandate not from two or three people of her own Party, but, from the people of the whole nation on a basic policy issue. Have we not tested ourselves in the hour of crisis, in such matters, in such cases and on many issues? So many stalwarts from the Congress Party, those who were known to be corrupt, were removed, without any enquiry simply on the report that people did not like them. Today, for the Opposition, there is no other way to malign this Party, there is no other way to pull down this Government and there is no other way but to indulge in character assassination. Their target is not Mr. L. N. Mishra or Das Munsii. Thousands of L. N. Mishras and Das Munsis will come into the Congress and go out. But, rarely, one Pandit Nehru takes birth; rarely one Indira Gandhi takes birth; rarely one Bose takes birth; rarely one Lal Bahadur takes birth. Their target is Mrs. Indira Gandhi, because she is sitting on this side, and not Congress. They want to demolish, destroy that image in all directions without caring for parliamentary right and propriety. They want to put the country in a mess. My submission in regard to the motion moved by Shri Atal Bihari Vajpayee is—of course, he is within his right to move a motion and I have no objection to that—he should not pressurise; he should not stand on a political point, on a point of prestige, on a point of challenge. He should withdraw it.

श्री सरजू पांडे (गाजीपुर) : उपाध्यक्ष जी, मैं श्री मन्जी का भाषण बड़े ध्यान से सुन रहा था, और उन्होंने इस बात में इन्कार नहीं किया कि भ्रष्टाचार है। और दूसरा तर्क यह था कि कुछ विरोधी पार्टी के लोग कुछ लोगों पर आरोप लगा कर उन की चरित्र

[श्री मरजू पांडे]

हत्या करना चाहते हैं। और तीसरी बात यह कही कि कांग्रेस का कोई विकल्प नहीं है। मैं उन से पूछना चाहता हूँ कि पूरे देश में आज कोई भी इस बात से इन्कार नहीं कर सकता कि हमारा जन-जीवन भ्रष्ट हो चुका है। किसी भी क्षेत्र में जाइये शिक्षा के क्षेत्र में जाइये।

जाने के हर क्षेत्र में भ्रष्टाचार है।

18.28 hr.

(Shri Ishaque Sambhal in the Chair)

श्री समर गुहू सभापति जी, माइक को अच्छी तरह से पकड़ कर रखियेगा।

सभापति महोदय मैं जब दस कुर्मी पर होता हूँ तो अपने को हाउस का खादिम समझता हूँ। और जब वहाँ जाता हूँ जहाँ आप बैठे हैं तो अपने को एक मन्वर समझता हूँ।

श्री सरजू पांडे मैं समझता हूँ कि कांग्रेस के माननीय सदस्य सिरुं विरोधियों पर आक्षेप लगा कर कि यह लोग चरित्र हत्या करना चाहते हैं इससे इनकी देश में प्रतिष्ठा नहीं बढ़ेगी। अगर भ्रष्टाचार है तो उसको तलाश करना पड़ेगा। और मुझे तो एक शेर याद आता है, मुशी जी के जवाब में कहता हूँ कि हमारी रॉलिंग पार्टी, की क्या हालत हो रही है। हालाँकि मैं जानता हूँ कि जो लोग रॉलिंग पार्टी पर आरोप लगाने वाले हैं उनका भी चरित्र अच्छा नहीं है। फिर भी आपकी जिम्मेदारी अधिक है, आप पर देश को आगे ले जाने की जिम्मेदारी ज्यादा है, शुद्ध प्रणामन देने की और ठीक दिशा की और देश को ले जाने की आपकी ही जिम्मेदारी है। आपको ही देश की जनता ने बहुमत दिया है। मुझे एक शेर याद आता है। एक शराबी ने यह कहा था

मा मले पर आ गई है घटा शेख अभी तोपी रमान घोट आएगा मौसम न आएगा।

यही हालत आपकी हो गई है। प्रताप सिंह कैरों से ले कर गुलाबी चना कांड तक भ्रष्टाचार की कई कहानियाँ सुनने को मिलती हैं। बिहार में करप्शन के केस हुए हैं, उड़ीसा में हुए हैं। उड़ीसा में स्वतंत्र पार्टी के मंत्रियों के खिलाफ आरोप लगाए गए थे। कि उन्होंने अपनी पावर का मिस्यूज किया है। छोआ कांड बिहार में हुआ है। उत्तर प्रदेश में मक्का कांड हुआ है। मध्य प्रदेश में गुलाबी चना कांड हुआ है। उड़ीसा में केन्दु पत्ती कांड हुआ था। इस सब में आपकी जिम्मेदारी सब से अधिक है। मैं तो यह समझता हूँ कि जब तक पूँजीवादी अर्थ व्यवस्था इस देश में कायम रहेगी, भ्रष्टाचार का आप मिटा नहीं सकेगे। इसके लिए जरूरी है कि जो मौजूदा व्यवस्था है उसका गमल बदला जाए और उस पर जबरन प्रहार किया जाए।

शर्मा जी मदन में नहीं है। किसी न किसी दिन उनका मामला भी आ सकता है। हमारे मंत्रियों के बारे में भी खबरें छपती-रहती हैं। मंत्रियों की प्रतिष्ठा को धक्का पहुंचाने के लिए, उमका गिराने के लिए प्रतिपक्ष अखवार ने काफी कुछ लिखा और यहाँ तक लिखा कि लोक सभा दलालों का अड्डा है। पार्लियमेंट के मंत्रियों के बारे में जो यह लिखा गया कि चोरों और दलालों का यह अड्डा है इसको मैं गलत समझता हूँ, इसका मन्मर्थन नहीं करता। लेकिन यह बात जरूर है कि जनता की भावनाएँ हम सब के खिलाफ बन रही हैं और इस बात पर हम सब को गम्भीरता से विचार करना चाहिये और कोई निदान निकालना चाहिए। मंत्रियों के विरुद्ध भ्रष्टाचार के आरोप हैं। लेकिन बेचारे एक व्यक्ति का ही पकड़ लिया गया है और कह दिया गया है कि मारे भ्रष्टाचार की वही एक बूट है इनको केवल श्री तुलसीमोहन राम ही मिले हैं। लेकिन आप देखें कि मंत्रियों के रहने पर एक दूध की बोतल का काँड़ भी नहीं बनता है। आप सब लिख कर दे दें लेकिन आप एक दूध की बोतल का कँड़ नहीं दिलवा

सकते हैं। अगर दस्तबन्द बना लिए गए थे और लाइसेंस प्राप्त कर लिया गया था तो मैं नहीं समझता कि चाहे चट्टोपाध्याय जी हों या भिन्न जो ये अपनी जिम्मेदारी में बच सकते हैं। दोनों में चाहे जिम्मेदारी की जिम्मेदारी हो ये बच नहीं सकते हैं। अगर अफसर दोषी है तो उनकी तलाश और को करनी चाहिये और पता लगाना चाहिये कि किस अफसर ने रिफॉर्मेट किया, चीफ कंट्रोलर कौन था और वह कहाँ तक दोषी है। यह सब आपको मालूम करना चाहिये। मैंने मालूम हुआ है कि नारंग नाम का कोई अफसर था जो व. ज. अफसर है और उसने लाइसेंस देने का सिफारिश की थी। अफसर भी वर्मान्त नहीं है। मंत्रियों ने भी कहा था कि जो मालूम है।

जहाँ तक पार्लियामेंट की कमेटी का सम्बन्ध है, पार्लियामेंट सी० बी० आई को बतानी है, उसकी स्वीकृति में ये एजेंसियाँ मुकर्रर होती हैं, पार्लियामेंट उनके लिए पैसा देती है। पार्लियामेंट के मेम्बरों के सामने अगर उनको बुलाया जाता है तो इसमें डरने की क्या बात है अगर पार्लियामेंट के मेम्बर बैठने हैं और जाच करते हैं तो इसमें आपात् की क्या बात है। वजाय इसके कि हम उन नौकरों को यह काम दे जिन के बारे में हम खुद समझते हैं कि वे बहुत ज्यादा चरित्र के मामले में ऊपर नहीं हैं, हम क्यों न उनकी सहायता से वह उस काम को करें। इन लोगों के बारे में भी बहुत सी कहानियाँ गुनने का मिलनी हैं अब लोगों में हम इन कहानियों को पढ़ते हैं। जो अफसर लोगों के यहाँ जाच पड़ताल तथा तलाशी देने के लिए जाते हैं चाहे जाचगी को पकड़ने के लिए जाते हैं वही अफसर अगले दिन खय पकड़े जाते हैं अगर पता चलता है कि उन के घरों में सोना, भण्डा है जेवर भण्डा है, तब यह रुपया भण्डा है।

चूँकि कोई चीज विरोधी दल वालों की तरफ से आई है इस वास्ते उसको आप न माने यह बात समझ में नहीं आती है। देश की प्रतिष्ठा को कायम रखना है तो सच्चाई जहाँ भी हो उसको आपको बाहर निकालना चाहिये और पार्लियामेंट के मेम्बरों की कमेटी बना कर आपको इसकी जाच करवानी चाहिये और पता लगवाना चाहिए कि किस की कितनी जिम्मेदारी है। श्री तुलमोहन को ढाल बना करके आपको अपनी जान बचाने की कोशिश नहीं करनी चाहिये।

मंत्रियों के बारे में कांग्रेस के ही सदस्यों ने सवाल उठाया है, उनके आचरण, उनके कार्यों, उनके तौर तरीकों के बारे में उठाया। यह सवाल 27 साल से उठता रहा है। यह नया सवाल नहीं है। लेकिन इन चीजों में कमी नहीं आई है। बुराई बढ़ती ही चली गई है। प्रताप सिंह कांग के बाद, गुलाबी चन्ना काठ मध्य प्रदेश में हुआ, छोआ काठ बिहार में हुआ, मका काठ उत्तर प्रदेश में हुआ। बंगाल में धान वाला मामला हुआ, भूसी वाला आया। इस देश में क्या नहीं हुआ? अगर इनको गिनाने लग जाए तो सबेरा हा जाएगा लेकिन इनकी गिनती समाप्त नहीं होगी। इस बात का पता लगाया जाना चाहिये कि किस अफसर ने लाइसेंस दिया, किस अफसर ने किस को रिफॉर्मेट किया, लाइसेंसिंग कमेटी में कौन लोग थे और उन लोगों की क्या राय थी। सब बात यहाँ पर आनी चाहिये।

कई सदस्यों ने कहा है कि सी० बी० आई० के डायरेक्टर को एक साल का एक्मटेशन दे दिया गया है। इस वास्ते यह नहीं हुआ कि उस अफसर ने बड़ा इंडिपेंडेंट काम किया बल्कि इसलिए ऐसा किया गया है कि उस अफसर ने सरकार की सेवा की है। अष्टाचार करने वालों को आप प्रशय देते हैं। इस तरह से इनाम देने से काम नहीं चलेगा।

रेलों में कितना अष्टाचार है इसकी भी आप देखें। रेल कारखानों में आप चने जाएं

[श्री सरजू पांडे]

तो आपको इसकी कई मिसालें मिल जाएगी। लखनऊ के रेल कारखाने से पीतल कूड़े के टुकड़ों में भर भर कर रोज बाहर जाता है। हिंडालको में ओबरा में जो बिजली का कारखाना है वहां से स्टेनलेस स्टील चोरी होती है और एक एक अफसर घाठ घाठ किलो स्टील के हीटर बनवाते हैं। भत्तियों को भी भ्रष्ट किया जाता है। मैं कहना चाहता हूँ कि हिन्दुस्तान में जब तक ये 75 मौनोपोली हाउसिस है जब तक ये कायम रहेंगे तब तक आप भी भ्रष्टाचार में इतनाज करत रहेंगे।

काग्रम की जो आपस की लड़ाई है उसकी खबरे राजाना अखबारों में छपती है। पूजापति आपको खरीदेंगे ही हम व्यवस्था में आपको आपस में लड़ाएंगे ही मंडो कली मस्तान पैदा करेंगे। अभी तो एक ही कुली मस्तान का चर्चा आई है। प्रधान मंत्री न कहा है कि कुली मस्तान मुझ से नहीं मिला। अगर जनता में मिल गया हा तो मैं नहीं कह सकती हूँ। मैं उनके चरित्र पर कोई आरोप नहीं लगाया चाहता। वह देश की प्रधान मंत्री है। लेकिन जनता में यह विश्वास हाता चाहिये कि कम में कम उनके चरित्र पर कोई उगली उठाने वाला नहीं है। उनका साफ साफ कहना चाहिये था कि मुझ से नहीं मिला। अब गणेश जी कहते हैं कि हम सत्याग्रह करेंगे। भ्रष्टाचारियों से, तस्करा से लड़ नहीं सकते हैं ता कहने लग गए हैं कि इनके खिलाफ हम बम्बई में सत्याग्रह करेंगे। मैं कहता हूँ कि ये जा तम्बर है या भ्रष्टाचारी है य आपका समुद्र में डूबा देंगे। यह जो भ्रष्टाचार है यह तब तक नहीं मिट सकता है जब तक पूजावाद समाप्त नहीं हाता है। पूजावादी अर्थ व्यवस्था ही भ्रष्टाचार का जड है।

उन बेचारे बीस सदस्यों के दस्तखत बना दिए गए हैं और उनके पीछे आप पडे हुए हैं। एम पी बेचारे ऐसे भी हैं जो

बगैर पड हुए भी दस्तखत कर देते हैं। एक आध एम० पी० का मुझे मालूम है कि अगर कोई चिट्ठी लिखकर लाता है तो पड तो नहीं सकता है लेकिन दस्तखत कर देता है। इन को कुछ भी मालूम नहीं है। ऐसे लोग भी हैं। लेकिन मैं जानता हूँ कि आप एम पीज के कहने में लाइसेंस नहीं देने वाले हैं। कुछ न कुछ मामला गभीर है और अगर कोई एम पी जाता है मुझे मालूम है एक एक्स एम पी यहां पर रहने है, भूतपूर्व लोक सभा के सदस्य मैं उन का नाम नहीं लेना चाहता, उन के बारे में भी बड़ी चर्चा है, लोग नहते हैं उन का नाम योगन्द्र झा है, उन का भी नाम लिया जाता है कि उन्होंने दस्तखत बनाए हैं, यह चर्चा मेट्रल हाल में भी है और उम के बाहर भी है ता मैं आप में यह कहना चाहता हूँ कि यह जो उन मेंबरो की बात है मैंने तुरमाहन राम के बारे में भी लोगों का कहना है कि उन्होंने तीन लाख गायों किया है और जमीन खरीदी है। ता यह ता मानूम हा जायेगा जाच से ता जमीन खरीदी है या नहीं और असल काम जो कुछ भी करत हो, भाषण देने में तो ये बडे मास्टर हैं में समझता हूँ कि भाषण ता उन में बहिया कोई दे ही नहीं सकता—सत्य अहिमा ब्रह्मचय और क्या क्या दिन भर बबते हैं और उम के उलटा करते हैं। तो हम तो यह कह रहे हैं आप से कि चाहे तनमोहन राम हो चाहे कोई भी हो, मुझे याद हैं, मैं ठीक समय तो नहीं बता सकता लेकिन जब गुप्तजारी लाल नन्दा यहां गृह मंत्री थे तो उन्होंने कांग्रेस वर्कर्स की मीटिंग में यह कहा था कि 200 लोक सभा के सदस्य एंगे है जिन का सागर खर्चा बिरला चलाता है। यह अखबार में आया था और यह बयान खद नन्दा जी ने दिया था। उन्होंने यह भी कहा था कि हर इतवार को उन के खान के लिए राशन उन का साबुन, उन के घर में टस्तेमाल होने वाली और सारी चीजे उन के घरों में पहुंच जाती है। तो अगर ऐसी दशा देश में होगी

तो यह कह कर आप नहीं बच सकते कि हमारी बड़ी परम्परा है। मैं समझता हूँ वह कांग्रेस अब रही नहीं जो गांधी जी के जमाने में थी। मैं जानता हूँ जिस कांग्रेस ने अंग्रेजों से लोहा लिया उस का स्वरूप बदल चुका है। आज कांग्रेस में ऐसे लोग आ गए हैं जो अवसरवादी हैं, भ्रष्टाचारी हैं और जिन का पेशा है दिन भर रुपया कमाना। उन का कोई सिद्धांत नहीं है। इंदिरा जी ने कहा था कलकत्ता की सभा में...

श्री मूल चंद डागा : यह कांग्रेस पर क्यों कीचड़ उछालते हैं? ...

श्री सरजू पांडे : आप का नाम नहीं लिया है।

श्री मूल चंद डागा : जो बात है उस पर बात कहें, इधर उधर क्यों जाते हैं?

श्री सरजू पांडे : मैं यह कह रहा हूँ कि मुंशी कह रहे थे कि कांग्रेस बड़ी अच्छी है, ठीक है, कोई खराब तो आप को कहता नहीं, लेकिन मेरा यह कहना है कि वह कांग्रेस बदल गई जो पहले थी। अब आज वह कांग्रेस नहीं है और इस की छानबीन होनी चाहिए। लेकिन आप की पार्टी में कोई इस की डिमांड करने वाला नहीं है। देखना चाहिए कि दरअसल आज कांग्रेस में कौन लोग हैं? आप चाहे हम को बुरा कह लीजिए, जनसंघ के लोगों को गाली दे लीजिए, जनसंघ के लोगों के बारे में भी घटनाएँ छपा करती हैं, दूसरे लोगों के बारे में भी छपा करती हैं, लेकिन यह उस का कोई जवाब नहीं हो सकता कि हम किसी लड़के से पूछें कि क्यों बेटा तू फेल हो गया तो वह कहने लगा कि सारा स्कूल फेल हो गया, मैं अकेले थोड़े ही फेल हूँ। सारी दुनिया भ्रष्टाचारी है, हम अकेले थोड़े ही हैं, यह कोई जवाब नहीं हुआ। आप भ्रष्टाचार में पकड़े गए, आप जवाब दीजिए। आप ऐसे भ्रष्टाचार करने वाले

लोगों के खिलाफ कार्यवाही कीजिए और ऐसे मंत्रियों को निकालिए। आप को डर नहीं होना चाहिए।

जो प्रस्ताव उस में है हमारी साथी बैनर्जी माहब ने एक अमेंडमेंट दिया है कि इस मदन के 11 मेम्बरों को नामिनेट किया जाये और उन के सामने यह मामला लाया जाये। सी बी आई का बहाना न बनाया जाये। मुझे विश्वास है और कोई भी मेम्बर यह न संगझे कि हमारा कोई प्वाइंट आफ व्यू है, या हमारा कोई राजनैतिक दृष्टिकोण है, हम किसी को बदनाम करेंगे या झूठी बात कहेंगे, मैं समझता हूँ कि ऐसा समझना उन मेम्बरों के चरित्र पर अविश्वास लाना है। आप को यकीन करना चाहिए और इस सुझाव को मानना चाहिए। इस में कहा गया है कि अध्यक्ष को ही इस बात का अधिकार हो कि वह कमेटी नामिनेट करे और उन मेम्बरों को हक हो कि वह मारी चीजों को देखे। यह भी कहा गया है कि अगले मत्र में इस को पेश किया जाय।

श्री बूटा सिंह (रोपड़) : ये 11 धर्मपुत्र कम्युनिस्ट पार्टी के होंगे?

श्री सरजू पांडे : चाहे जहा से बना लीजिए हमारा कहना है कि 11 मेम्बर अध्यक्ष नामिनेट करेंगे और बिस् को करेंगे यह उन के जिम्मे होगा। हम तो कहते हैं कि कांग्रेस को ही बना लीजिए लेकिन आप को तो डर बहां पर भी है कि कौन आप का साथ देगा कौन नहीं देगा? दिल में डर है, सच्ची बात तो यह है। और कम्युनिस्टों को बना दिया आप ने तब तो दूध का दूध और पानी का पानी निकल आएगा। यह मैं दाबें के साथ कह सकता हूँ। आज भी केरल में कम्युनिस्ट पार्टी के मंत्री हैं, उन के ऊपर कोई आरोप नहीं लगा सकता कि उन्होंने घूस ली। हमारे मंत्री संबिद सरकारों में

[श्री सरजू पांडेय]

रहे हैं, बिहार में रहे हैं, पंजाब में रहे हैं, उत्तर प्रदेश में रहे हैं। मैं बाघों के साथ कह सकता हूँ कि आप को कभी हिम्मत नहीं होगी कि कम्युनिस्ट मंत्रियों के खिलाफ कोई आरोप लगा सकें।

तो मैं चाहता हूँ कि इस मामले की जांच पार्लियामेंट के मेम्बरो के द्वारा हो। लाइसेंस मिश्रा जी के जमाने में मिला, चट्टोपाध्याय जी के जमाने में मिला नारंग के जमाने में मिला किस के जमाने में मिला और वह बेचारे तुलमोहन राम कहा चले गए? उम गरीब को पकड़ कर लाना है। तीन लाख रुपया वह अकेले खाएगा? है हिम्मत उमकी? वह तुलमोहन राम जो बकरी भी नहीं चुरा सकता वह तीन लाख रुपये हजम कर गया और आप देखते रहे? उस ने 21 मेम्बरो का जाली दस्तखत बनाया? इन के दस्तखत की जांच होनी चाहिए और उस तुलमोहन राम को हाजिर करना चाहिए ताकि हकीकत मानूम हो सके और किसी मेम्बर ने दस्तखत किए हैं तो उस को स्वीकार करना चाहिए। भागना नहीं चाहिए। हजारों दस्तखत होने रहते हैं जब कोई एक आदमी हमारे पास आता है और कहता है कि दस्तखत कीजिए यह वाप है, तो हम तो एक्स-पार्टी उम की बात मान लेते हैं। इसलिए मेम्बरो के मिर खेलेने से ज्यादा अच्छा है कि गहराई में जाइए। उन भफमरो को पकड़िए, मंत्रियों को पकड़िए जो इस के लिए जिम्मेदार हैं और इस के लिए हम फिर आप से मांग करते हैं कि पार्लियामेंट के मेम्बरो की एक बमेटी बनाइए। उसी से देश में आप की प्रतिष्ठा बढ़ेगी, इज्जत बढ़ेगी और देश सही माने में आप को जान सकेगा कि आप हम से बचना चाहते हैं और सी बी आई को दे, इधर दें, उधर दे, इस से काम नहीं चलेगा। लोग कहेंगे कि सी बी आई तो इन्हीं की है जो चाहे

करवा ले, तो फिर इस से आप की प्रतिष्ठा साफ नहीं होगी बल्कि घोर चपले में पड़ेगी।

देश में स्वस्थ शासन लाने के लिए मैं फिर आप से कहता हूँ कि समाजवाद का नारा देना बन्द कर दीजिए। समाजवाद का नारा अगर देना है तो हिन्दुस्तान के पूजोपतियों पर हमला कीजिए जो मंत्री खरीदते हैं, न्याय खरीदते हैं, जज खरीदते हैं। इनको खत्म किए बिना आप कभी भी अष्टाचार मिटा नहीं सगने। बे दिन भर यहा घूमा करते हैं। मारे पूजोपति यहा दिन-भर चक्कर लगाते हैं। (व्यवधान) रेड्डी माहब उम में आप भी एक हैं। पकड़ जाइएगा और हम तो आप से बता देते हैं कि अगर कम्युनिस्ट पार्टी की सरकार होगी तो हम तो रहम करने वाले नहीं हैं। हम इन पर दया नहीं करेंगे। कम्युनिस्ट पार्टी की सरकार होगी तो चाहे कितना बड़ा भी उस का प्रभाव हो हिन्दुस्तान के पूजोपति और अष्टाचारी लोग पकड़ जाएंगे।

मैं इस प्रभाव का समर्थन करता हूँ और आशा करता हूँ कि आज पार्टी में ऊने उठकर आप इस का स्वीकार करेंगे। केवल दलील देने वाला बाने नहीं करेंगे। मुणी अभी आए हैं इसलिए मैं फिर इन से कहना हूँ कि चाहे कितना भी आप ने कांग्रेस के बारे में पढा हो, मगर कांग्रेस की प्रतिष्ठा तभी उठ सकती है जब कि मेम्बरो के सामने सारी चीज कितनाब की तरह खुल जाय और पूरा पूरा वाक्या मालूम हो जाये। तभी देश की जनता का विश्वास भी बढ़ेगा।

SHRI DINESH CHANDRA GOSWAMI (Gauhati) Mr. Chairman, Sir, Shri Atal Bihari Vajpayee's eloquence and oratorical ability has few parallels in this country, I concede that the flow of words from his mouth is like the flow of the river Ganges or Brahmaputra.

I concede that I lag far behind him in his ability as a Parliamentarian. But, Sir, let me assure him and assure all the members of this House that I do not lag behind any one of them in their concern for the maintenance of the dignity and decorum of this House and also in their concern for the maintenance of the honour and the prestige of the members of this House. In fact, I feel that my concern for maintenance of the dignity and decorum of members of this House is much more than that of the Members of the Opposition who have preceded me, because though Shri Vajpayee and the others have many innings to play in this Parliament and in the political life of this country they have scored many runs and some centuries. But I am a new-comer into this House. Not to speak of scoring centuries, I have not even been able to get a proper feel of the wicket as yet till now. I feel that many of us new-comers not only of this side of the House but also those who are on the other side of the House have taken great risks in our life because to us, politics is not the be-all and end-all of our lives. We came to politics from different professions, taking a great risk of our career because the watershed of 1969-71 opened up new avenues for us. It created an atmosphere where we thought that we should also make our contribution to the national reconstruction. Therefore, those of us for whom politics is not the be-all and end-all of our life, we want to go out of our parliamentary life, whether it be in the next few years or after many years, with our heads high. Anything which creates a cloud in our integrity, in our honour should be cleared and I am more concerned about it than anybody else.

A question may be asked. Why is it that when I am so concerned with the honour and dignity of this House and its members, I am opposing a parliamentary probe? At one stage, I concede, many of us thought that a parliamentary probe would be desirable. But, after listening to the debates of the last seven days, I have come

to the positive conclusion that a parliamentary probe is not going to be the solution of the entire issue and I am going to place before you my own reasoning as to, why I have come to this conclusion.

Of course, nobody can equal the eloquence of Shri Vajpayee. Undoubtedly, in the parliamentary probe some of his own Members or himself will be there. Now, he told the House that he would bring all the materials to prove that Shri Tul Mohan Ram was guilty. May I ask him? In the parliamentary probe will you be a prosecutor or will you be a witness or will you be sitting as a Judge or will you act in all these capacities? What will be the tasks of the probe? The task of the probe will be to act as a quasi-judicial body to find out the truth and report the same to this House. Shri Vajpayee said, 'I have got all the evidence to prove to guilt of the member.' Then, in that case, you stand as the prosecutor. The moment you say that you have all the evidence to prove the charge, you have lost all your rights to be a member of the probe because you become not a judge but a prosecutor or a witness.

AN HON. MEMBER: He may not be on the committee.

SHRI DINESH CHANDRA GOSWAMI: But when you say that we are being pressurised by our leaders, how can we be sure that he will not pressurise his own members?

I have heard the speeches of Shri Shyamanandan Mishra and Shri Jyotirmoy Bosu. I ask you again. You have levelled a charge against Shri Lalit Narayan Mishra. I am not here to defend him. But will not Shri Lalit Narayan Mishra to-day have an apprehension that if you are asked to judge his case, he will get a fair-play and justice at your hands? After you have prejudged this case and because of the fact that you have tried to make a political game out of it, this House has lost all its moral and legal right as a parliamentary body to probe into

[Shri Dinesh Chandra Goswami]

this entire episode. Therefore, I feel that on the first ground, I think this Parliament has lost its right to act as a probe-making authority.

Undoubtedly, when this case will go before the court, I expect Shri Vajpayee to place all the material before the court. If a certain thing is found against a Member of Parliament or against a minister, or against anybody; I can assure you that I shall lend my support for taking action against that member or Minister for the misconduct. We do not want to suffer because of their misconduct. At the same time we do not want to prejudge the issue. Otherwise you will try to make a political gains out of it. That is my objection.

We have seen from the trend of speeches that the entire attack is directed against the Prime Minister, our leader. The opposition parties have now come to realise that so long as the image of our Prime Minister remains in this country, they cannot have a political base in this country. You want to throw mud at us. I ask: what qualification does Shri Modi have to become a Prime Minister except that his initials in the name begin with P.M.? Coming to the second point, under the law of the land, every citizen has equal rights. I can say that in matters of privileges if, under the law of the land, a certain action is taken we cannot claim any higher privileges than of any other citizen. I may quote:

"Every detention, by whatever name it is called, preventive or any other, as was pointed out by the Committee of Privileges in the House of Commons, concerns the community as a whole."

In this particular case, we are not merely concerned with the maintenance of the dignity and decorum in this House. When we are concerned with a criminal offence, that is a crime against a society and if it is a crime

against a society, by any individual in this country, be he in this House or outside, has a right to follow up the proceedings. We have got no moral right to keep that within the preserves of our own. In that Committee Deshpande Committee—in the First Report of the Privileges Committee, they say:

"It has further to be remembered that the fundamental principle is that all citizens including Members of Parliament have to be treated equally in the eyes of law unless it is specified in the Constitution or in law that a Member of Parliament cannot have any higher privilege than that enjoyed by any ordinary citizen in the matter of application of the laws."

Therefore, what is the law of the land to-day? The law of the land is that when a person commits an offence, he has to subject himself to the criminal jurisdiction of this country. We have no moral or legal right to claim a higher privilege than other citizens of this country on this aspect. Therefore, I feel that on that ground, we have got no moral authority. The moment it has been established that it is a case where some criminal offence has been committed we have to subject ourselves not to the parliamentary probe, but to the jurisdiction of the court. In the Mudgal case, reference to which has been made by many members, a committee was appointed to find out whether the conduct of Shri Mudgal was derogatory to the dignity of the House and inconsistent with the standards that Parliament is entitled to expect from a Member. The facts of the case are entirely different from the present case as in that case no criminal offence was committed but there was a breach of parliamentary ethics.

19.00 hrs.

After all, these are two finer things which we all must remember—one is an offence which amounts to a crime against the society and the moment it becomes an offence, it goes out of

the preserve of us and it becomes a property of the nation and the other is the ethical question of this House which is not an offence. In such a case where there is a breach of the ethics, it is for us, the Members of Parliament, to decide. I may give numerous other examples. Take the case of a member of the bar. If a member of the Bar is found guilty of his professional misconduct, which does not amount to an offence it is for the Bar Council which has got the right to try him for the breach. If a member of the medical profession has committed a breach of medical ethics, it is for the Medical Council to try him for the professional misconduct. Similarly, in a journalist has committed a breach of journalist ethics it is for the Press Council to try him as this is primarily the concern of the Press Council. But if a criminal offence is committed all these bodies do not come into the picture. The law of the land comes into operation as the matter comes under their jurisdiction. Similarly, if a criminal offence is committed and Members of Parliament are involved in it, with all the rulings of this House and the constitutional provisions that we have, we are no better than ordinary citizens and in such cases, only a criminal court can try them for such criminal offences. We are entitled to maintain the interests just as the members of the Press, Bar or medical profession are entitled to maintain the interests of their own. Otherwise, pressmen may say are we in any way inferior to the legislators? In the same way, even if an offence is committed by a member of the Bar Council, the Bar Council may say—you cannot go to a court of law. So, my submission will be this. On this count, that if it is a criminal offence, the criminal offence must be tried in a court of law which has got the criminal jurisdiction. We have got no authority to take the entire case within our fold. I do agree that when the report or when the judgment connected with the entire criminal case comes if the court has come to a conclusion that certain acts have been committed

which does not constitute offence but breach of Parliamentary ethics, then this House can sit in judgment and find out itself as to what punishment can be given to such Members. At the same time, when a case is under investigation, we cannot take one part here and another part there. Therefore, my submission will be that apart from political considerations, from purely legal considerations also I feel that this case cannot be tried by a body of this House. During this Debate, Shri Vajpayee and others said that they have no confidence in the C.B.I. They referred to the cases referred to the C.B.I. against the officials. In criminal cases when the officers are tried by the C.B.I., cannot a Member of Parliament be tried for similar offences? You are saying today that you have no confidence in the criminal courts even. Cannot an ordinary citizen come and say that you Members of Parliament have framed I.P.C., Cr.P.C. etc. and when you do not have confidence in the court of law, then what moral authority have you got to ask us to be tried by the same court of law?

By so saying you are not only creating a cloud in Parliament but you are also unconsciously hitting at the concept of rule of law of our country. My objection lies there. The feeling of Shri Vajpayee is that for all times to come, his House will ask for a reference of a case to the C.B.I. The C.B.I. is a beautiful organisation. And so far as officers are concerned, cases are referred to this organisation. But, I object to this case being referred to a Parliamentary Committee for a probe on this ground alone. I want to emphasise once more with all the emphasis at my command that if a Parliamentary Probe is agreed to, then we want that the cloud hanging over the names of these 21 members should be removed. We would strongly urge that those who are guilty should be tried and punished irrespective of the fact whether he belongs to our party or to any other party. I urge upon the Government to take steps to dispose

[Shri Dinesh Chandra Goswami]

of the cases as expeditiously as possible. After this is done, then the entire case record may be placed before the House and at that time if we feel that there are certain matters which the House should deal with apart from the legal jurisdiction we shall consider it at that stage. I feel that it is essential for every Member of Parliament to maintain the dignity and decorum in the House and we should not allow the reputation of this Parliament to go down. Therefore, I plead for strong action in this case. For all the reasons that I have stated, I feel from my heart of hearts, from my own conviction, that Parliamentary probe is not a desirable course at this stage and that is why, I am opposing this motion.

SHRI SEZHIYAN (Kumbakonam). Mr. Chairman, Sir, this sordid affair of the import licence scandal has done incalculable damage to the prestige of the House, to the confidence that people have in parliamentary democracy in this country. Sir, in the last thirteen or fourteen days, legislatures and legislators have become fit subjects for cartoons and caricatures. Take any paper. You see a cartoon like this. In one cartoon, a group of legislators are coming out. I do not know whether they are Ministers or not. The cartoon says 'Yes. They are calling us crooks and gangsters, but, just don't pay any attention. Otherwise, our name will be in mud'. Another one says 'I cannot say whether the signature is mine or not; I change it every day to guard against forgery'. To this extent, legislators have been brought down in the esteem of the country, have become the laughing stock of the intelligentsia in this country. The feeling is 'Don't pay attention to any of these charges; it will die down of its own accord; Another crisis will come and this will be forgotten'. This is the pet theory the other side is having. I am not able to find any logical and plausible reason why the Members on the other side are opposing this

motion moved by Shri Atal Bihari Vajpayee. Sir, in this case, it is not important whether the signatures are genuine or not, whether they are forged or genuine ones. This is only secondary. Even granting that all the signatures are genuine, are you going to accept this position that licence can be bartered?—if it is 20 signatures—Rs. 30 lakhs and if it is 40 signatures, Rs. 60 lakhs. More than individual Members, it is the system, it is the attitude of the Government, which is under question now. It stands discredited this day in the eyes of the public and unless it is retrieved, people will lose all confidence in the working of parliamentary democracy in this country. Sir, again and again, I say, it is the attitude of the Government that is worsening the entire situation. It is the attitude of the Government in sulking, in refusing to give even the basic details that the Opposition has been wanting all these days, which is in question now. Even to know when the case has been registered, it took seven days for us. He says 'within a couple of days'. Why not give the exact date? By refusing to give all the details, what happens? It gave more room for speculation, rumours, more slander and slighting. This has happened inside the country. The Members who preceded me Mr. Goswami and others, were again and again saying that this House cannot take notice. Somebody said it has lost its moral capacity. I do not want him to judge by his own standard the entire House.

SHRI K. P. UNNIKRISHNAN: DMK's standards will be tragic.

SHRI SEZHIYAN: Mr. Chairman, I am ready to face any of these charges that is claimed against DMK. DMK has never hesitated to place the facts before the House whenever any charge was brought. Even now, I would ask, if any of the Congress members have the guts to come before the Assembly of Tamil Nadu and ask for a legislative probe, I will

ask my party to subject itself to that. Do you have that guts?

SHRI K. P. UNNIKRISHNAN (Badagara): You walk along the streets of Tamilnadu; it stinks... (Interruptions)

SHRI SEZHIYAN: I belong to a small group here. Please come and see the Tamilnadu Assembly; when the Members of the opposition speak we patiently hear because we believe in debate and in democracy. We do not go taking petitions to other places. I am glad that they are not complacent. It is also hurting them in the most despicable way. That is why Members are coming forward like this. It is not the Tamilnadu Assembly that is in question here.

Some hon. Members say that the CBI is the most appropriate machinery to investigate. They find fault with Mr. Vajpayee and others for not relying on the CBI. But even before Mr. Vajpayee could speak, what did your own members in the Rajya Sabha say? Mr. Krishna Kant in the course of the debate in Rajya Sabha said "If they are genuine signatures Parliament should go in for an enquiry. CBI cannot go into it. We know that the CBI was headed by Darbari and now he is in the Railway Ministry. Therefore, no more CBI; it must be held by Parliament." Again on the 28th when this question came up here, Mr. H. K. Singh said: "I most emphatically demand a parliamentary probe into the whole issue." He is still in your ranks. Shri Inder Malhotra said that a special parliamentary committee be constituted to go into the entire episode. Even today in the amendments given to the main motion, Mr. B. V. Naik has come with an amendment, saying add at the end—"and that the eleven members nominated to the committee be those who have honestly worked for their living all their lives and who will make a statement of their financial position before, during and after the above parliamentary probe."

That means he accepts the basic resolution. He differs on the composition.

SHRI B. V. NAIK (Kanara): Why are you prejudging me. You are a seasoned parliamentarian. Does an amendment invariably mean acceptance of a resolution? You are forfeiting my right to participate in the debate. Kindly wait for sometime.

SHRI SEZHIYAN: I cannot prophesy what he is going to say, I have only read what he himself had written. I do not know whether he holds the opinion that there is no Member inside the House who fulfils this qualification.

SHRI B. V. NAIK: I do not hold that opinion.

SHRI SEZHIYAN: Shri Shenoy has moved an amendment. Shri Nimbalkar has moved another amendment. They are worried about the composition of the committee. Now let me refer to the charges which have been made. Their main objections are these. Before appointing a parliamentary committee, we should first have the investigation done. Secondly, unless a *prima facie* case is established, you cannot have a parliamentary committee. Thirdly, there are other parties involved and so a parliamentary committee will not satisfy the need of the situation. Fourthly, this case is different from Mudgal's case. That was a civil case; this is a criminal case. They ask, if a doctor, after committing a serious crime says, "I would not allow myself to be examined by a court of law; I should be examined by my own tribe", will you accept it? To this my reply is, we are not concerned here about the criminal act of individuals. We are concerned with the conduct of members in their capacity as MPs. As MPs these 21 members have done something which has roused some suspicion. Even now I am not quite sure; they may all be

[Shri Sezhiyan]

honest, as honest as Shri L. N. Mishra, if not more. But in the mind of a normal person, some suspicion has been created. Otherwise, this Government would not have ordered a CBI enquiry. Prof. Chattopadhyaya never used the word 'investigation' in the other House; he was very careful to say 'verification'.

I will take their objections one by one. Firstly, the attitude of the Government is changing. When certain charges have been made against MPs, it should have been the duty of the Government to go to the Speaker before taking any action. That is what happened in Mudgal's case. Pandit Nehru said.

"When certain information was brought before me as Prime Minister, I gave careful thought to it and I proceeded to draw the attention of the hon. Speaker to that information. On his advice, I moved the House in this matter so that a committee of enquiry may be appointed."

It is not as if he rushed to the CBI.

SHRI VAYALAR RAVI (Churayinkil): In that case, other members complained to the Prime Minister that Mr. Mudgal was misusing his membership of the House. In this case, the concerned members have denied the charge on the floor of the House and said their signatures were forged.

SHRI SEZHIYAN: It is not merely forging of signatures; it is much more. The whole country is agitated over the way the import licences are dispensed with. In that case, before referring it to a parliamentary committee, Pandit Nehru thought whether he can hold a secret enquiry, but he ruled it out. He said:

"I can either myself make an enquiry publicly or secretly in Bombay or elsewhere or come to the House for a formal enquiry rather than any kind of secret enquiry which we may get going and then report to the House. That would

not have been fair. I thought the best course would be to place all the facts before the House and ask the House, if it so chose, to appoint a committee to go into the matter..."

Therefore, it is not as if he wanted to have his own enquiry. He did not use the CBI before coming to this House. He said that whatever facts are before him he will place before the House and it is for the House to judge it. This is what Shri Jawaharlal Nehru said as Prime Minister. He said that even though he is not able to prove it *Prima facie*, since there is room for further enquiry, a proper enquiry, he could not think of any other way of holding the enquiry except by bringing such a motion before the House.

Here I want to raise some fundamental questions. Firstly, we have not been given any material worth the name. It took us seven long days to find out that the case was registered on the 2nd of September. We could not have even the FIR before us. The House is naturally very much concerned with the basic facts.

I would here very briefly summarise the case. In 1955 additional quota permits were given, as rightly pointed out, in Pondicherry and Karaikkal, omitting Mahe and Yenam. In 1956 the rectification came, but it did not help, because there was discontinuity. Then things went on for some time. In 1959 it was made a uniform policy so much so whether it is Karaikkal, Mahe or Yenam, they were merged into one pattern. Afterwards, they were applying again and again. Writ petitions galore were filed in the courts of both Madras and Delhi. They engaged the best talent in the legal profession to fight and the Government was also fighting. I have got some friends in the Madras High Court. Late in 1971 or the beginning of 1972, when litigation was going on, suddenly one day it was called off. They said that they were withdrawing their cases. How did it

happen? I want to know why these writ petitions were suddenly withdrawn. Secondly, I want to know who were the persons who filed writ petitions in the High Court, who withdrew them and how many of those who withdrew their writ petitions were favoured with licences. It would be interesting to know this.

Then, towards the end of 1972 or the beginning of 1973 some top official connected with the sanctioning of import licences specially went to Pondicherry and went through these applications and after he came to Delhi the licences were issued. I want to know whether it is a fact or not that a top official from the Import Controller's office went to Pondicherry.

Then, I have been told by some people in Pondicherry that one of the signatories in the long list, in fact the very first name, Shri Tulmohan Ram, had earlier written an individual letter on the same subject. Then, what was the need for him to write another memorandum, securing 20 more signatures? Then I want to know how the officials of the Ministry come to doubt or suspect whether the signatures were genuine or not. Who told them? It is not the CBI that moved in the matter first. It was some officials in the Ministry who rang up individual members to find out whether they had signed the letter or not. I want to know who gave the clue, where it started. The CBI came later. I want to know why, after interrogation from the officials or investigation or verification by the CBI, the concerned members did not come to the Leader or Speaker from whom they are expecting all the patronage and protection now. Why did they not come earlier? My understanding is that the CBI came even earlier than 30th March when the revelation in the Blitz had come. I also want to know what were the endorsements made by the hon. Minister when he received this, whether any acknowledgement was sent to all the members as is usually the case and when

the import licences were issued, whether any intimation was sent to the members, who had signed that letter. More than these things, I want the file to be gone through very carefully because I understand from a person coming from Pondicherry that he came all the way here. He says that, about a few days before February 6, 1973, one of the top officials connected with the Minister and the Ministry sent a note to expedite this case. It is not as if the Minister himself had put the endorsement. It has been done three times, I am told. These things will be there. Please find out.

Therefore, the question is not merely whether these signatures are genuine or not. That is only secondary for me. I want to know how these licences came to be issued, why a particular member who first wrote a letter thought it fit to send another letter with the purported signatures of 21 MPs, why the writ petitions were withdrawn, what was the understanding, written or oral, why those persons who contested the case in the court came to be favoured with licences later on. These are all things which only a Parliamentary Committee can go through. These things cannot be left to the CBI. The CBI is only a creature of the Government. The CBI, rightly or wrongly, has been asked to investigate or verify. Therefore, in my amendment I have said that the following be added at the end of Mr. Vajpayee's motion:

"and that the Central Bureau of Investigation shall submit to the Committee by 30th September, 1974, its report of verification/investigation in the matter along with all documents and evidence available with them and shall render further assistance as required by the Committee."

If you want that Parliamentary democracy should continue, you should agree to a Parliamentary probe. If you want to regain the confidence of the people in the working of Parliamentary system, it can be done only

[Shri Sezhiyan]

by a Parliamentary probe. That was what Prime Minister Pandit Jawaharlal Nehru did 23 years ago. Now, 23 years later, things have changed. What a fall in the standards!

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): Mr. Speaker, Sir, I have carefully heard the interventions made by the Hon'ble Members on both sides of the House, today and over the last week or so, on the 'import licence issue'. The numerous legal, administrative and other aspects of the issue have been commented upon at length during the earlier part of the debate. I would at this stage like to set some factual aspects of the matter straight.

After the merger of the former French Possessions, viz., Pondicherry, Karaikal, Yanam and Mahe, with the Union of India in November, 1954, the Import-Export Control Act and the Orders issued thereunder were made applicable to the said territories. Of these territories, only Pondicherry and Karaikal were ports of call. Government allowed additional licensing facilities to the former French Possessions, and the first Notification in this respect was issued on June 11, 1955. The caption of the Public Notice was "Grant of Additional Licences to importers in the former French Indian Establishments for the period January-June, 1955". In the said Public Notice it was mentioned that additional licences would be issued to the Established Importers in Pondicherry and Karaikal, while no mention was made to Yanam and Mahe. The importers in Pondicherry and Karaikal were not satisfied with the facilities given and a Public Notice was issued on July 14, 1955, giving some further special additional licences. Again, Yanam and Mahe were not mentioned. This continued to be so in the announcement made for the ensuing period on November 21, 1955. The importers of Yanam and Mahe had been representing their case for the special additional licences to the Government and Government ordered in the Public Notice

issued on December 20, 1955, that the facilities given to the importers of Pondicherry and Karaikal should be extended to Yanam and Mahe for the first time.

Hon'ble Members will appreciate, therefore, that the rectification of the Public Notice has not been done recently but was done as early as in 1955. Some importers of Yanam and Mahe, who had offices in Pondicherry and Karaikal, could avail themselves of this facility. However, others could not, for the last date prescribed for filing applications under this Public Notice was December 30, 1955, leaving the intended beneficiaries scarcely ten days to apply and the Christmas holidays intervened. Later on, it was decided in 1964 that any application received between the 1st and the 31st January, 1956, would also be considered. Unfortunately, this administrative decision was of no benefit to the importers of Yanam and Mahe, who had not applied prior to January 31, 1956. The policy for the next ensuing period was announced on May 10, 1956. The importers of Yanam and Mahe could not take advantage of this policy because only those importers who had obtained licences in January-June, 1955, and July-December, 1955, were eligible for licences on a 'repeat basis'. The licensing policy on a 'repeat basis' continued till September, 1959, and thereafter the facility for special additional licences was abolished.

During these years, the importers of Yanam and Mahe, who were left out, have been representing off and on for securing additional special licences for the period 1955 to 1959. Government continued to take the stand that since they were not eligible for securing these facilities on a 'repeat basis', their claims could not be entertained. Accordingly the Ministry answered a Question in Parliament in 1967 to the effect that no discrimination had been made against the importers of Yanam and Mahe. The representations from the importers of Yanam and Mahe, however,

continued. Some of the importers had also filed writ petitions to the Delhi High Court. During the pendency of these petitions it was not possible for Government to take any decision on these representations. After the writ petitions were withdrawn the Ministry re-examined the matter from a point of view of whether the denial of these licences was consistent with the principles of equity and justice. In this connection this memorandum which has been the subject matter of our discussion for the last few days, addressed to the then Minister of Foreign Trade, was received on November 23, 1972. Even prior to the receipt of the memorandum three other representations on the identical subject were received in the Ministry and were under examination. The earlier representations of the importers of Yanam and Mahe and this memorandum were duly examined and processed in the Ministry and in the Office of the Chief Controller of Imports & Exports. After a thorough examination we came to the conclusion that some injustice had been done to the importers of Yanam and Mahe, even though this was not the intention of Government. I, therefore, decided in September, 1973, that some relief may be accorded to such of the importers of Yanam and Mahe, who fulfilled the rules of eligibility. While taking this decision. I was promoted only by the consideration that when a case of injustice causing hardship had come to the notice of Government, the hardship caused thereby should be removed to the extent possible. However, while granting this relief, certain special precautions were taken and conditions imposed, circumscribing both the monetary ceiling and the permissible items of imports. I would like to submit here, Sir, that these firms were not black-listed, debarred or non-existent.

Sir, after the issue of the licences a reference was received from the Lok Sabha Secretariat raising suspicions about the matter. Immediately

the matter was referred to the Department of Personnel which is the administrative Ministry for the C.B.I. A preliminary verification was undertaken. The preliminary verification of the C.B.I., which contacted the Hon'ble Members of Parliament, their statements before this House, and the letters which I have subsequently received from them show that their signatures were not genuine. Only one of the Hon'ble Members concerned, Shri Tulmohan Ram, has admitted his signature according to the C.B.I. report. (*Interruptions*).

सभापति महोदय : मेरी आप से दर-खास्त यह है कि आपको मालूम है इसके वास्ते चार घंटे दिए गए थे, टाइम काफी हो चुका है और अब टाइम बहुत कम है। मैं दो तीन मेम्बरान को मौका दूंगा कि मिनिस्टर साहब की स्पीच के बाद उनसे कुछ क्लैरिफिकेशन कर सकें।

SHRI D. P. CHATTOPADHYAYA: I received the Report of the C.B.I. on the 31st of August and I passed orders on the 1st of September for the registration of a case on the basis of the preliminary findings of the C.B.I. I would like to add here that the investigation by the C.B.I. will cover all aspects of the matter. If any malpractice come to light in the course of the investigation, necessary action will follow.

I would like to emphasise that whatever I said in the other House of the Parliament on August 27, 1974, was not intended even in the faintest manner to show any disrespect to any of my Hon'ble colleagues, Members of Parliament, or to impair the dignity of this august House. I am just as anxious as other Hon'ble Members to get to the root of the whole matter. Our Government and I are committed to uphold the values of Parliamentary democracy and to maintain the highest possible forms of administration and public morality.

श्री मधु लिमये : मेरा सवाल यह है कि इन्होंने कहा इसी विषय के बारे में तीन

[श्री ग.धु लिमये]

रिप्रजेंटेशन प्राये थे। तो किन लोगों ने अपना दस्तखत दिया था, और क्या उस में लोक सभा और राज्य सभा के सदस्य थे, भूतपूर्व या वर्तमान ?

और दूसरा यह कि जो लाइसेंस है ऐक्स-प्रेशिया है। और क्या वह उस में ट्रिफिक कर सकते हैं? आप ने कहा कि यह ब्लैक लिस्टड फ़र्म्स नहीं है। लेकिन क्या यह बात सही नहीं है कि इन लोगों ने अपने लाइसेंस को बेचना शुरू कर दिया है ?

SHRI JYOTIRMOY BOSU: I repeat my question. How many years did litigation continue? Who took the initiative for the withdrawal of the case? What was the basis and reasons for the same? Three predecessors of Shri L. N. Mishra, I am told, rejected the applications of these people and that one what ground and on what grounds it was reversed. As far as CBI enquiry is concerned I have suggested four distinct items. When he says all aspects does he mean all the four things are covered?

SHRI K. P. UNNIKRISHNAN: Would the hon. Minister clarify and state whether it is a fact that a former Member of this Parliament belonging to Communist Party (Marxist) was the first to put in representation with regard to these licences and whether he is aware of the allegations that he had also taken Rs. 1½ lakhs for the same.

सजापति नहीं था . आप को तो जवाब देना है।

श्री अटल बिहारी वाजपेयी जवाब कैसे दूंगा जब तक सवाल नहीं पूछूंगा। प्रो० कट्टीपाध्यायने इस बाल पर प्रकाश नहीं डाला कि राज्य सभा में इस सदन के 21 सदस्यों के नाम देने से पहले उन्होंने उन सदस्यों से सम्पर्क कर के यह पता लगाने का प्रयत्न

क्यों नहीं किया कि उन में से कितनों के दस्तखत सही हैं और कितनों के जाली है। क्या यह सच है कि जब उन्होंने राज्य सभा में सवाल का जवाब दिया तो उनके सामने सी० बी० आई० की जाच की रिपोर्ट नहीं थी? और अगर थी तो उन्होंने फिर नाम क्यों लिये? और आज कह रहे हैं कि सदस्यों की गरिमा की रक्षा करना चाहते हैं। उनकी गरिमा खतरे में डाल कर रक्षा करने का दावा करने का क्या मतलब है ?

SHRI PRIYA RANJAN DAS MUNSHI: I want to have a clarification whether in this particular case the Ministry acted on the merits of the licence holders or just on the memorandum of the MPs?

SHRI PILOO MODY: I want to know who fabricated this fairy tale.

PROF. D P. CHATTOPADHYAYA: I will be speaking first from Mr. Limaye's questions. To the best of my memory and recollection One of the previous representations was submitted by Shri Tul Mohan Ram. Sir, then, the question of *ex-gratia*... (Interruptions). I am saying, Sir, that one of the representations was submitted by Shri Tul Mohan Ram; the other two by the importers themselves. Sir, in regard to the question of trafficking, this possibility, I have taken care of when I said that if any malpractice comes to our notice, we will take care of it.

SHRI MADHU LIMAYE: No other Member was involved?

MR. CHAIRMAN: No discussion please.

आप की तरफ से माननीय मन्त्रु संबन्धित बोलने वाले हैं।

श्री मधु लिमये : सभापति महोदय, मैं ने पहले ही पूछा था क्या श्री तुल मोहन राम के मसाला श्री किसी मेम्बर का दस्तखत था ?

PROF. D. P. CHATTOPADHYAYA: Sir, they have raised some points. I am answering them. But, before I finish, if they start rising, how could I finish? Nothing to our knowledge has been brought raising or wanting any doubt that these licences have been trafficked into. If it is brought to our notice, we will look into it.

SHRI MADHU LIMAYE: I have already brought to your notice

PROF. D. P. CHATTOPADHYAYA: Bearing that in mind, I am observing this

SIR, I now come to the question of Mr Jyotirmoy Bosu. Once in 1962 or 63, the Delhi Court, that is, the Delhi Bench of the Punjab High Court, went into this matter and then it was settled later on

SHRI JYOTIRMOY BOSU: When?

PROF. D. P. CHATTOPADHYAYA: This is in 1962 or 1963.

SHRI JYOTIRMOY BOSU: When was it settled?

PROF. D. P. CHATTOPADHYAYA: It is a fact I am answering all the facts.

SHRI JYOTIRMOY BOSU: When was it settled and on what basis?

PROF. D. P. CHATTOPADHYAYA: The basis is not known. People have withdrawn cases. That is the end of the story. As I said, between 1967 and 1971, cases were pending in the Delhi High Court and they were withdrawn and cases were re-examine, as I said. (Interruptions). Sir, the other question was this. I have said already that when I passed those orders on the 1st September, I

impose certain conditions and restrictions circumscribing monetary ceiling and the items permitted. *Ex gratia* is not on the full value of the entitlement. If they had been given during 1955, only 50 per cent of that entitlement would have been given, on an *ad-hoc* basis and under conditions.

SHRI MADHU LIMAYE: What about *ex gratia*?

PROF. D. P. CHATTOPADHYAYA: What is wrong in *ex gratia*?

SHRI JYOTIRMOY BOSU: *Ex gratia* means out of gratitude.

PROF. D. P. CHATTOPADHYAYA: Literally, it may mean so.

But, on the basis of equity and justice, it is possible. To meet the ends of justice and equity we could do I would like to submit that it is inherent, it is constitutionally inherent in the power of the Government or and organ thereof to review its decision and if necessary to reverse it. One gentleman raised this question, perhaps it is Mr. Unnikrishnan. This matter was also represented by another Member, by name, Shri V. P. Nair

(Interruptions)

SHRI JYOTIRMOY BOSU: When?

PROF. D. P. CHATTOPADHYAYA: It is during third Lok Sabha.

SHRI JYOTIRMOY BOSU: Sir, hon. Minister has misled the House. It was not the CPI(M), at that time. It was the undivided party.

(Interruptions)

MR. CHAIRMAN: He is answering.

SHRI JYOTIRMOY BOSU: It is not the CP(M).

PROF. D. P. CHATTOPADHYAYA: When I answered the question, I have just mentioned the name. I did not question the right or competence of

[Prof. D. P. Chattopadhyaya]

the Member to represent a public cause. I find nothing wrong that a case was represented by a Member of this party or that party. Let me make it clear.... (Interruptions). Mr. V. P. Nair who happened to be an Mr. P. represented the case of the importers as an advocate, during the Third Lok Sabha. Shri Vajpayee asked: while I answered the question in Rajya Sabha on 27th August, had I at that time the CBI's report with me? My answer is no. Therefore, I did not know anything about the possible outcome of the CBI report. About the fairy tale, I do not know about fairy tale.

SHRI JYOTIRMOY BOSU: Shri V. P. Nair was not in our party.

SHRI SHYAMNANDAN MISHRA (Begusarai): Mr. Chairman, the House has been treated to a most amusing and interesting phenomenon by the hon. Minister of Commerce. The parties to whom they were pleased to grant licence now have been painted as paragons of good conduct. In effect, the hon. Minister said that the Government had been wrong over a long period of 18 years. What the hon. Minister has said amounts to this that all the Ministers who preceded him including my hon. friend who sits by his side, namely, Mr. L. N. Mishra, B. R. Bhagat, Dinesh Singh and Manubhai Shah were devils who did not grant licence to them. This is what you have said in so many words. This is a very simple question. Why was so much resistance put in the grant of licence to derelict in its duty for 18 years, these 7 parties over the course of 18 years? If this Government had been whose fault is it? Have you taken to task those officials? Although Mr. Mishra has left the department, there are officials who are steeped in these scandals and they have been making money and leading the most scandalous lives possible.

The ruling party is hell bent to defeat this motion by physical force. They speak the language of numbers. Our language might be feeble, but it has the strength of logic and reasoning. If a secret ballot is taken in the ruling party, the majority of the ruling party would be in favour of this motion. That is what we find in the Central Hall. Although this motion may be defeated in the Lok Sabha hall, it has already been carried in the Central Hall. All your members would not hesitate to exercise their conscience, because conscience once aroused in 1969 cannot be expected to be lulled to sleep. Why are they coming in the way of passing this resolution? It would have redounded to their credit and to the credit of the parliamentary system as a whole. The hon. Deputy Speaker made some ringing, resounding observations the other day:

"I am deeply and personally involved in this matter for the simple reason that I am the Deputy Speaker. When the names of hon. members are besmeared and when the whole country is talking about it, if we are not concerned, who else will be?"

He went on to say:

"It is also to be considered whether MPs. could abdicate their authority when something affecting their dignity is concerned and hand over everything to some other machinery outside the House."

But this has been completely lost on them. Any such reasoning and logic is lost on them as water lost on the back of a duck. What kind of regard do they pay to the House? The opposition must be satisfied in such matters, that is what has been established in the U. K. What did Mr. Mac Millan say to Mr. Wilson in the Profumo Affair? And, mind you, this is no less stinking than the Profumo Affair. When Mr. Wilson raised the question of security in the Profumo Affair, Mr. Mac Millan said:

"I have been thinking about our talk on Monday. I am sure in my own mind that the security aspect of Ward's case has been fully and efficiently watched. But I feel it is important that you should have no doubt about it."

Here the entire opposition is full of doubt about the way they are proceeding in this matter. But you have absolutely no regard for the views of the opposition, you have no regard even for the views of the hon. Members of your own party. They have been living from one day to another. There were these glorious 21 and the other glorious 51 have represented to you that there must be a parliamentary probe into this matter. What are you doing about it? You did not heed to the voice of the chair, the hon. Deputy-Speaker, you did not heed to the voice of the opposition, you did not heed to the voice of a section of your own party. That is how you have been behaving in this matter

20 hrs.

SHRI DINESH CHANDRA GOSWAMI: Do you heed the advice of the Chair?

SHRI SHYAMNANDAN MISHRA: Now, because of the most irresponsible attitude that the ruling party has taken in this matter, the entire Parliament is in the dock, the entire government is in the dock. You hear the worst speculative allegations against the entire fraternity of Members of Parliament and the entire parliament is now living under a cloud of innuendos. Who is responsible for it? If you had agreed to a parliamentary probe right in the beginning, all this speculation would not have been rife in the country. I must repeat this is all because of the kind of irresponsible attitude you are taking in the matter.

Are you saving the reputation of the 21, or 21 minus 1, Members of Parliament? There is bound to be a pen-

umbra of speculations around their names. Unless there is a parliamentary probe in this matter, dirty allegations would continue to dog their names. There can be absolutely no doubt about it. And the impression in the country is that groups of MPs are on sale, they have stuck up on their heads the banner "come on, we are prepared to sell ourselves to the highest bidder." This is the unfortunate impression you have created because of your approach.

Should it be an enquiry of the kind that they are now suggesting? Would a CBI enquiry be enough? Would that kind of enquiry be full and sufficient for vindicating the honour of the Members of Parliament whose names are alleged to be associated with the letter? This is a very basic question to which you must address yourself as this is not going to clear their names, whatever you might say. Therefore, one is bound to ask is this enquiry meant for the satisfaction of the Ministers and the members of the ruling party only? If that is your limited view if that is the limited dimension in which you are looking at this problem, I think, you are bringing the whole Parliamentary system into disrepute.

The real question, therefore, is how to restore the confidence of the people in the honour and integrity of Parliament which has been so rudely shaken..

SHRI PRIYA RANJAN DAS MUNSJI: By going to the people.

SHRI SHYAMNANDAN MISHRA: Yes. Come to Bihar.

Has not a reasonable belief been created that there has been something unsavoury and shady in this matter? What did Lord Denning say in the Profumo affair? The crucial question was not whether Profumo had slept with a girl, the question was whether there were circumstances in which a

[Shri Shyamanandan Mishra]

reasonable belief could be created that he had indeed, slept with a girl. . . (Interruptions). Similarly, the question here is whether, in the given circumstances, a reasonable belief would be created or not that certain shady things had taken place in this matter. And who has deepened the suspicion regarding the involvement of the Members of Parliament in this matter? It is not the Opposition which has deepened the suspicion about them; it is the ruling Party and particularly the Ministers of the Government who have deepened the suspicion about the conduct of these 21 MPs, even after many of them, about 18 or 19, had specifically and categorically disowned their signatures. The Government's statement is tantamount to saying with a degree of plausibility that there is a *prima facie* case established after investigation that 'X' number of Members of Parliament seem to have committed an offence. That was the statement of the hon'ble Law Minister. He has said that, after investigation by the CBI, a *prima facie* case has been established that a certain number of Members of Parliament seem to have committed an offence. .

AN HON. MEMBER: No. That has been corrected.

SHRI SHYAMNANDAN MISHRA: I am giving the corrected version. Let us see what the authoritative statement from the Law Minister was. He has said that the CBI has come to the *prima facie* conclusion that some offences seem to have been committed. Then he said something which was not correctly reported, according to him. So, he said on the following day, after correcting this, when he was cross-examined, that what he said was; as a result of the investigation, it had been found that the persons who might have committed the offence might not be all Members of Parliament of the House; the argument that he was developing was that outside

persons could be involved. Now the proposition that the hon. Law Minister established was that there might be 'X' number of Members of Parliament involved but there was an extraneous element also. So, it might be X plus one or Y. So the hon. Law Minister has definitely deepened the suspicion about the conduct of many Members of Parliament and there can be no gain saying this.

Then, the view is taken—the contention is—that a *prima facie* case must be established before any other step is taken. But what is a *prima facie* case? I ask. Is there established in regard to two possible offences that might have been committed in this particular context? Whether forgery was committed by some elements—is that not now clearly established? The hon. Members of Parliament have said, one after the other that they did not append their signature to any such letter. Now, if that is so, then the plain fact of forgery has been established as also the fact that somebody had organized the forgery. Is that not a *prima facie* case? If that is a *prima facie* case, what are you doing about it? Who organized the forgery? It is not a matter which is coming out of my head. It is on the record of Parliament; they had said the same thing to the CBI. These hon. Members of Parliament had said earlier to the CBI what they told us the other day. So, the point is clearly established that these hon. Members have disowned their signatures. And, as they have disowned their signatures, it means that there was a conspiracy to forge their signatures. If that is so, that must be gone into. The hon'ble Minister of Commerce had also said to the Rajya Sabha to the same effect they had disowned their signatures.

Now, I come to the other part of the offence. Who forged the signatures?

MR. CHAIRMAN: Please try to conclude.

SHRI SHYAMANANDAN MISHRA:
You are feeling uncomfortable?

Now, who could be interested in forging? So the question is whether the interest could be at the Ministerial level—and who could exculpate the ministerial level in this matter so easily, whether the interest in the forgery was evinced at the administrative level; whether the interest was at the level of the parties who wanted to get their licences cleared and, finally, whether the interest could be at the level of the hon'ble MPs

MR CHAIRMAN The hon Member's time is up

SHRI SHYAMNANDAN MISHRA:
Mr Chairman, with regard to both these offences, I have still to go over and cover a great deal of ground

These two offences have already been established *prima facie* about forgery and about the interest in the forgery and they are required to be gone into.

When the Mudgal case was being debated in this House, I happened to be a Member of the House at that time and I recollect how the hon'ble Member, Mr Frank Anthony had pleaded at that time that there must be a *prima facie* case before the matter was referred to an *ad hoc* Committee of Members of Parliament. And our great Prime Minister, Mr Pandit Jawaharlal Nehru, said in effect 'Whatever data we have, just establishes a *prima facie* case' So, it is for the House to judge whether a *prima facie* case is there or not. So, even that point at that time was effectively met and the House said, 'Go ahead with the appointment of a committee in this matter'

A great deal of stress has been laid by the Government the executive, on the CBI—it can play an adequate role in this matter. That creates a lot of suspicion about the role of the CBI

What, after all, is the reason that you are laying so much of stress on the CBI going ahead with this matter? You trust the CBI more than a Committee of Members of Parliament? That is your scale of value—(Interruptions) So far as we are concerned, we do not, for a moment suggest that there could not be certain agencies employed for the purposes of investigation. Certain agencies could certainly be employed but the whole question is under whose aegis and auspices? If the investigation is conducted under the auspices of the present executive we are having doubts that they would be able to create an atmosphere in which the CBI would be able to function objectively or impartially in the matter

After all the auspices under which the investigation is conducted makes a world of a difference. When there is a corrupt minister, the entire department functions in a corrupt and inefficient way but when there is a clean and honest minister the entire department functions in a different way

It has been suggested that if there is a parliamentary probe that parliamentary probe would bar prosecution in a court. It has never been suggested that there should be no prosecution. What happened in the case of Mr Nixon? There the matter was processed at the parliamentary level in the first instance. Later, the matter was to be taken to the court. This morning's news is that the U S President has granted him pardon because he did not want Mr Nixon to be tortured in a court of law. So, there the court of law came later. In the case of the American watergate, the matter was first processed at the parliamentary level

सभापति महोदय : भाप 23 मिनट
ले चुके हैं ।

श्री श्यामनन्दन मिश्रा . हमने घबराने से
काम नहीं चलेगा ।

श्री शंकर दयाल सिंह सभापति महोदय, इस बहस के लिये चार घंटे का समय निर्धारित किया गया था, सवा चार वजे बहस आरम्भ हुई थी और अब सवा आठ बज चुके हैं, मैं जानना चाहता हूँ सदन की कार्यवाही इस विषय पर कब तक चलेगी। आप सदन से पूछ लीजिए तब सदन का समय बढ़ाइये।

सभापति महोदय : इतने इंटरप्शनस आप सहवान ने किये हैं, अगर वह नहीं किये होते तो मेरा सवाल है मिश्रा जी दो मिनट पहले ही अपनी स्पीच खत्म कर देते।

श्री शंकर दयाल सिंह : सवा आठ बजे इस बहस को समाप्त होना था, चार घंटे का समय इसके लिए निर्धारित था, अब मैं जानना चाहता हूँ सदन की कार्यवाही इस विषय पर कब तक चलेगी ?

सभापति महोदय : मैंने खुद आप से कहा था कि चार घंटे इसके लिए थे, 45 मिनट एडजस्टमेंट के वास्ते हैं, वह मैंने नहीं कहा था इस वास्ते 9 वजे तक इसको जरूर खत्म कर देना चाहिए।

श्री मधु सिन्घे : दस बजे तक समय बढ़ा दिया जाये। (व्यवधान)

SHRI SHYAMNANDAN MISHRA: I have been always interrupted. I know that my observations are very inconvenient to them.

An impression has been created that the C.B.I. has not been allowed to go ahead in this matter and that they have been stopped and prevented from going to the logical end. Otherwise, how do you explain that for the last five months, the C.B.I. could produce the result of only verifying the signatures? This is the only precious result that the C.B.I. has been able to produce. Where they sucking their thumb?

MR. CHAIRMAN: Mr. Mishra, you have taken twentyfive minutes. Kindly conclude.

SHRI SHYAMNANDAN MISHRA: Mr. Chairman, Sir, this is a very complicated matter. One cannot make broad remarks and go away.

They have been prevented. Otherwise, the CBI would not have produced only a mouse of the result which it has been able to produce during the course of the five months.

When they came to know about this Blitz report, it contained a serious allegation that one hon'ble Member of Parliament had received a bribe of Rs. 150 thousand, I put this question squarely to the hon. gentleman on the other side—this question was evaded—What did the hon'ble Minister do in this matter?

When there was such a definite allegation about it, what did he do with it? Later it came to be established that the hon. Member had also admitted that it was his signature. Then what step did he take? That was precisely the question which seemed to have been evaded. So, I would like them to tell us why should we believe the C.B.I. in the kind of conditions in which you ask them to function? It has been rightly pointed out by my hon. friend, Shri Vajpayee, that when I put this question to the head of the C.B.I. in the Select Committee on Foreign Contributions (Regulation) Bill in this very building as to whether he could not proceed against the Minister—the question was related to something I had at the back of my mind—the answer was 'No'. The question was not without significance and I was told clearly that CBI need not go into the conduct of the Minister.

In this case it is being said that a criminal offence, if any, has to be prosecuted in a court of law. Is it altogether a criminal offence? It is an amalgam of both. It is a misdemeanour on the part of an hon'ble Member and definitely on the part of

the Minister concerned too because the Minister failed to pose to himself the right questions when he was confronted with the letter of recommendation. Why this letter comes to me from MPs of far off. Why did not the Members from Pondicherry or Karnataka or Tamil Nadu recommend the case of these gentlemen? Did the hon. Minister or Ministers pose to themselves that there was something fishy on the face of it. So, it would seem that they have been working hand in glove with of the Members who have committed this misdemeanour.

Therefore, it is not a pure undiluted case of criminal offence. It is an amalgam of both and the Parliamentary Committee also could have separated the two aspects and wherever prosecution was required to be launched in the court of law, the Parliamentary Committee would certainly have gone in for it.

Finally, my humble submission to you is to consider whether Government in this matter is acting honourably and justly, whether it is acting with a certain degree of political prudence. About political prudence, of course, they are the masters but the House is entitled to know whether this Government which has been given the function to run the country of 600 million is acting honourably and justly in this matter and you must consider whether this Government which has destroyed the probity of the administration and political system is not out to destroy the probity of the Parliamentary system as well. We are deeply concerned with this aspect of this matter—the probity of the Parliamentary system which they now seem out to destroy. Therefore, my submission would be that the ruling party must agree to heed the voice of reason and should not try to vote this motion out. This is a comprehensive motion and will try to do justice to all concerned if a committee is appointed. They must not hesitate to agree to the constitution of the Committee.

SHRI B. R. BHAGAT (Shahabad):
 Mr. Chairman, Sir, after hearing the debate for about four hours I come to this irresistible conclusion that the honorable mover, Shri Vajpayee, and other Opposition Members have used this occasion for framing out a catalogue of charges against the Government. It has been their star performance in the past and even today. In his speech, Mr. Vajpayee said that he is worried about the decline in moral values. My esteemed friend, Mr. S. N. Mishra said that the question of the whole future of parliamentary functioning is involved and that there is no party consideration. I would like to join issue with them on this matter, because it has been said in this House and outside, and particularly my friend, Mr. Hiren Mukerjee, has been saying there is a decline of parliamentary system. But, in matters like this, when you, leaving the most urgent problems, national problems of the country, use certain occasions, either public discontent or certain other trivial issues, to beat the Government and bring charges with a view to lowering the prestige of the Government, either, wholly or individually, it shows your distrust in the whole system, in the functioning of the Government, in the various instruments which that system has created, without which no system can be effective. When you basically distrust the system, destroy the instruments, I think it is the best way to bring down the standards of parliamentary functioning. Sir, parliamentary system is the highest form of moral system, because it is based on the trust of the people. It functions in an open manner. Now, a reference has been made about Watergate. The main reason why the highest executive in that land had to go was, he tried to subvert this system, he tried to subvert the Constitution. I do not lay this charge against the Opposition. But, inadvertently, because of raising certain false issues, because of raising certain irrelevant issues, they are bringing down the standards of our functioning and they are contributing to, what Prof. Mukerjee calls, the decline of the parliamen-

[Shri B. R. Bhagat]

tary system. When I say this, I say this because of my past 24 or 25 years of experience and the privilege of continued membership of this House. I say, every fibre in me is full of the highest standards of dignity and decorum about this House, and therefore, when I see certain things which contribute to the declining of this system, it hurts me and I think it hurts every democrat in this country.

In 1971, elections were held and what was said at that time? Because, people voted in a massive manner for our party, it was said that we won because of the invisible ink. It was said that we rigged the elections and that we used official patronage. I have the experience I was then a Cabinet Minister, having a lot of power. But, in my constituency, I know that because I represented the weaker sections, because I represented the poorer sections, in 50 of the booths, votes were captured. I could do nothing. In my own district, a national leader, a man of national stature, Shri Jagjivan Ram, was contesting. In his constituency, booths were captured. By whom? By the affluent sections, by the dominant sections and even though we were powerful people, we could not do anything. Therefore, it is not the Government, it is not the power of the Government that is rigging

SHRI PILOO MODY: Who did it?

SHRI B. R. BHAGAT: Your friends, the landlords and the affluent sections. The danger to our Government is from the vested interests, in this country. They say, it is because of invisible ink. What happened in the UP elections? We got 32 per cent of the votes. But, all the parties said that we rigged the elections.—But, the position is, the elections. But, the position is, the Opposition has failed to provide the alternative, they have failed to raise national issues on the national sphere and they have failed to provide the ed in this Parliament—this is an national alternatives. They have fail-

important point—to create a consciousness in the country. Because they have not been able to do anything at the policy level, they are indulging in mudslinging and character assassination. They have started from the top because they think that by attacking the Prime Minister and the leader of the country, they will create distrust in the Government. Similarly, about the CBI, oftentimes Members come and say: sent it to the CBI. Why? Because it is an instrument of investigation and that is the way parliamentary system works. Who gives facts? It is the Government which has the agencies; they give the facts. If any hon. Members have defferent facts, they should be given to the House so that the House may judge them. But the point is that the finality about any facts after investigation is that of the Government. There is no point in confusing issues. Mr. Vajpayee gave a catalogue of charges and he himself says that it reads like a detective novel; he says they are all true. Whether it is true or not, that is a different matter. Whatever Mr. Vajpayee or other Members have said does not justify in any manner, even remotely, a parliamentary probe. A parliamentary probe is beset with various difficulties. In our 25 years of history, we had only one instance of Mudgal case. That did not involve any criminal offence or any subversive or senret act. It was a *bonafide* transaction. A resolution was there money passed through cheques. The director Mr Nandkarni reported to the Government that a resolution was there. After investigation it came here. The stage is important. The facts were all known; they were not contested even by Mr. Mudgal. The House decided it was a specific issue. This case here is not like that. It is alleged that a representation has been made by Members of Parliament. In the first Lok Sabha there is a ruling by Speaker Mavalankar on how Members can represent individual case or collective cases or cases from their constituency. There is a clearly laid down procedure and any Member whether from the Opposition or the

ruling party can represent a case to the Ministers. There is nothing wrong about it. The point is that while doing so, the conduct should not be unbecoming of a member, it should not be done for personal gain. Now that is a point to be looked into. Twenty members out of 21 have said that their signatures were forged. It is asked, why did they not raise it if an injustice had been done to them? The hon. Members can say that they should raise that issue.

Is that a point against members whose signatures have been forged? When this matter was first raised in the weekly, it was the Congress Members who raised it in the other House. We do not treat it as a party issue. I am sorry opposition members have brought in political considerations. In this atmosphere, any impartial independent enquiry is not possible. Even when an enquiry had to be conducted into the activities of a member of the Cabinet, it was conducted under the Official Secrets Enquiry Act. The same was done in the cases where some Chief Ministers were involved. Never a parliamentary probe was conducted because it was not considered feasible. This has been our experience.

What is the experience of U.K. which has a longer experience of parliamentary system? The Royal Commission on Tribunals of Enquiry said that for almost 300 years from the middle of the 17th century until 1921, whenever any matters of public disquiet about alleged misconduct of ministers etc. were raised, they used to appoint a parliamentary select committee to go into it, but they have reached the conclusion that such a committee of enquiry had no claim to impartiality. It was actuated solely by party political motives. So, this is what is going to happen here also if you appoint a parliamentary committee. It cannot be impartial and independent. It will be governed by party political motives, which is the characteristic defect of such committees enquiring into matters of this

kind. So, in 1921, the British Parliament gave up this practice. There was a very interesting case referred to by Mr. Das Munshi also. In what was called the Marconi Scandal, a tender was accepted by Government and some irregularities were found in that. So, a committee was appointed. The voting in that committee went exactly along party lines. The Conservative majority exonerated the ministers. The minority said, the ministers were guilty. When it came to the House, the same thing was repeated. So, this is exactly what will happen here also if a parliamentary committee was adopted. A reference was made of the Watergate scandal and the judiciary committee in the US. Their system is different from ours, although both are democratic. I happened to be there when their judiciary committee went into it. I saw the strength of public opinion there. But in US the parliamentary committee functions in a different way. The voting curbs across party lines. There they do not function on party lines as it takes place here. Even in the Judicial Committee as many as 11 Republican Members voted for the motion.

SHRI ATAL BIHARI VAJPAYEE: We are also in the Privileges Committee we do not go by the party lines.

SHRI B. R. BHAGAT: In the United States they make this departure, which is very important that we should take note of. Even though a parliamentary committee may be functioning better in the United States, there is the famous case of the assassination of President Kennedy which was not referred to a Congressional Committee but an outside commission, the Warren Commission, because it was a highly political matter. So, even in the United States they made a departure.

I welcome the opposition members saying that this is not a party question. But the whole ethos of their political functioning, the way they

[Shri B. R. Bhagat]

have been functioning, shows the utter frustration of the opposition members. Because they find that they are not able to unseat us, therefore, instead of evolving an alternative policy or system, they are trying to bring motions like this.

• SHRI SHYAMNANDAN MISHRA: I ask you with folded hands, because you were also a Minister in that department, why did you not grant licences to these paragons of virtue?

SHRI B. R. BHAGAT: I do not know what I did five years ago. For that I have to depend on the hon. Minister. So, this is again ignorance of parliamentary practice. The Minister today is the custodian of not only himself but all his predecessors in office.

So, let us not depart from the parliamentary practice. I say that in the present climate let us build some conventions, not on party matters but on national issues, on issues of war and peace. Today when the whole country is faced with a serious economic crisis, let us try to strengthen the moral values, of which the hon. Member speaks, let us strengthen the parliamentary institutions, instead of bringing such calumny of charges, or character assassination or catalogue of charges. Let us have a national platform in which all these national issues could be dealt with. That is how we can strengthen the Parliament, or the moral values, or the political values in the country.

Of course when I say that I do not mean that what they have said is not worth probing into. It is, and it will be. But, let them not mistrust the Government. They think the Government is shielding somebody. There are ways of doing it. We have the Commissions of Inquiry Act.

The hon. Member was saying that he asked the Director of the CBI in a Committee whether he can deal with the question of a Minister. Well, if I had been in that Committee, I would have immediately asked him whether he can deal with an opposition Member of Parliament. I am sure the answer would have been "No"

SHRI SHYAMNANDAN MISHRA: What happened in Bihar? (*Interruptions*)

It is the Corruption Bureau of India... (*Interruptions*)

SHRI B. R. BHAGAT: I do not mean to say that any Minister or Member of Parliament is above the law. I am not going to say that. It is a highly political matter when you deal with a Minister. If some irregularities have been committed by a Minister or a Member of Parliament belonging to the ruling Party or a Member of Parliament belonging to the Opposition, it cannot be left to an officer. It has to be decided at the political level. If it is a case of Minister, the matter is brought to the notice of the Prime Minister. She has to decide whether her colleague has done something wrong and if she finds that he has committed something wrong, the Minister goes away. Similarly, in the case of others, it has to be decided at the political level (*Interruptions*) I am trying to clear the mess that you have created. The CBI man has honestly said that he cannot deal with the case of a Minister. (*Interruptions*) That is the difference between democracy and despotism. Our instruments are correct. The support of the Opposition is needed to strengthen the CBI so that, whoever commits an offence, whoever it may be, he may be dealt with under the law of the land. And, in this matter, as has been pointed out, the Prime Minister has clearly said that the CBI is enquiring into this matter. Action by Parliament is not foreclosed. After the inquiry report comes, if there has been a breach of privilege, if there has been a misconduct by any member, if there has been a contempt of the House—

certainly, forging the signature of a member is a contempt of the House—and if these facts are established, at that stage, the House can take a decision so as to protect the dignity and honour of the House, so as to deal with even a member or any other person who had tried to invade on the privilege of the House, whose conduct was derogatory. Therefore, my appeal is that this is not a party issue, this is not an issue in which a Parliamentary probe can be undertaken now because it cannot lead to a fair and impartial inquiry. The whole political atmosphere is different. Therefore, we do not add to the dignity of the House, we do not add to the privilege of the members, we do not strengthen the roots of Parliamentary system, by demanding such a probe because it will not be possible to deal with the situation at this stage in the light of the facts that I have stated.

PROF. MADHU DANDAVATE (Rajapur): Mr. Chairman, Sir, when I participate in this debate, I do it more in pain and shame, than in anger because, when many of us go out, we find for the first time that the entire Parliament is completely denigrated. Irrespective of the fact whether one belongs to the ruling Party or to the Opposition, people outside have started feeling that the only sacred instrument of Parliamentary democracy that existed in this country is also vitiated, that instrument is also denigrated. Let me make it explicitly clear at the very outset that while I express my views in support of the motion that has been moved by Shri Atal Bihari Vajpayee, I am not interested in carving on character assassination of individuals. None of us is interested in character assassination. But, we are interested in cleansing the corrupt system in this country. If we have raised the issue regarding the forging of signatures and the licensing policies, we have done it not merely on ethical or moral grounds but because as a result of this particular malpractice, on the one hand, the instrument of parliamentary democracy and the

instrument of Parliament is being undermined and on the other hand, we find that if the present corrupt system continues as it is, if the malpractices are tolerated, if there is no probe by a parliamentary committee, in that case, there are disastrous economic consequences of this corrupt system and that is the reason why we are discussing and debating this issue very seriously.

When my hon. colleague, Shri Madhu Limaye and myself repeatedly brought to the notice of the House, the lapses on the part of the Government in not submitting certain reports, it was not merely a procedural wrangle but because the non-submission of those reports has economic consequences and as a result of that, there are distortions in the prices. As a result of these economic consequences, we have made this issue and it is only from this perspective, to defend the economy of the country, to remove the distortions in our economy that we are pressing this issue.

It is not merely a technical problem as to who has forged the signatures and who are guilty of malpractices, but we have to view this entire problem in the context of a series of malpractices that are taking place in the country.

20.52 hrs.

[MR. SPEAKER *in the Chair*]

I do not agree that this particular issue is restricted merely to forging of signatures. The problem is far wide. It is an integral part of the wider conspiracy that is going on in the country. It is not merely this scandal that is there. It is part and parcel of a series of scandals that have gone on in the country. Not only there is the Pondicherry licence scandal, there is the Karnataka Export House scandal, there are the barter deals scandal of STC and MMTC involving millions of rupees and the diversion of steel, cement and other controlled items which have also resulted in a number of malpractices....

SHRI PILOO MODY: There is a conspiracy going on even now.

PROF. MADHU DANDAVATE: My friend, Shri Madhu Limaye had brought before this House four important documents. (1) He has pointed out to the House that there is an engineering unit in Punjab which managed to secure imported wool and polyester fibre though these raw materials were not required by the unit.

(2) He has brought to the notice of this House that two small scale industrial units acquired licences of a very high value by taking undue advantage of nomination facilities.

(3) He had brought to the notice of the House that an eligible export house acquired licences of a high value and used them for obtaining stainless steel sheets.

(4) Fourthly, he has pointed out that an exporter indulged in over-invoicing in order to obtain a higher entitlement for sensitive items.

These are some of the malpractices he has mentioned....

SHRI P. G. MAVALANKAR: On a point of order, Sir. Prof. Madhu Dandavate has just now, while referring to the general question of licensing, referred to as many as four cases and he has referred to four documents. I recollect very vividly that earlier in the House, from this side, my friend, Shri Madhu Limaye had referred to the same documents.

Sir, I would therefore like you to direct Shri Limaye to lay those documents* on the Table of the House. Under Rule 368 these must be made available to this House because Members are referring to the documents and we do not know what the documents are. I am referring to Rule 368. You will please direct Shri Limaye to lay them on the Table of the House.

MR. SPEAKER: I cannot agree with this unless I see them.

PROF. MADHU DANDAVATE: Sir, as I was pointing out to the House, this is not merely an isolated scandal. Unfortunately, both inside the country and also outside the image of our entire system has been denigrated to a very great extent. I just now made a cursory reference to four important cases in which abuse of the powers of licensing had been indicated. Those papers have already been laid on the Table of the House. I wish to point out to this House, while we discuss this scandal regarding the licensing policies as also the misuse of powers, we shall also remember that in countries outside to-day we find that there is denigration of the image of our entire system. We find for example that the agencies like the S.T.C. are suspect in the eyes of a number of countries. The MMTC officials in various countries have been declared *persona non-grata*. Some of the embassy staff is suspected of smuggling. That is the reputation that we have built up and if the debate in this House regarding the licensing scandal also goes abroad with all the details, the prestige of the country will go down and it will demoralise those who sympathise with our country.

The hon. Minister, Prof. Chattopadhyaya had brought before the House a certain written statement. For the first time I came across a new definition for the old concepts. He tried to explain to us what was the meaning of 'ex gratia' licences. According to the dictionary meaning, 'ex gratia' is something that is given as a favour; something that is given as a gratitude, something that is given as a grace. For the first time I hear that the concept of *ex gratia* is linked up with justice and equity. It is a strange paradox that a concept of *ex gratia* is being linked up with justice and parity only to cover up the lapses on the part of the Government. In the course of the debate, it has been ex-

*The documents were laid on the Table. [Placed in Library. See No. LT-8419/74]

explicitly made clear that Shri Tul Mohan Ram had admitted before the C.B.I. of having signed the memorandum.

I would like to know from the hon. Minister whether he has admitted only regarding his signature or whether he has also admitted before the C.B.I. that he had received a certain amount. If he has admitted that, then I would like the Minister to tell us from which particular source he has received this amount. Will he throw some light on that?

There is another important aspect of it to which I would like to draw the attention of the House. It seems from the discussion and from various informations that have come before the House that Shri Tul Mohan Ram is a signatory not only to one memorandum but also he is a signatory to another memorandum. Here Shri Tul Mohan Ram is a signatory along with others. This itself establishes a *prima facie* case and, if a *prima facie* case is established in that case, it is better that we allow the entire matter to be investigated by the Committee of Parliament.

It was revealed by an hon. Member that as far as U.K. was concerned, this particular *modus operandi* or a probe by a Parliamentary Committee has completely failed. He has given not a complete truth but only a half-truth. As far as U.K.'s experience regarding parliamentary probe is concerned, politically motivated decisions have been arrived at. But, at the same time, when he has tried to quote one aspect of democracy in U.K. he has forgotten to quote the other important aspect. In the U.K. we have found out that when a *prima facie* case has been established against a Minister in the House of Commons, resignation is not demanded but on their own, *suomoto* the Ministers in U.K. tender their resignations. I wish that when the ruling party quotes certain precedents from the U.K.'s experiments, they should also quote the precedents in which the ministers do

not remain stiff in their chair. Here people have expressed their vociferous feeling against the malpractices, but still the Ministers remain stiff. As regards the impartial character of the Parliamentary Committee, we are proud in this Parliament that our Parliamentary Committees have a glorious tradition. We have a Committee called the Committee on Welfare of Scheduled Castes and Scheduled Tribes. If you go through the proceedings, of this Committee, you will find that whenever cases of atrocities against harjans and adivasis are taken up, irrespective of whether those who have committed the atrocities are the supporters of the Opposition or the supporters of the Congress, they are discussed cutting across the party lines. This Committee on the Welfare of Scheduled Castes and Scheduled Tribes has developed a procedure which transcends all political considerations.

21 00 hrs.

We have the Privileges Committee and it has been the experience of the Members of the Privileges Committee whether they belong to the Opposition or the Ruling party that on a number of issues they had risen above the party-loyalties and party considerations. Therefore, the tradition in all the Parliamentary Committee has been that we had taken an attitude which is unbiased and impartial. The demand for Parliamentary probe should not therefore be rejected on grounds of fear and partisan attitude.

I warn this House that if you reject the demand for a Parliamentary probe then the out-moded devices of impeachments which prevailed till the nineteenth century in U.K. would be revived. I will conclude by quoting from May's Parliamentary Practice (17th Edition), page 39:

"In impeachments, the Commons, as a great representative inquest of nation, first find the crime, and then as prosecutors, support their charge before Lords, exercising at once the

[Prof. Madhu Dandavate]

functions of a High Court of justice and of a jury, try and also adjudicate upon the charges preferred.

Impeachment by the Commons, for high crimes and mis-demeanours beyond the reach of the law, or which no other authority in the State will prosecute, might still be regarded as an ultimate safeguard of public liberty, though it has not been employed since the beginning of the nineteenth century.

Impeachments have directed particular against Minister of the crown, but the growth of the doctrine of collective cabinet responsibility, and of the resignation of the Cabinet following a successful vote of censure, against a minister, resulted in the decline of impeachments in modern times."

In India by refusing parliamentary probe of such a serious scandal shall we introduce outdated concepts like impeachment by Parliament, a device not brought into effect after the beginning of the nineteenth century. But if you do not want to adopt those outmoded methods it is better the demand for a Parliamentary probe should be accepted.

I want you to look at the history of corruption in different parts of the world and you will find that where Government refused to have a probe into corruption in a number of countries that led to revolutions. The French revolution was a product of rampant corruption. In Soviet Russia again it was the corruption of Czar which resulted in revolution. Likewise in Chiang-ké-Sheik's China full of corruption, there was unprecedented revolution. In Soekarno's Indonesia there was an upheaval against the corrupt regime. If the present ruling clique refuses a probe they will also go the same way as of Soekarno and Chiang-kai-Sheik.

I will conclude by appealing not to the ruling party, not to the opposition Members but to the conscience of this House, which I hope is not yet nationalised, to support the demand for parliamentary probe so that the honour of our Parliament as an instrument of democracy is vindicated. Parliamentary democracy with all its failings and shortcomings, among all the existing political systems, is the best because it gives expression to the spirit of man, his hopes and aspirations.

In that spirit I again appeal to the conscience of the House to adopt Shri Vajpayee's motion unanimously so that we go outside this House with a shining face of our Parliament.

SHRI M. RAM GOPAL REDDY (Nizamabad). Sir, on a point of order. Four hours have been allotted for this. We have exceeded this limit. We do not know up to what time, we have to go on.

MR. SPEAKER This is not a point of order. Mr. Ram Gopal Reddy, you could have otherwise asked. Why do you use a point of order for this purpose? Mr Bhagat

SHRI H K L. BHAGAT (East Delhi) Mr Speaker, Sir, not even tonnes of strong words and sentimental outbursts can make a weak case a strong case. After listening to the speeches made by the various Members of the opposition today on this subject, I found, they were diverting from the subject, they were digressing from the subject and they were trying to use this motion virtually as some kind of a No Confidence Motion, not really concentrating on the issues which they have raised through this motion. Mr. Jyotirmoy Bose very clearly said that this motion was some kind of a No Confidence Motion. Sir, the very fact that they have digressed they have diverted from the motion, bringing in all kinds of other things, repeating things which they have said earlier, shows that the case which they have brought through this motion is a weak case, and as I said, no amount

of strong words, not even tonnes of strong words, would convert a weak case into a strong case. Just now, Prof. Madhu Dandavate was very sentimental in reminding us of the UK traditions of parliamentary democracy and making an impassioned appeal to us. I believe he is a very sincere man, though somewhat hyper emotional. I would like to ask him this question. I am not talking of the 18th or 17th or 16th Century. I am talking of the 20th Century. I would like to ask him or Mr Shyamnandan Mishra or the laborious Mr Madhu Limaye, who always goes and searches one thing or the other, may be relevant, may be irrelevant sometimes he is irrelevant. I would like to ask them how is it that after searching through the *May's Parliamentary Practice*, and after searching through the various debates of the House of Commons, they have not been able to—I challenge—find out a single case where the Mother of Parliament, the British Parliament has ever entrusted the investigation of any criminal case to any Committee of the House? I would like to know that. Any single case? I challenge them. They cannot. Let them quote any single case where a case of this type a case of this nature has been left to a Parliamentary Committee to investigate. Now I come to our Parliament. I know you are not referring to that case.

SHRI MADHU LIMAYE What about the *Mudgal case*?

SHRI H. K. I. BHAGAT I am coming to that case. You have referred to it. Your friends have referred to it, very freely. I am going to refer to it more. Shri Shyamnandan Mishra hit in regard to what he described as *Profumo case*. Was any suggestion of involvement of any offence made in that case? No. Not at all. What is it? The difficulty with the opposition is they want to make all kinds of charges all kinds of allegations all kinds of innuendoes with all the inferences. But, they do not want to stick to it and face the consequences in the debate or discussion in this House.

Now, Sir, what have they said? They have tried to put before the House—I take them by their words—that a forgery has been committed, document has been used, that there was a conspiracy, that the whole thing was fabricated, that money has been taken that money has been passed at various levels and that it was a big conspiracy to do this and that and so on. The Opposition Members have shown an astonishing ignorance of law, particularly criminal law. They make wild allegations, they have not produced any *prima facie* evidence in support of them. The only relevant evidence and important evidence is that 20 hon. Members of this Parliament have said that their signatures were forged by somebody. My friends say that a parliamentary committee should probe into it. I have great respect for Shri Vajpayee and I want to know from him. He has shown absolute lack of knowledge even elementary knowledge of criminal law. Supposing somebody is charged with committing forgery, A or B. You have got to take their signatures compare his admitted signatures. Even the opinion of the hand-writing expert is not conclusive. Courts do not treat them as conclusive. If anybody can be convicted of the offence of forgery it is only the court of law which can do it. My friend Goswami said that prosecutors should not be judges and witnesses, both. It is not a case of mere prosecutors, it is a case of persecutors, they are trying to become judges.

Let us assume for a moment that Mr Vajpayee becomes the Chief Justice or the chief presiding officer of this committee. I am going to ask him some inconvenient questions. Suppose you say that so and so is guilty of forgery. Suppose that man goes to a court of law which is the competent authority to say whether somebody has committed forgery or not and that the court says No, what happens? You have not raised only the question of dignity of the House. I will come to the question of privilege and I shall refer to the *Mudgal case* in a more detailed manner. The facts

Shri H. K. L. Bhagat.—Contd.

are inter-dependent. Whether the conduct of any person will lower the dignity of the House or whether he has committed a breach of privilege or not, whether he has committed an offence or not is all dependent on the ascertainment of certain facts. Whether somebody has forged and if so who has forged, whether somebody has taken money or not,—who will decide this and how are these things to be decided? They will have to depend upon the aid of some agency. We sit in the Privileges Committee. What do we do? Even there we want facts to be ascertained; we take the help of others, either it is the police or some other agency. Even if such a committee were to be constituted they will have to go to the police or the CBI to go and ascertain facts. I do not remember who said it but it is probably Shri Shyamnandan Mishra—If I am wrong, I will apologise. Leaving aside what was said in the House, I was surprised some newspaper editorials also were saying that the CBI can investigate under the supervision of Parliamentary Committee That again shows an astonishing ignorance of law, whether they are newspaper editorials or Members of this House. Because nobody can interfere with the investigations. Once the case is registered, it would be absolutely illegal to do so Parliament can change law but parliamentary committee cannot influence the course of investigation in one way or the other. Suppose a Parliamentary Committee is there with Mr. Vajpayee sitting on one side and Priya Ranjan Das Munshi sitting on the other side, what direction can it give to the CBI? There is an amendment to suspend the investigation by the CBI, as if this House has the power to do it! This House can change the law, but even Parliament is governed by the law it makes. The Cr. PC. makes it clear that once a case is registered, it is only the court which can file it. It can be withdrawn only with the permission my hon. friends do not under-

mission of the court. This simple stand.

Mr. Vajpayee says, he has no faith in the CBI. In this very House several times the opposition members have demanded investigation by the CBI in so many cases. But now CBI has become particularly inconvenient for Mr. Vajpayee, after they started investigating the great corruption in the Delhi Municipal Corporation I have great respect for Mr. Balraj Khanna and I do not mean any disrespect to the dead. But I have some very inconvenient questions for Mr. Vajpayee to answer. How is it that he committed suicide and why did he choose his party building to do it? There are many whisperers around. Even committing suicide is an offence I do not know whether the police or CBI have taken cognizance of it, though I am not asking for it. CBI may or may not have investigated a case properly but to condemn CBI outright and say that we have no faith in it is not fair to them and to the country.

Mr Vajpayee quoted only one part of the Mudgal case. He said, Pandit Jawaharlal Nehru was asked, "why not have a probe by the Congress Party?" and he replied "No; that will not be desirable" I am happy Mr. Vajpayee is quoting Shri Jawaharlal Nehru at least after his death. He has become wiser. But what is the relevance of his quotation? Nobody has asked for a probe by the Congress Party in this case. Then, in the Mudgal case, it was a precise definite motion against one definite person and there was no criminal offence involved. Thirdly, the allegation was that he entered into an arrangement. But Mr. Mudgal said that the arrangement was by the Mudgal Publications. The committee said, whether it was Mr. Mudgal or Mudgal publications, he was supposed to keep his conduct above board. But the facts were admitted. The facts were ascertained by Shri Nehru by writing letters to Mr. Mudgal and getting his replies. Notices of the

motion for enquiry was given to Mr. Mudgal and he spoke in the House. Now, in this case, there is no specific name mentioned in the motion. They say all kinds of things. They want a motion to be adopted in this House without giving any opportunity to anybody, without the ascertainment of facts by anybody.

Then, Shri Madhu Dandavate—he is also a lawyer, I believe; I do not know; he is a Professor in any case; I believe he knows a little bit of law—I am surprised that he has asked in a motion that the Minister must resign, without hearing him. The Mudgal case stands on a different footing because there is no criminal offence there.

The tragedy is that one can understand ignorance. Ignorance is very dangerous, but where ignorance and malice are combined, it becomes, well, I do not know what to say. The trouble with the opposition is, at least on this occasion, they have shown complete ignorance. With that malice is combined.

I find that Shri Jyotirmoy Bosu has gone away. He asked why the Prime Minister has not come to the House and why she has not spoken. The Prime Minister is a responsible leader of the nation. She has got to weigh every word before she speaks. She has to ascertain facts before she speaks. She is not like this small, mini, fake addition of fictitious James Bond.

PROF. MADHU DANDAVATE: Mini and small mean the same thing.

SHRI H. K. L. BHAGAT: He says that mini and small mean the same thing. The difference between mini and small is the difference between himself and Shri Jyotirmoy Bosu.

You can act like a drain inspector and spread rumours. We cannot help it. Shri Vajpayee described this as the Watergate of India. My respected friend and his party has been in-

fluenced by the perpetrators of Watergate, but not those who stood against him. Shri Vajpayee was shaking in his legs when he said that the Bangladesh refugees will never go back. Then he had in mind the threat of Mr. Nixon because he was afraid of him. We never bothered about it because we are not afraid of him. You are thinking of a fictitious Watergate. But you will never be able to deceive the people. You are only deceiving yourself and nobody. Ultimately, you will find to your disadvantage that these theatricals, these antics, these dramatics do not help the opposition. The question of question is why during all these 25 years we did not have an alternative in this country. It is because you behaved in this manner. You have not behaved in a responsible manner.

Lastly, as somebody was saying, it is very sad day for this country that we find that the opposition is not a vigilant instrument of defending democracy, upholding democracy. It is this opposition which by its irresponsible theatrical behaviour is trying to tarnish the image of democratic institutions in this country. You are responsible for this.

Mr. friend has expressed concern for "20 innocent Members of Parliament". They are innocent. Shri Vajpayee gave a very curious argument. He said that these 20 members have denied their signature, therefore there must be something in it. He is a very great political leader. I hope he will not mind my personal remark that he is a great political actor also, a political leader, a great hero. I have never heard more queer logic—because they have denied their signature, therefore, there must be something in it. They are innocent, but the sympathy of Shri Vajpayee for them is not genuine. I think, the very fact that they have themselves diverted from the motion shows that their motion is weak, without any precedent, without any cogent arguments, and, therefore, it deserves to be rejected.

श्री जनेश्वर मिश्र (इलाहाबाद) : अध्यक्ष महोदय, सबसे पहले तो मैं बता दूँ कि मत्ताकड़ दल के लोग इस पूरी बहस को जिला कचहरी की बहस के स्टैंडर्ड पर ले जा कर खड़ा करना चाहते हैं और सी० धार० पी० सी० का सहारा ले कर सार्वजनिक जीवन में जिस तरह से 'घ्रष्टाचार' व्याप्त है, गन्दगी धाई है और धब्बा धाया है उस को छिपाने की कोशिश कर रहे हैं। असल बहस है हस्ताक्षरों के बारे में, 21 इस मदन के सदस्य हैं जिन लोगों के हस्ताक्षर को लेकर यह बहस है यि वे हस्ताक्षर जाली है या जनुइन हैं। वे हस्ताक्षर पैसा लेकर किए गए है या कोई घ्रष्टाचार का काम इन हस्ताक्षरों के पीछे किया गया है, बहुत यह है और देश भर में इस की चर्चा है। इस इस को लेकर दूसरा सवाल एक यह छिड़ेगा कि जिन लोगों को लाइसेंस दिए गए है वे लोग उस के हकदार है या नहीं। यह विवाद बहुत देर से चल रहा है इस लिए इस को से छोड़ना नहीं चाहता हूँ। लेकिन मैं यह जरूर जानना चाहता हूँ कि उस में जो कर्नाटक वाली कम्पनी है तुलसदायन कम्पनी क्या उस कम्पनी का हिस्सा कहीं न कहीं जा करके भारतीय कम्पनी में भा पड़ता है ? यह आप साँचिए। यह तो प्रधान मंत्री से रिश्ता होता है। उम के बाद रेल मंत्री माहव पर आता हूँ। रेल मंत्री जिन दिना विदेश व्यापार मंत्री से इन का कहना है कि इन के कार्यकाल में ये लाइसेंस नहीं दिए गए थे और इसके साथ साथ उन्होंने यह भी कहा है कि यह सही है कि मेमोरेडम हम को मिला था। वहाँ से बैठे बैठे बहस जब चल गयी थी तो टाक कर कहा था ? खड़े हो कर व्यक्तिगत सफाई के तौर पर टोका था। फिर लोगों ने कहा था कि यह व्यक्तिगत सफाई नहीं है, यह इटर्ग्रेशन है। तो यह तो इनका सफाई होती है। अब सवाल उठता है कि मार्च के छ. महीने में बिल्ट्व घ्रष्टाचार 21 मेम्बर, वर्तमान रेल मंत्री और तत्कालीन

विदेश व्यापार मंत्री के खिलाफ एक पार्सिटिकल छापता है। मार्च से ले कर यह सितम्बर का महीना है, इतने दिनों तक हम यह नहीं समझ सकते कि ये 21 मेम्बर या हमारे मंत्री जी जो कि जिम्मेवार लोग हैं घ्रष्टाचार जरूर ठीक से पढ़ते होंगे, उन के सामने जरूर घ्रष्टाचार धाया होगा, शक तो तब होता है कि इन लोगों ने इस के खिलाफ कोई अपवाद का बयान क्यों नहीं दिया ?

दूसरी बात 21 में से 20 लोगों ने बयान दे दिया १६पक्ष महादय की मीजूदगी में और उन में से कई लोगों ने यह भी कहा था कि हम चाहते हैं कि समदोष जाच कमेटी विटाई जाय। उम के तीन दिन बाद उन में से कितने ही लोगों ने कहा कि हम अपनी इस माग का वापस ले रहे हैं। अब मुझे इन लोगों के चर्चा पर शक करने का आप इजाजत देंगे या नहीं देंगे जो दो दिन पहले एक बयान देन है और दो दिन बाद अपना बयान म्बय बदल देन है। आत्र सारे देश में यह चर्चा है। ये लोग भी कहते हैं कि इन के दस्तखत जानी है और मार देना के अंदर यह चर्चा चल रही है कि सार्वजनिक जीवन में इन के नाम का दस्तखत करने के आदी हो गये हैं। यह भी चर्चा चलती है कि कई लोग बाए हाथ से दस्तखत कर दिया करने है इसलिए कि पकड़े न जाए। उस को जाच हानी चाहिये या नहीं और कौन जाच करगा इस पर? मंत्री जा पंडित ललित नारायण मिश्र यहाँ से चले गये। (अपबधान) . . ये लोग हल्ला म्मा नग्न में करने रहने। मैंने इन लोगों का इन्ना बहुत बार देखा है। उन्होंने कहा इटर्ग्रट करने हुए कि हमारे कार्यकाल में यह लाइसेंस नहीं दिया गया। यह होते तो मैं उनसे पूछता, लेकिन फिर भी पूछना चाहता हूँ और एक बार और पूछा था, आप को अलग अलग में और संघी बैठे हैं, मैं यह नहीं कहता ये सब मंत्री लोग बहु; इमानदार हैं, मैं

वह भी नहीं कहता कि ये बहुत इमानदार की तरह से रहते होंगे, लेकिन इतना जरूर कहना चाहता हूँ कि इन मंत्रियों पर क्या नहीं उगली उठती? क्या वजह है कि मिर्फ पंडित ललित नारायण मिश्र पर ही हल्का मचा करता है? कहीं न कहीं कोई कारण तो हुआ करता है और मे कहना उत्तर प्रायः के भूतपूर्व मुख्य मंत्री श्री चन्द्रभान गुप्त न एक बयान दे। किया हुआ था जिनके बारे में अन्वेषणों में भी आया था कि उनमें प्रवेश और युजरात के चुनाव के लिये 5 करोड़ रूपया सत्ताब्द ५८ न इक्टू किया। उस टेंप का मैं मुना और उस टेंप में हमें पंडित उमाशंकर दीक्षित का नाम मुनने का नहीं मिला, पत जी जा नाम मुनने को नहीं मिला, विद्याचरण शुक्ल का नाम मुनने का नहीं मिला।

विद्याचरण शुक्ल का नाम मुनने का नहीं मिला, श्री बी० आर० भगत का नाम मुनने का नहीं मिला फिर ग्ल मंत्री श्री ललित नारायण मिश्र का ही नाम मुनने का क्या मिला? (इश्वरभान) यहाँ पर कितने ही मंत्री बैठते हैं प्रधान मंत्री २, त फिर छान्दे मंत्रियों तब लेकिन ५ वल श्री ललित नारायण मिश्र के बारे में ही चर्चा चलता है क्योंकि यह अकमर लिफाफा चलाया करते हैं। (इश्वरभान) जो हल्ला करते हैं उसे भी मैं कह देना चाहता हूँ कि आप भी हल्ला करते हैं तो उस लिफाफे की घटना का याद रखना, उसके बाद आपकी जवान स्वयं बन्द हो जायेगी अगर आप में जरा भी शर्म होगी तो।

श्री बेचारे तुलमोहन राम जी हमसे कहे हुए हैं। उनके बारे में हमको बताया गया कि पिछले 6 महीने के अन्दर उन्होंने 56 एकड़ जमीन खरीद लिया है, 5 हजार रूपया एकड़ के हिसाब से (इश्वरभान) यह सफाई दे रहे हैं। लेकिन उन्होंने जमीन खरीदी है यह हकीकत है। वाजपेयी जी ने

जिस छोटूराम भगवान का जिक्र किया है उस छोटूराम ने मुझे चिट्ठी भेजी है। तीस हजार रूपया श्री तुलमोहन राम ने उस छोटूराम से लिये है। जब वाजपेयी जी बोल रहे थे तो छोटूराम यहाँ गैररी में बैठा हुआ था। कृपया मैं आपकी जानकारी के लिये यह चिट्ठी रख द। वह लिखता है

मेरा नाम छोटूराम भगवान है। मेरा घर खेडा कला पा० गेडा कला, दिल्ली 12 में है। मेरे गांव कुछ बदमास मेरे ऊपर अन्याय करत व प्राय मेरे लडके को अहृत करके शिता दिया लगभग तीन साल पहले। मैं उस लडके को खोज के लिये राज्य गृह मंत्री श्री के० सी० पन और दिल्ली व उराज्यपाल के यहाँ प्रील को। उनसे कुछ वाद मेरा दूसरा लडका भी मायब कर दिया गया। एम० डी० एम० श्री अग्रवाल को कोसिज में एक लडका तो लिया पर दूसरा लडका डड माल बाद मिला। श्री वाजेन्द्र झा, एम० पी० के यहाँ में अपना दुखड़ा मुनात गया वही पर श्री तुलमोहन राम, एम० पी० उस्थित थे। उन्होंने मेरी मर्जी का आश्लामन दिया और दम रूपाय श्री मेरे वच्चा का शितान के लिये दिया और अपने यहाँ रहने के लिये कहा। उनके दबाव डालने पर मैंने अपने दो भाइया की जमीन व साथ 16 बीघे 2 बट्टा जमान बेचा जिनमें मेरा हिस्सा 33 800 रुपये हाता था

अध्यक्ष महोदय : पांडेचरी की फर्मों का लाइसेंस देने के बारे में यह मोशन था है, उसके बारे में कुछ कहिये, यह छोटूराम का आप कहा से ले आये।

PROF MADHU DANDEVATE He came along with Tulmohan Ram

SHRI S M BANERJEE: May I draw your attention to my amendment to Shri Vajpayee's resolution?

अध्यक्ष महोदय: तुलसीमोहन राम का जो फौसला करना है, आपके सामने सुबह एक भोगन आया कि हाउस सीज्ड हो, कमेटी बने या न बने, कोई जहान की बात नहीं जो आरने नहीं की लेकिन जो भोगन है उसपर भी तो कुछ कह।

SHRI S. M. BANERJEE: Why do you not read it? It is there already.

अध्यक्ष महोदय मैं ने आपको नहीं बुलाया है।

श्री जगदीश्वर मिश्र तुलसीमोहन राम जो के बारे में सजोघन है जिनके बारे में बनर्जी सहाय कहना चाहते हैं।

तुलसीमोहन राम केवल इस सदन के लिये नहीं, सारे देश के लिये एक रहस्य बनने रहे हैं। केवल लाइसेंस कान्ड की ही बात नहीं है, इसके पहले भी वह कैसे रहे उसको भी देखना पड़ेगा। जीमा बाजपेयी जो ने कहा यह तुलसीमोहन राम श्री ललित नारायण मिश्र जी के पिता जी के नाम पर अपने क्षेत्र में एक स्कूल चलाने हैं। अब मैं एक सवाल पूछना चाहता हूँ, मिश्राजी होते तो उन्हीं में पूछता वह कोई राजनेता थे क्या, वह कोई शिक्षाविद्द थे क्या, हैं उनके नाम पर स्कूल चलाया गया? (अवधान) आज भी यह बहस अपनी जगह पर फसी रहेगी क्योंकि जब आज की बात चलती है तो प्रधान मंत्री नहीं है तो बीआई में जांच होगी। सी बी आई में क्या हुआ करता है? बड़ा इस सरकार के नौकर ही तो हैं। क्या नौकर अपने मालिक के बारे में कोई जांच कर सकना है इमानदारी के साथ? हम लोगों के बारे में हमारे खिलाफ जो चा जांच करवा सकते हैं क्योंकि हम आपकी प्रजा हैं विराधी होते हुए भी जो भी खत आप चाहे वह आप निश्चय कर सकते हैं क्योंकि सी बी आई का जो डायरेक्टर

होता है वह जानता आपकी मर्जी के खिलाफ कलम चलाएगा आपकी प्रधान मंत्री की मर्जी के खिलाफ कलम चलायेगा तो एक दिन भी नौकरी में नहीं रहेगा। उसकी हिम्मत नहीं है कि आपको मर्जी के खिलाफ अपनी कलम चला सके। अब तुलसीमोहन राम भी नहीं है और प्रधान मंत्री जो भी गायब है। दोनों गायब हैं साथ साथ। इतनी महत्वपूर्ण चर्चा जिसके बारे में सारे देश में चर्चा हो रही है ऐसे ब्रीके पर इस सदन नेना गायब रह तो एक तरह में यह इस सदन का अपमान है। मुझे डर है मुझे ही नहीं सारे विरोध पक्ष की डर है कि यही दोनों गायब नहीं हैं लाइसेंस कान्ड के मिलसिले में जितने कागजात हैं वह भी गायब करने की साजिश चल रही है।

अब मैं साजिश के बारे में भी कुछ बता दूँ। एक दो मिनट थे ही खन्म करुणा (अवधान) आज जब श्री लजित नारायण मिश्र का रेल बजट चर रहा था—आप वह पर नहीं थे उपाध्यक्ष महोदय बैठें थे—यही एक रघुरामैया जी ने बालोम काबेनो सचिवों की लिस्ट दे दी कि यह सब इस बहस में पाटिसिपेट करेंगे। यानी लाइसेंस स्कैंडल वाली बात किसी तरह में टल जाये इसी लिये उन्होंने 40 लोगों के नाम दे दिये। लेकिन उपाध्यक्ष महोदय ने उसमें केवल 5 नाम ही रखे।

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAJESHU RAMAIAH): Sir, I am very sorry that my name has been brought in. I have myself told the Deputy-Speaker that he can guillotine the list. The list was given immediately after the debate was taken up. It is not true that forty names had been given just to scuttle the debate (interruptions).

श्री जनेश्वर मिश्र : यह चाहते थे कि
विधि सरह से यह बिल टाबू न हो।

SHRI K. RAGHU RAMAIAH. Sir,
about the Prime Minister, the matter
came up before the Business Adv's-
ory Committee I myself made it
clear then that she would not be here
today and all the Members said that
even if the leader of the House was
not there, we would go on with the
debate. So, what the hon Member
said just now was wrong

श्री जनेश्वर मिश्र : विधि मंत्री जी ने
सदन में आकर यह व यह कह दिया कि
मुकदमा मजिस्ट्रेट की अदालत में दायर होने
जा रहा है। वह अपनी तरफ से कोशिश करना
चाहते थे कि यह मामला मजिस्ट्रेट में ही जाये
और इस पर बहस न चल सके। यह सारी
की सारी हरकतें आज के "हिन्दुस्तान" अखबार
में छपी हैं कि प्रधान मंत्री या बाहर रहेगी
लेकिन कांग्रेस पार्टी की समदीय पार्टीजो है वह
इस बात का व्यवहार नहीं कर रही हैं कि आज
विधायक पक्ष व लोग अगर लाइसेंस काण्ड पर
बहस करना है तब तक उमर मुकदमा किया जाये
तक नहीं। चीन का हमका होना जा रहा है।

MR. SPEAKER. May I tell you that
the letter of absence of the Prime
Minister at this stage was sent to me
much earlier before the debate was
fixed! This was then referred to
this Committee. Please do not refer
it again.

श्री जनेश्वर मिश्र अब अध्यक्ष महोदय,
मैं दूसरी बात कह रहा हूँ। इस समय पूरे देश
का सार्वजनिक जीवन एक तरह से भ्रष्टाचार
का गढा हो गया है। खास तौर से जो सरकार
चला रहे हैं उनके चमने पूरे देश की धर्म-
व्यवस्था लाइसेंस और परमिट की धर्म-
व्यवस्था ही गई है। सरकार चमने वाले
लोको को उससे थोड़ा अपना हाथ साफ
रखना पड़ेगा, अपने का अलग रखना
पड़ेगा। ऐसा नहीं होना कि साथ-सा

बेटा रोखगार में रहे, वह लाइसेंस पाता
रहे, रिस्तेदार और दूसरे लोग लाइसेंस
परमिट पाते रहे और ना या बेटा सरकार
में रहे। यह दोनों बातें नहीं चल सकती
हैं। (अध्यक्ष न) तब मैं कहूंगा कि
कि एक तरफ मा अपने बेटे के नाम पर
कार का कारखाना खोलती हो और
बेटा अपने बाप के नाम पर स्कूल खोलता
हो। (अध्यक्षान) मैं कहता हूँ आप किस
लिए गेज पार्लियेन्टरी की बात करते हैं
क्योंकि हिन्दुस्तान का भ्रष्टाचार कुछ अलग
किसम का हो गया है। (अध्यक्षान)
इससे अगर मुक्ति पानी है तो मैं कहूंगा
कि वाजपेयी जी जो प्रस्ताव यहाँ लाये हैं
उसको कांग्रेस पार्टी के लोग इमानदारी के साथ
स्वीकार करें। (अध्यक्षान)

श्री शंकर देव : मवान यह नहीं है
कि भ्रष्टाचार है या नहीं, बहस इन पर होनी
चाहिए कि सी० बी० आई० का जाच
होनी चाहिए या ससदीय समिति को जाच
हाना चाहिए। (अध्यक्ष न)

श्री जनेश्वर मिश्र : अगर भ्रष्टाचार
छोटा होता और सी० बी० आई० जाच
कर लेती तो मुझे एतराज नहीं होता।
लेकिन भ्रष्टाचार बड़ा है, देश के सार्वजनिक
जीवन में मशय है इस लिये मेरी शका
है कि मा० बी० आई० अपने म.सिको
के खिलाफ जाच नहीं कर सकनी। इस
लिये मैं कह रहा हूँ कि एक संसदीय समिती
बने और उसकी जाच खुली हो, अध्यक्षान
शाले बैठें, देश की जनता देखे कि उस के
बुने हुए प्रतिनिधि कितने अच्छे हैं।
मैं खुद चाहता हूँ कि जो सदस्य हैं जिन पर
आरोप लगे रहे हैं और जिन के कारण
हमारे उमर आरोप लगे रहे हैं वह सब बंधाग
हो जायें और जो शोषी हैं उनको काई सजा
मिले जाये। अगर मंत्री पर आरोप है
तो उसको सभी मिले। (अध्यक्षाने संसदीय

[श्री जनेश्वर मिश्र]

कमेटी को जाच को सत्ताखंड दल के लोग ईमानदारी में मान ले और सर्व-नमन में इस को पास कर दे ।

श्री झंकर दयाल सिंह (बनर)

अध्यक्ष जी, हम लोग एक गम्भीर विषय पर विचार कर रहे हैं । लेकिन दुख की बात है कि जिस गम्भीरता से विचार होना चाहिये था उस गम्भीरता को विरोधी दलों ने हास्यास्पद बना दिया है । माननीय जनेश्वर मिश्र के भाषण को सुन रहा था । इन को बहुत गम्भीरता में लेने की आवश्यकता नहीं है और न ही लोग सेते हैं । इन को देखने के बाद और इन की शकल सूरत पर ध्यान देने से पता चल जाता है कि यह क्या है । (व्यवधान)

श्री जनेश्वर मिश्र : किसी की शकल सूरत पर यहाँ बात होगी तब तो मैं बहूंगा कि प्रधान मंत्री की नाक भी बहुत बड़ाल है । (व्यवधान)

अध्यक्ष महोदय : आप अपनी बात कहिये शकल सूरत तो बड़ी छोखे वाली होती है ।

श्री झंकर दयाल सिंह : अध्यक्ष जी इन लोगों के सामने मुख्य रूप से दो प्रश्न हैं । एक प्रश्न यह है कि जो गम्भीर मामला सदन के सामने है जिस पर पूरे देश की आंख लगी है उसकी जाच सी० बी० आई० करे या समदीय जाच कमेटी उस के लिये बने ? इस के लिये बार बार जो भी यहाँ भाषण दिये गये और धाज से नहीं बल्कि 27 घण्टा में भाषण दिये जा रहें उन को सुनते सुनते कान पक गये और अखबार में पढ़ते पढ़ते आंखें सूज गई । लेकिन मुझे पता नहीं चला कि हमारे विरोधी दल के नेता क्या कहना चाहते हैं । बार बार उन्होंने ये यह बहर कहा कि सदन की प्रतिष्ठा के

लिये और सदस्यों की मर्यादा के लिये संसदीय समिति का गठन होना चाहिये । लेकिन मैं जानना चाहता हूँ कि सदन की मर्यादा को याद दिलाने वाले और उस को बार बार सामने रखने वालों ने पिछली 5 तारीख को सदन के सामने जो किया वही क्या उन की मर्यादा का प्रतिमान है ?

अध्यक्ष जी, दूसरी बात यह कि सदस्यों के लिये सहानुभूति और उन को प्रतिष्ठा की दुहाई बार बार दी गई । मुझे बड़ी खुशी है कि सदस्यों के प्रति सहानुभूति और हमदर्दी है । लेकिन सहानुभूति और हमदर्दी के नाम पर जले पर नमक छिड़कना और व्यगवाण छोड़ना यह क्या नक मनुष्यता का नमूना है ?

मैं केवल दो, चार बातें कहना चाहता हूँ और स्वामकर माननीय वाजपेयी जी से क्या कि वह एक समझदार आदमी हैं । यह ठीक है बेचारे बीच में बैठ गए हैं, एसी जमान में और दल में भी हैं, फिर भी कुछ समझदार हैं । इन का स्नाव क्या है

समय सदस्य सार्वजनिक जीवन में आचरण का उच्च स्तर बनाये रखे अध्यक्ष द्वारा नाम-निदिष्ट 11 सदस्यों की एक समिति गठित की जाय ।" अध्यक्ष जी, माननीय वाजपेयी जी चाहते हैं कि 11 संसद सदस्यों की एक समिति गठित हो इस बात का फैसला करे । लेकिन 20 सदस्यों ने यहाँ खड़े हो कर कहा कि उन के दस्तखत जाली किये गये हैं अब जो 20 सदस्यों की बात नहीं मानता तो 11 सदस्यों की बात कैसे मानेगा । उन सदस्यों ने खुद अध्यक्ष जी से स्वयं निवेदन किया है कि हमारे जाली हस्ताक्षर बनाये गये हैं, इस पर कड़ी से कड़ी कार्यवाही होनी चाहिए । तो जब 20 की बात नहीं मानते हैं तो 11 का औचित्य क्या है ? मान्यवर, गणित पढ़ने का जो मुझे मौका मिला तो मेरे मुँह ने पड़ाया कि 11 से बड़ी 20 की संख्या

होती है, और मैं जब 11, 20 की बात कर रहा हू तो माननीय बाजपेयी जी खुद नौ दो ग्यारह हो गए ।

अध्यक्ष महोदय, जहां तक सी० बी० आई० की बात है आप सदन की कार्यवाही उठाकर देख लें जब भी कभी कोई बात हुई है हम लोगों ने नहीं कहा है, लेकिन विरोधी दल के माध्यमों ने बार बार जरूर कहा है कि इस की जांच सी० बी० आई० द्वारा होनी चाहिये । बार बार कहा है कि सरकार कतना गूढ़ी है कि इस की जांच सी० बी० आई० द्वारा कराई जाय । और जब आज हम सी० बी० आई० द्वारा जांच करा रहे हैं तो आप काग़ा रहे हैं । इसलिये इस मामले का महानुभूति का, निष्ठा का और ईमानदारी का मामला बनाया जा सकता है, लेकिन राजनीति का व्यापार नहीं बनाया जा सकता है ।

अध्यक्ष जी, इन्हे समदीय प्रणाली किनना विश्वास है और सविधान के प्रति किननी मर्यादा है इस का कई बार प्रदर्शन स्वयं देख चुके हैं । 5 मिनट्स को जो सदन में घटना हुई "प्रतिपक्ष" अखबार को लेकर, पूरे "प्रतिपक्ष" ने जो नाटक रचा उस को पूरे देश ने देखा और माननीय निमये के क्षेत्र बाका के लोग जब बेचारे मेरे यहां आते हैं 5 को यह घटना हुई 6 तारीख के अखबारों में यह बात आयी और 7 तारीख को इन्हीं के क्षेत्र के लोग मुझ से मिलने आये उस में से एक व्यक्ति ने, जो माननीय निमये जी का समर्थन रहा है, कहा कि माननीय मधु निमये का हम लोगों ने संसदीय प्रणाली की रक्षा के लिये यहां पर भोजा था, नोटकी करने के लिये नहीं भोजा था । यह मैं नहीं कह रहा हू, मैं तो उन का बड़ा आदर करता हू, लेकिन इन के क्षेत्र के एक ऐसे सभर्षक ने जिस ने केवल वोट ही नहीं दिलाये बल्कि अपने ट्रैक्टर पर बोटर डो डो कर के गया और वोट दिलाये, उस ने खुद से यह शब्द कहे । अध्यक्ष जी, जैसे उस घटना का नाम सुनते ही अपने अपने गाल पर

हाथ रख लिया वैसे ही उस आदमी ने उस घटना को सुन कर अपना मर नीचे कर लिया । मैंने कहा ठीक है आप ऐसे ही नमूने चुन कर भेजिये ।

हमारे मामले दो प्रश्न हैं । एक प्रश्न तो लाटमेंट पद्धति में सम्बन्ध है । उस में कौन सी भूल हुई है कौन सी अनियमितता हुई है कौन यह घोटाला हुआ है लाटमेंट के लिए जो ला बना हुआ है उसका क्या अनि-क्रमण हुआ है उसको आप गढ़ और रखें । जिन सदस्यों के नाम उस में घसीटे जा रहे हैं उसको आप दूसरी ओर रखें । वैसे सदस्यों के जाली हस्ताक्षर किए गए हैं और उनको गलत ढंग से उस में घसीटा गया है । मैं चाहता हू कि चाहे रात को दो बज जाय हमें बैठ कर इन सदस्यों के नामों के बारे में सफाई कर देनी चाहिये उनको बिल्कुल बरी कर देना चाहिये ताकि वन में उन पर कोई उगली न उठा सके । अगर आपने ऐसा नहीं किया तो ये लोग अभी नहीं बल्कि 1976 के इलेक्शन तक उनके नाम ही भेजे रहेंगे । आज ही सत्र समाप्त होने के पहले गृह मंत्री या सरकार की ओर से बयान आना चाहिये कि जिन के जाली हस्ताक्षर करके इतना बड़ा जाली काम किया गया है वे निर्दोष हैं उनका इस घटना में कोई सम्बन्ध नहीं है, कतई नहीं है और अगर कल से—कोई इन सदस्यों का नाम लेगा तो वह उनकी मर्यादा हनन करने का दोषी होगा । उसके साथ जो जो भी इस जालसाजी के लिए दोषी हो चाहे वह अधिवारी हो या व्यापारी हां उसको सरकार को किसी भी हालत में नहीं बख्शना चाहिये ।

बाजपेयी जी ने कहा कि देश में नैतिक मूल्यों का बहुत संकट है । लेकिन मैं कहूंगा कि अनुभूति का भी बहुत बड़ा संकट है और इसलिए कि कुछ दिन पहले इस सदन का एक जो बुलेटिन होता है वह आया था या नोटिस आया था और उस में एक करेला जार्ज फरनेडीस थे और दूसरे नीम चढ़ा

[श्री शंकर दयाल सिंह]

पीलू मोदीं ये और मोदीं जी ने समझा कि उन्होंने बहुत बड़ी करामात की है और समझा कि संसद की इससे मर्यादा ऊंची होगी लेकिन संसद की मर्यादा पर ही उन्होंने कुठाराघात किया और जब संसदीय प्रणाली का इतिहास लिखा जाएगा तो उनको उस में कभी क्षमा नहीं किया जाएगा। आपने श्री जार्ज फर्नेंडीस से यह कहलवाया कि संसद दलालों का भड़का है। आप इस तरह की बातें लिख सकते हैं, इस तरह की भाषा का प्रयोग कर सकते हैं लेकिन हम लोग इस प्रकार की भाषा का प्रयोग नहीं कर सकते हैं।

अध्यक्ष महोदय : इस से इसका क्या ताल्लुक है ?

श्री शंकर दयाल सिंह : आपने इनके भाषणों को नहीं सुना होगा। ये तो बिल्कुल लाइन से हट गए थे। मैं तो बड़े लाइन से हट कर छोटी पर आया हूँ लेकिन ये दोनों में से किसी पर नहीं थे।

प्रश्न पैदा होता है कि जाली हस्ताक्षर कैसे हुए होंगे। लेकिन यह मवाल अलग है। अश्ली जो बात है वह यह है कि बीरु सदस्यों ने कह दिया है कि हमारा इससे कोई सम्बन्ध नहीं है, हमने हस्ताक्षर नहीं किए हैं। अब संसदीय प्रणाली का हमारे यहां जो ढांचा है, संसद जो हमारे यहां है, यह सर्वोच्च है और इससे बढ़ कर कोई दूसरी चीज नहीं है। अब जब उन्होंने कह दिया है कि हमारे ये हस्ताक्षर नहीं हैं तो शक और शंका करने की जरूरत ही नहीं रह जाती है। आपको इस पर विश्वास कर लेना चाहिए। एक बात और आप देखिए फर्म दक्षिण की है और हस्ताक्षर करने वाले उत्तर के हैं। ऐसा क्यों हुआ ? इस लिए हुआ कि ऐसे भ्रमजाने प्रादमियों के हस्ताक्षर कर दो जिनको पता ही न चले

दक्षिण वालों के अगर हस्ताक्षर किए जाते तो तुरन्त पता लग जाता। इसलिए उत्तर वाले के किये गये सब हैंडराइटिंग एक्सपर्ट जब इन हस्ताक्षरों को देखेगा तो ही संपत्ता है कि आप में से ही कोई लोग उस में फस जाएं। इस वास्ते मेरी प्रार्थना है कि सी० बी० भाई० की रिपोर्ट आप भाने दो, जांच पूरी हो लेने दो उसके बाद हम इस पर विचार कर सकते हैं।

इन शब्दों के साथ मैं इस मोशन का विरोध करता हूँ और साथ साथ सरकार से अनुमति करता हूँ कि शीघ्र से शीघ्र वह जांच कार्य को पूरा कराए और रिपोर्ट को सदन पटल पर रखें।

SHRI P. G. MAVALANKAR (Ahmedabad): Sir, I have been in this House for nearly two years now and I must confess that I have never felt more sad than I do today. The whole debate in more than one sense has been curious to say the least. Many members of the ruling party have tried their best and utmost to use their debating skill and logic such as they possess, to rebut the main arguments. But, Sir, we are really discussing not so much the question of alleged forgery of signatures of 21 members of this House. That incident, unfortunate and sordid as it is, has only given us an opportunity to do some hard and sincere and complete searching within. Instead of doing that, the ruling party members are making fun of the whole thing. When 21 members of their party are under severe attack not only by this House but by the entire country, they should have fielded their spokesmen in such a way that they will come out candidly with their arguments instead of making fun of the situation. Enough has already been said on both sides in favour of one indisputable fact, namely, the prestige of the whole Parliament is at stake. Therefore, we must take a whole view and not a

partial or partisan view of the entire situation

Sir during the debate several scandalous points and events have been narrated and a number of skeletons have been brought out of the cupboards and dissected on the floor of the House. The entire thing had thus started stinking in this House itself. Now instead of ridiculing the whole thing, we should have started a critical self-analysis to find out where we, individually and collectively have gone wrong and we should then apply ourselves as to how to restore the credibility in the public eye of this august Parliament. I have no desire to add to the number of incidents narrated in such a flowery language nor is it within my power or temperament to do so. I have been watching the Government side. Those in the centre of not attraction but attack are sitting here almost from 4 o'clock continuously. Some have chosen to be absent may be because of prior engagements. I should have thought however that no prior public engagements can have precedence over the engagement in Parliament. All public engagements, however important they may be they should have a secondary priority. The first priority for every hon. Member should be to remain present here and listen and if necessary speak. So while I do not want to make an issue of it I should have liked the Leader of the House to be present here and reply to all the points herself.

I find the Ministers particularly one Minister who has been attacked again and again—I do not know whether I should admire him or marvel his capacity but I must certainly say that I am both amazed and amused—I am sorry to say that he is untroubled. It is said of politicians

22 00 hrs.

MR SPEAKER What do you think he should do—weeping the whole night?

SHRI P. G. MAVALANKAR I should have thought that a Minister who is under attack would at least not take these things lightly or in a casual manner. But the Congress Members are taking this matter casually and gracelessly.

It is not this or that member who has been discredited. The entire Parliament has been utterly discredited. This is not character assassination of this or that individual Member of Parliament or of this or that political party. It is the character of the whole Parliament that has been assassinated in the country at large today. Should we then, take a partisan viewpoint? All of us have become suspect in the public eye. Do we want to tolerate this? Are we not bothered about this blot on Parliament? Should we not remove it immediately and effectively?

The other day I happened to overhear the talk of some security guards of our Parliament. It was very painful but interesting to hear what those security guards said. And they are the security guards who are watching us guarding us both our physical and moral selves. One of them said in so many words, nowadays do not take anything that is happening in Parliament seriously. All of us Ministers and Member have become the target of criticism. This is the view of an ordinary man in this country, about our behaviour about our functioning. The people who are away perhaps we can fool and deceive them, but the people who watch us every minute, what we speak inside the House and what we do outside the House we cannot deceive them. They are the better judges. So I want to ask whether you are going to take these things lightly. Only a full and an independent and a truly full-fledged parliamentary probe can repair the severe damage that has already been done.

MR SPEAKER Why do you involve the staff here in your discussion? They

[Mr. Speaker]

have no business to talk like that and you have no business to quote them like that.

SHRI P. G. MAVALANKAR: I am only giving expression to what they have been talking about us. Some of us may deny it. People are afraid of saying these things because of the question of parliamentary privilege. But the fact remains that millions of people are openly talking without fear of what is happening in this House.

Now, Sir, my hon. friend, the Commerce Minister, Prof. Chattopadhyaya, intervened in the debate. But instead of clarifying the points, he has only further deepened the issue. Instead of giving all the details, he has brought in more involvement and more complication. He has left many things unanswered or half answered. Therefore, I ask: can we at this stage take a merely legalistic view of the matter? Do we want to get bogged down in technicalities? Should we not lift ourselves above party warfares and legal squabbles?

I would not deal with the 21 MPs' alleged signatures. Many members have done that.

I want to point out that, when the Commerce Minister gave one name of a member who, he said, allegedly belonged to CPM—some friends here challenged it—, when the Minister gave the name of one former Opposition MP, the whole group of Congress benches became very jubilant and started jeering at the CPM members....

SHRI S. M. BANERJEE: Sir, I want to make a submission. I was not here when this point was raised. I came to know that the hon. Minister, Prof. D. P. Chattopadhyaya, mentioned the name of Shri V. P. Nair and said that he was a member of the Third Lok Sabha. Shri V. P. Nair was not in the Third Lok Sabha at all. He was a member of the Second Lok Sabha. In 1957 he was just an independent, sup-

ported by the CPI; he was an associate member. In 1962 he was asked not to contest, but he fought against Shri Sreekantan Nair, a candidate of the United Front. The Party disowned him and threw him out of the Party. Now, are you in a position to throw out Shri Tulmohan Ram? (*Interruptions*).

SHRI P. G. MAVALANKAR: My point is that, when one name of a former Opposition Member was cited, the Congress Benches became very jubilant. Is it something to be happy about? Whether it is a Congress MP or an Opposition MP, whether it is a sitting Member or an ex-Member, it is the dignity of the House which is involved. Therefore, we should not be happy about it. Here, the dignity of the entire Parliament is involved.

MR. SPEAKER Please try to conclude.

SHRI P. G. MAVALANKAR: I am concluding, Sir. The Mudgal case was referred to and it was argued that there was no parallel. Maybe or may not be. But why can we not ourselves take today the only bold step available to us, namely, constitute forthwith a Parliamentary Committee to probe into this? That is why, I have also moved three amendments.

My good friend and a former Minister, Shri B. R. Bhagat, said that never before was a Parliamentary probe instituted. Perhaps he is right. But then the answer to Mr. Bhagat and his friends is that never before such a scandal of gigantic proportion and multiple dimensions took place. That is why this Parliamentary probe becomes essential and obvious.

My friend, another Mr. Bhagat, also talked about some other things. He has said that the CBI enquiry is going on, and he then asked as to why do we demand a Parliamentary probe. It is not that, when a Parliamentary probe is instituted, the CBI inquiry is ruled out. As a matter of fact, what the Parliamentary Committee

will do is to have all these governmental agencies come directly under its control so that Government will not tamper with any documents. The people at large will have confidence not in a governmental inquiry but in a Parliamentary inquiry. That is why we want to have it that way.

I conclude by saying that, when the issue at stake is one of character and integrity of the whole House and of the Parliamentary institutions it cannot be the prerogative of a veto of the majority to view it as a party prestige matter or a government prestige issue, and Government should not stand doggedly against having a Parliamentary probe. So, I hope that Government will take a fresh view of the whole matter and will support the motion so ably and so objectively and so movingly put before this House by Sh. Atal Bihari Vajpayee.

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIXIT) The question has been discussed very comprehensively. In the course of the debate many members have brought matters—some partly relevant, some remotely, some others having no relevance at all matters relating to other States and to other occasions. But one thing can be said that every aspect of the question has been remarked upon.

I feel that the case of the Opposition has been best put by three or four members by our hon. friend, Shri. Atal Bihari Vajpayee who moved the resolution, Shri. Shyamanandanji and one or two others. I will refer to them briefly, but before I enter into a detailed examination of the arguments placed before the House I would like to enter a very strong protest against the manner in which the last speaker, my friend, Shri. Purushottam Mavalankar has thrown mud at everybody around. In the first place, he began by saying that all the members who have denied their signatures are under

a cloud, that they are under suspicion. Then he said that the entire House is now in disgrace. Has a more untenable and unsupportable charge ever been made in any country? I do not know whether he made it in an impulsive mood. But, let him not so exaggerate things. He is himself an hon. Member of this House. Is he serious? Does he accept this proposition that all the hon. Members of this House are under a cloud? Possibly there is a very small number, possibly it may be only one member. In such a situation for the hon. Member to go and blacken every face is not fair. He has mentioned one source of his information, namely a security guard whom he happened to meet. What did he say? He said that the Ministers and Members are constant targets of attack and targets of criticism. Who is responsible for this? Friends like Shri. Purushottam Mavalankar who day in and day-out in season and out of season always only criticise. Naturally therefore the atmosphere gets vitiated. But I would advise him that if he wants to understand the public opinion in this country then it is not the security guard he should consult though even security guard can give him correct advice. If he had the sense to understand the significance of what the security guard said he would not have repeated that statement.

अब मैं वाजपेयी जी के भाषण के सम्बन्ध में कुछ हिन्दी में बोलना चाहना ह। पहले तो मुझे वाजपेयी जी के शिकायत है शायद ही पहले कभी ऐसा हुआ हो कि उनके भाषण से शिकायत हुई हो लेकिन आज यह शिकायत है कि उन्होंने बहुत भी नयी बातें कई नये नाम, बिना पहले आपके पास सूचना भेजे, बनाये और आरोप लगाए कि राजस्थान में क्या हुआ दूसरी जगहों में क्या हुआ—इस प्रकार चार पांच उदाहरण दिए और घटनायें बताईं। सामान्य रीति से औचित्य के अनुसार वह व्यवहार होना चाहिए जैसा हमारे मित्र

[श्री उमा शंकर दासित]

जो कभी मित्रता का व्यवहार करते हैं, कभी अनिश्चिता का—श्री ज्योतिर्मय बसु करते हैं वह जब भी किसी का नाम लेने वाले होते हैं तो आपके द्वारा बराबर हमारे पास सूचना भेजते रहते हैं। हम जब यहाँ पर बैठे हैं और आज इस सत्र का आखिरी दिन है, हम उसके बारे में तैयार होकर भी नहीं आ सकते हम बाहर जाकर पूछ भी नहीं सकते लेकिन बेयक बयक कुछ घटनाये, कुछ नाम और कुछ बातें कह देते हैं तो यह जो एक उच्च परम्परा विवाद की, उत्तर की, बहस की स्वयं उन्होंने इस सदन में कायम की है उसको उन्हीं के द्वारा तोड़ने देखकर मुझे चिन्ता और दुख हो रहा है। (व्यवधान) नोटिस दी है तो अच्छी बात है, चारों के लिए दी है या क्या की है, मुझे मालूम नहीं। मेरे पास सूचना नहीं आई है।

श्री छटस बिहारी बाजपेयी: अध्यक्ष जी, आज सवेरे जो मैं ने आपको पत्र लिखा जिसमें श्री तुलसीमोहन राम को हाउस की सविमेज से सम्प्रेषण करने के अमेण्डमेन्ट को पेश करने की इजाजत मागी उनमें मैं ने लिखा है कि बहुत से तथ्य कल मेरे पास आये हैं इसलिए मैं आज अमेण्डमेन्ट पेश करने की इजाजत मांगता हूँ। (व्यवधान)

श्री उमा शंकर दासित अगर इन्होंने यह लिखा है तो जो बात मैं ने कही वह सिद्ध हो गई और अब और कुछ कहने की आवश्यकता ही नहीं है।

इन्होंने जो मुख्य मुख्य बातें कही हैं उनके बारे में बहुत संक्षेप में कहना चाहता हूँ। एक तो इन्होंने कुछ उदाहरण दिए। और नाम लिया श्री मदनलाल का। कई और लोगों ने भी

उनकी बात कही है। मैं दोहराना नहीं चाहता, मैं वही बात कहूँगा जो कभी कहनी होगी या जो कहनी रह गई होगी। मदनलाल का उदाहरण और आज जो हमारे सामने प्रश्न उपस्थित है—इन दोनों में कोई समानता नहीं है। जो मैं ने पढ़ा है उसके अनुसार बम्बई बुनियाद एसोसिएशन की एक मीटिंग थी जिसमें बम्बई सरकार का कायदे में बनाया हुआ रेप्रेजेन्टेटिव रहता था, उसके मामले बहा एक श्री तिवारी चेयरमैन या जो भी थे उन्होंने यह प्रस्ताव रखा कि मदनलाल एक मज्जान ऐसे हैं जो हमारी बान समद में उठा सकते हैं, हमारी बहस कर सकते हैं, उनको हम कुछ खपया दे और वह जाकर हमारी तरफ से बात करे। उन्होंने खुनी बात कही थी। मारे एसोसिएशन का मीटिंग में उसका निर्णय हुआ और मिनट में वह लिखा गया था। उसके बाद जा सरकार के प्रतिनिधि थे उन्होंने अपनी सरकार को सूचना दी यहाँ पंडितजी के पास भी आई। किसी न वकील के तौर पर कुछ लिखकर भेजा वह चाईमाकिंस्ट हो, चाहे सी पी आई के हों, चाहे दक्षिणपथी हों चाहे वाम मार्गी हों (व्यवधान) वाम पथी कह लीजिए, वाम मार्गी न कहिए, मेरे मुह से निकल गया—उस तरह का वाममार्गी में किसी को नहीं कह रहा हूँ जिसकी आपने कल्पना कर ली है—तो वह किसी पथ के हों, सबाल यह है कि बकील के तौर पर उनको कहा गया कि वह अपने काम का पुरस्कार ले ले। जब पंडित जी के पास बात आई और पत्र व्यवहार हुआ तो स्थिति स्पष्ट हो गई और कोई बहस की बात शेष नहीं रही। यह तो पंडित जी का महान व्यक्तित्व था कि उन्होंने सोचा कि बजाये इसके कि यह कहा जाये कि प्रधान मंत्री के कहने से निश्चय किया गया आधिकारिक उचित होगा कि यह सबाल कमेटी के सामने रख देना चाहिए। लेकिन उस प्रश्न में कोई चीज जांच करने की बाकी नहीं रही थी। श्रीमन्, आप देखेंगे, बीसे तो आपको सब विदित होगा ही कि वह प्रश्न ही उस समय तक हल हो चुका था, निरक इतना निश्चय होना था कि

बहु सदस्य रहें या न र । मुख्य प्रश्न धीरचित्य का था कि हम एक ऐसी परम्परा बनावें कि यदि कोई काम काज के लिये भ्रष्ट रूपया लेता है और उसमें कोई बकायदगी नहीं होनी है फिर भी ऐसे सदस्य का सदस्य नहीं रहना चाहिए । इसलिए श्री मुद्गल को इस्तीफा दे देना पडा । इसलिए उन मामले में श्री इस मामले में जमीन ग्राममान का फरक है ।

एक साहब ने प्रोफ्यूमो की बात कही । इस सम्बन्ध में मैं यह निवेदन करना चाहता हू कि जो भी प्रश्न उठे उसमें मृत्यु को देखकर आप विचार कीजिए, आप उनके पक्ष में मत दीजिए या विरुद्ध में उममें मुझे कोई शिकायत नहीं है लेकिन जो भी आप मत बनाइये वह मर्यात्मक होना चाहिए, तथ्या पर आधारित होना चाहिए । श्री प्रोफ्यूमो के मामले में क्या हुआ ? पश्चिम में जैमी पर्मिसिव मोसायटी है, यदि आप बुग न माने तो कहू कि उम समय प्रोफ्यूमा का जो चाल चलन प्रशास में आया उसके बारे में किसी ने उनसे त्याग-पत्र देने का सवाल नहीं उठाया था । प्रोफ्यूमो ने मसद में झूठ बोला था ।

Therefore, when the Prime Minister came to know about it, and enquired Mr Profumo admitted what he had done. Then he had to resign immediately. (*Interruptions*).

SRI SHYAMNANDAN MISHRA:
 That is the Parliamentary system
 He could not but resign.

SRI UMA SHANKAR DIKSHIT Because he had told a lie in Parliament therefore according to prevailing parliamentary norm in Britain he had to resign. But, if you equate it or even compare it with any degree of similarity with the present situation, that is not a correct thing to do.

माननीय सदस्य ने वाटर गेट की भी तुलना दी । कोई भी तुलना दे सकते हैं । यज्ञ तो इम्यूनिटी है । तबिन वाटर गेट न क्या हुआ था ? वह जा घटनायें हुईं या उनका धारम्भ म अन्न तक बगबग छिपाने की काशिश की गई थी, और जब जब उम बात के प्रकाश में आने का सम्भावना आयी तब तब श्री निक्सन के साथिया न और उन्हान स्वयं भी उम में हिस्सा लिया, छिपाने की कोशिश की ।

लेकिन इस मामले में क्या हुआ ? एक अखबार के अन्दर जो करीब 30 मार्च को छपा था, यह लिखा था कि—

"Recently, nearly 24, Members of Parliament had applied for some licences which have been issued. It is now alleged that some of these signatures on the applications were forged, and that when an officer approached one of them, he broke down, etc."

Now, Sir, there is no indication in it as to what part of the country the case related to and what kind of business, it was Any 24 Members could have written And when we say nearly 24, it may mean 20, or 15 or even 24 This gave very little clue for CBI to follow

What did the Minister in charge do? He immediately wrote to the Minister in charge of CBI saying that these are serious allegations about which appropriate action should be taken

Then, he wrote to the Speaker, I am sure Sir, you will recollect it, asking for permission He wrote to the Cabinet Secretariat, to the Personnel Department And he wanted permission for contacting and examining the Members of Parliament in a matter like this, because this is not normally done. CBI were permitted to do so.

SHRI SHYAMNANDAN MISHRA: So, you are confirming the newspaper reports that the investigation was conducted after getting approval from the Chair? So, the newspaper gets vindicated.

SHRI UMA SHANKAR DIKSHIT: Are you a representative of the newspaper? I can quote a number of cases... (Interruptions).

MR. SPEAKER: Mr. Mishra is right. He says—did you ask for the permission of the Speaker? In this House. I said that the newspaper report was not correct. Now, let me know when my permission was sought, whether anything is there.

SHRI UMA SHANKAR DIKSHIT: The Lok Sabha Secretariat was kept informed. (Interruptions).

SHRI SHYAMNANDAN MISHRA: On a point of order... (Interruptions).

SHRI JYOTIRMOY BOSU: On a point of order... (Interruptions).

SHRI UMA SHANKAR DIKSHIT: If I have incorrectly stated the facts, I am sorry. I am speaking from memory. I stand corrected.

SHRI JYOTIRMOY BOSU: On a point of order. I had raised the matter last week and you had made a clear categorical statement from the Chair that 'At no point of time I have been consulted or my permission had been obtained.' Now, the hon. Minister has chosen to mislead the House.

SHRI UMA SHANKAR DIKSHIT: I have said that so far I am speaking from memory, from whatever information I have. I am not in the habit of referring to notes all the time. I am sorry if I have overstated or understated the facts. (Interruptions) My colleague will explain in a couple of minutes.

PROF. D. P. CHATTOPADHYAYA: The Lok Sabha Secretariat was informed by a letter addressed to your Secretariat, Shri P. K. Patnalk, by my special assistant, Shri N. K. Singh on 7-4-1974.

SHRI SHAMNANDAN MISHRA: What kind of information? (Interruptions)

AN HON. MEMBER: Read the letter.

MR. SPEAKER: Kindly read it.

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी, मेक्रेटोरियेट कं. इन्कॉर्मर्ड प्रग्न और द्राा को कमलट वरना दोनो अलग अलग हैं ।

PROF. D. P. CHATTOPADHYAYA Sir, I am reading out the letter

"Lok Sabha Secretariat may kindly refer to their U.O. No. 34/7/X/74/P dated 2nd April, 1974 regarding the news item published in Blitz of 30th March, 1974 on the issue of licence to a particular party. The news item does not indicate the name of the Congress MP, the name of the firm, nature of the business or other particulars for enabling this Ministry to offer any substantive comments on the news item appearing in the weekly. Under the circumstances, we have passed on the letter of Shri Jyotirmoy Bosu and the reference from the Lok Sabha Secretariat to the Cabinet Secretariat, Department of Personnel, which looks after the CBI for taking such action as they consider appropriate. We have no objection if a copy of this letter is shown to Shri Jyotirmoy Bosu. This note has been seen and approved by the Commerce Minister."

(Interruptions)

SHRI JYOTIRMOY BOSU: Sir, the Minister has been trying to mislead you. Where is the Speaker's name mentioned?

(Interruptions)

श्री मधु लिमये : अध्यक्ष महोदय, न आप की इजाजा लो गई और : आपको कमन्ट बिना गया ।

MR. SPEAKER: This was in view of the question and you reply to hundreds of such questions, which come to you.

You informed the Joint Secretary, that reference his letter, it has been forwarded to the Cabinet Secretariat. But where does the Speaker come?

PROF. D. P. CHATTOPADHYAYA: I said the Lok Sabha Secretariat.

MR. SPEAKER: If I were not to contradict it, or the hon. Members were not vigilant, you mean I stand contradicted?

PROF. D. P. CHATTOPADHYAYA: I did not say that.

MR. SPEAKER: At what stage, I am consulted in this? This is very wrong

श्री मधु लिमये : मैं दूसरी बात कह रहा हूँ। मेरा यह आरोप है कि इन्होंने हिन्दुस्तान टाइम्स को गलत खबर दी। मेरा प्रिब्लिज का भोजन आयेगा, मैं पहले ही चेतावनी दे रहा हूँ वार्न कर रहा हूँ। इन्होंने न्यूजपपर को झूठी खबर दी है।

श्री अटल बिहारी वाजपेयी : बेचारे हिन्दुस्तान टाइम्स ने माफी मागी। उनको खबर इन्होंने दी थी।

(Interruptions)

MR. SPEAKER: Kindly listen to the Minister now. May I request you?..

SHRI JYOTIRMOY BOSU. I am taking this opportunity because it originated from my letter. The Minister took the courage even to say that he obtained Speaker's permission. He read out the letter addressed to Mr.

P. K. Patnaik. It shows you are not in the picture at all.

(Interruptions)

SHRI UMA SHANKAR DIKSHIT: I was pointing out that during the verification they went into facts. They found firstly that those twenty Members of Parliament denied their signatures and also they satisfied the CBI by the nature of their signatures etc. Therefore, they decided that there was no case against those Members. Those hon Members came up one by one and declared in Parliament that they had not signed the document. This is the practice, the known convention of this House, that when an hon Member makes an allegation and the other denies it, there the matter ends, until the contrary is proved subsequently. In this case, we have no reason to suspect the bona fides of those Members who have denied the signatures. No Member in his proper senses, in a case like this which is now being investigated further, seriously investigated, by the top most agency in this country would make a statement like that, if he had really signed it? That is the circumstantial position. From the propriety angle, from the facts as are known to us, there is no reason to suspect the bona fides of those twenty Members of Parliament who have denied their signatures.

Then there is the 21st Member. Normally if the matter had not been further investigated I would have said .

SHRI JYOTIRMOY BOSU Where is he?

SHRI UMA SHANKAR DIKSHIT. I am not his guardian; you have got a much better source of information. more often you know more than I do . . . (Interruptions) I have paid you a compliment, if you understood the meaning of what I say. Now the 21st Member remains.

SHRI ATAL BIHARI VAJPAVEE: He is the first, not the 21st.

SHRI UMA SHANKAR DIKSHIT: I do not mind this description. If further investigations had not been done, I would have said just because an hon. Member of Lok Sabha or Rajya Sabha acknowledges his signature in a document that does not convict him and that does not entitle anyone to draw any adverse inference against his character.

श्री जनेश्वर मिश्र : स्कूल खोना है ।

श्री उमा शंकर दीक्षित : स्कूल का सवाल यह आप के दिमाग की उपज है। जब कोई स्कूल का सवाल आ जाये या ग्रीर सवाल खड़ा हो तब चर्चा आप के दिमाग में ललित बाबू घुसे हुए है कानून आप उन का नाम ले देते हैं। यहाँ पर दूसरा सवाल है। जनेश्वर जी, आप उस चीज को कृपा कर के समझने की कोशिश कीजिये कि कौन सा विषय उपस्थित है और सदन में क्या बहस चाहिये। आप के पास ना एन। वही विषय है। वही चर्चा आप घुमा देते हैं और प्रामाणिक फोन के रेकार्ड जैसा ब्रह्मणे नम्र जाता है। हम लोग तो पढ़ने में ही समझ रहे थे कि आप क्या कहेंगे। (अव्यवधान) अच्छी बात है, जब अदम्य प्राण—अर्थात् एक दो महीने बाद आयगा—जब आये तब फिर शुरू का। बहस आपना यह गीत गोविन्द। मेरा निवेदन है, श्रीमन्, आज गीत गोविन्द तो तो खगब नही बहना चाहिये, कोई शब्द अच्छा ना, जो ज्यादा उपयुक्त हो, मोच कर बताऊंगा।

Now so far as the hon. Member who has acknowledged his signatures is concerned, what happens to all of us could have happened to him. It happens here when a call attention motion is to be brought up, when a short notice question is to be asked or some other matter is to be raised, some hon. Members sign the papers without reading them. An hon. Member signs

such document because he trusts a brother Member like Shri Unnikrishnan or Shri Dinesh Singh. On the contrary one sometimes feels that they are obliging by including one's name so that I would bring some publicity. I do not believe that every Member in every case takes care to find out what exactly is the subject, whether he will be able to go along fully with the resolution or not. In a way it happens to me also. Every day a large number of people come, in the morning and in the evening. Some have got a wrong notion that if a matter is brought to me I can settle it. Particularly police cases. It is not always possible. Yet I take the papers presented by some visitors. I do not ask my visitor: Is it your real signature? Will you give me another signature so that I can find out whether you have given your real signature or not? It is against life. It is not done. May be sometimes one is fooled by a person who is too clever. Sir, it is a tribute to the CBI that within a short time they have not only found out who are not in the wrong, but they have been able to confine the whole thing to a narrow circle where further investigation is necessary. Some names have been mentioned. I do not know whether they are correct or not. There is an association called the Importers Association in Pondicherry, whose Secretary came for securing licences. Other people also came. One Mr. Pillai, a Supreme Court lawyer, wrote the first or second letter. There are several Pillais in this business.

SHRI ATAL BIHARI VAJPAYEE:
In the Commerce Ministry also, there is one Pillai.

SHRI UMA SHANKAR DIKSHIT:
Hon. Members of Parliament should have enough discretion to distinguish between the chaff and the grain. Merely because two men have got the same name, will chalk and cheese be considered the same way?

Subsequently, after getting into all these facts, the CBI asked for permission to register a case. A case has been registered under 4 or 5 sections of the Indian Penal Code. I do not remember all the sections, but I can give the purposes. One is for conspiracy—which is the widest possible section CBI could have thought of—read with section 420, which everybody knows. There is another section which covers the forging of documents and still another against using a forged document for some ulterior purpose. Thus it is a wide enough circle. Nobody would escape out of the net.

श्री वाजपेयी जी ने कहा कि सी० बी० आई० सरकारी संस्था है। उस पर हमें विष्वाम नहीं है। मेरा निवेदन है कि ऐसे जितने संस्थान हैं। जैसे एकाउण्टे जनरल, है, जज हैं क्या वे सरकार द्वारा मुकर्रर नहीं होते हैं—

श्री इयामनंदन मिश्र : पालियामेंट सरकारी नहीं है।

श्री उमाशंकर बीकित : लेकिन पालियामेंट जांच करने नहीं जाती है, किसी के हस्ताक्षर मिलाने नहीं जाती है, सीज करने या सर्व करने नहीं जाती है। पालियामेंट की शक्तियां असोम हैं। भगत ज. ने बहुत मन्बर तरीके के इसका स्पष्टीकरण किया है इसलिए मैं इस पर ज्यादा समय नहीं लेना चाहता।

उन्होंने एक और बात कही। बाटर गेट का मामला उठाया। इन दोनों में कोई सम्बन्ध

है। इसलिए नहीं है कि एकने छिपाया घोर दूसरे ने जाहिर कर दिया, रहस्य का उद्घाटन कर दिया। उनकी धारणा प्रशंसा करनी चाहिए। पी ए सी भी है। उसके अध्यक्ष यहां बैठे हुए हैं। उस की रिपोर्ट में है कि जब कभी जोष की जरूरत पड़ती है तो यही कहा जाता है कि सी बी आई के जिम्मे करो। यद्यपि यह संस्था सीधे हमारे अधीन नहीं है तथापि हमें सभी जगहों में प्रार्थन, यं आती रहती है कि कृपा करके सी बी आई को यह काम दे दो। यह सब तो, उस संस्था की प्रतिष्ठा के प्रमाण हैं। वाजपेयी जी स्वयं पी ए सी की मीटिंगों में यही कहते रहे ह। खद मैंने पढ़ कर देखा है। मैं बसु माह्व पर कोई लांछन नहीं लगाया है। वह कोई कच्ची बात भी नहीं करते हैं। जो उनकी आत्मा कहती है वही करते हैं (अपवाचन)।

श्री मधु बंडवले : मार्क्सवादी आत्मा को नहीं मानते।

श्री उमाशंकर बीकित : दोनों जगह पर रखते हैं। ईश्वर निकल आए तो क्या होगा ?

He is not a man who can be cowed down or influenced by the official group. Whatever we do, he regards regards all of us as incurable. Despite this, in a case where there is some doubt, he requires it to be entrusted to the CBI.

श्री मधु बंडवले : मार्क्सवादी तो आत्मा मानते नहीं हैं।

श्री उमाशंकर बीकित : धाज कल की परिस्थिति में ये दोनों बसु पर रखते हैं। क्या जाने निकल ही धाए ईश्वर उसे फिर

श्री उमाशंकर विजित

इन की क्या दशा होगी, इसलिये दोनों तरफ हाथ पौर रखते हैं।

श्री ज्योतिर्बन्धु बसु : दीक्षित जी ब्राह्मण हैं, एक कलायंत चला जायगा इन का नुकसान होगा

श्री उमाशंकर विजित : आप को तो कलायंत और दलाना को ज्यादा फिक है। (व्यवधान) परा ना भूकाल स्पष्ट है। आप भी अपना पूरा इतिहास अगर बनाए तो हम भी कुछ उन को थोड़ी बहुत चर्चा कर सकेंगे और अधिहारपूर्वक कर सकेंगे। यह नहा कि वाइट आफ आउटर निकालते रहे और कुछ भी बात कह दे। हम तो रिमर्च करके बान कहेंगे आप के लिये।

Sir, C.B.I. is not a Government Department, it is a statutory agency created by law passed by Parliament, and functions under the powers given by Parliament. If that agency is not sufficient, have another agency. Even if this Committee is appointed, what will it do?

श्याम नन्दन जी अनुचित बात मुह से नही कहते बैसे बाल की खाल निकालते हैं, यह मैं जरूर कहूंगा लेकिन जो बात जाहिर तौर पर गलत है उस को जानकर कभी नही कहते। उन्होंने कहा कि हम को स्पेशल एजेंसी खानी पड़ेगी। अब मैं उन से पूछूंगा बाजपेयी जी बोलने वाले हैं बताएंगे, कि कौन सी एजेंसी मंगावेंगे? सी आई ए मंगाएंगे या के जी बी० मंगाएंगे या

स्काटलैंड गार्ड को ले जाएंगे आप एक देशभक्त व्यक्ति हैं, हमारे देश की संस्था सुन्दर ढंग से चल रही है, उस के जरिए जांच कराईये। एक और कारण है (व्यवधान) मैं आप को नही बाजपेयी जी को कहता हूँ आपकी बात कह कर बाजपेयी जी के प्रश्न का भी उत्तर मैं दे रहा हूँ क्योंकि मुख्य बात तो जन्हीं के ऊपर इस समय है। मैं यह कह रहा था कि स्पेशल एजेंसी की बात। दलील हो सकती है लेकिन यह व्यवहारिक कदम नहीं हो सकता है। यदि करेंगे तो मामला सालों पड़ा रहेगा। लोगों को बुला बुला कर पूछते रहेंगे, जिरह करते रहेंगे, या तो वकील कर दिये जाय जो जिरह करे और हम उसी में लगे रहेंगे। हमारी मारी बातों में घाजकल राजनीति घुस गई है, कला में माहित्य में विज्ञान में।

हमारे समद के अदर जो विषय आते है उन में राजनीति पहनें और दूसरे तत्व बाद में आते है इसलिए जब यह चीज समद की समिति में जायेगी तो राजनीति इसके माय दोड़ा जायेगी। राजनीति से अलग नही रख सकते है। अभा किमी ने कहा कि आप का बहुमत है आप क्यों डरते है? मतलब यह कि बहुमत और अल्पमत का प्रश्न होने लगा अभी से। यह प्रश्न बहुमत और अल्पमत का नही है। श्री मुद्गल की बात कही गई और और दूसरी बातें कही गई। इस बात पर बड़ा जोर दिया गया कि यह बहुत गंभीर सवाल है। इस का तो बिना पार्लियामेंट की समिति के कोई समझ ही नही सकता। यह बिलकुल उलटो दलील है। परम्परा यही है हमारे यहां की भी और ब्रिटेन की पार्लियामेंट की भी कि जहां वरकानूनी कार्यवाही का प्रश्न होता है उस में कहीं कोई पार्लियामेंटी कमेटी बनती नही है। इन्वीड

मे नहीं बनी, यहा नहीं बना। बनेगा, जम
दिन उस दिन बरा ही जाएगा।

We shall not be a party to the creation of a precedent which we would regret for the rest of our lives. What would be the precedent? If there is any criminal case, involving a Member then it must go to Parliament Committee and Parliament Committee must call witnesses, lawyers and expert agencies. This is not a precedent which I think, any sensible gentlemen will support. I would beg of you to consider it in all seriousness. If you want to beat us, beat us with a political weapon. Do not beat us with this, because this is a stick which can be used both ways.

SHRI SHYAMNANDAN MISHRA Who will investigate the misdemeanour of a Member of Parliament? No other authority can do that.

SHRI UMA SHANKAR DIKSHIT In the eye of law, a Member of Parliament, an officer, a Minister, a security guard, if you please, all of them have the same position. Only there is one exception and that exception is that,—if a discloser is made by a Member in the Session of Parliament, that cannot be enquired into or investigated by outside agency. We are not going into any such disclosure. I am saying about the disclosure regarding these 20 people. They have already finalised the matter. I think through this agency, we will be able to identify and get hold of the people who have created this problem for us. They will be able to find out whether at least one gentleman—I cannot deny the possibility—had something to do with some illegal act or not. There may be many more people outside. It looks like that. I cannot give any more details unless Shri Tulmohan Ram is examined.

Only after his statement is recorded, we can say whether he is there in it or not. Except on the question of his signature, he has not been examined. He has said only that it is his signature. If he has said that the signature, in question is his, it is no more than that. The other names that he has given are names which require more examination. Therefore, I can have sympathy for him, but I cannot plead his case.

SHRI MADHU LILMAYE Has he given the names of any other Member of Parliament?

SHRI UMA SHANKAR DIKSHIT No, not a single Member of Parliament.

PROF MADHU DANDAVATE Has he admitted having received money?

SHRI UMA SHANKAR DIKSHIT If he had said that, then I would have agreed to Parliament taking a decision today itself. The matter is still at a stage where you cannot say that the person is guilty. Apart from that, my main reason for opposing the motion is that, once this House agrees to accept the proposed arrangement, similar instances would come up again and again and the Parliament work would be distorted. I should not be misunderstood. Let nobody in this House, either on this side or on that side mistake the stand that the Government of India is taking or, rather, I am taking on behalf of the Government. I do not say that the matter should not come to Parliament. I do not say that, after the inquiry is completed, it may not be necessary to go to a Committee. I can imagine a possibility. Suppose, one Member is found to have committed no more than an impropriety, we may have to come here and ask you or a committee of the House to go into it. I am making a promise, I am giving an assurance, that, after this investigation is over, the first thing that we will do is to come to Parliament and say, "This is

[Shri Uma Shankar Dikshit]

where we have arrived; please tell us what we should do'. It is only after that, according to the wishes of Parliament, that we will proceed. We are not closing the door for further investigation by Parliament. There can be one remote possibility when the matter can go to a Committee. As it is, today, my request is that the matter should not be pressed.

There are many other things which some hon Members have said in order to score debating points. Only five minutes are left now and I do not want to take more time. I am confirming myself to the Central issue of the present debate, although in connection with unconnected subjects certain hon Members did raise other issues. For instance, our friend, Prof. Madhu Dandavate, raised certain things and very quickly Mr Madhu Limaye got up. Mr. Mavalankar raised some issue. I thought that it was something very innocent and very quickly he asked the question. Mr Madhu Limaye picked up the papers before he had been asked (Interruptions)

PROF. MADHU DANDAVATE: This is called vigilant opposition.

SHRI UMA SHANKAR DIKSHIT:

I submit that if it is the opinion of the House that this is not a fit case, this is a matter where there is suspicion of a crime and hence it is not a fit case to be handled by a committee of the House, the resolution that my friend, Shri Atal Bihari Vajpayee has moved, should be rejected unanimously.

श्री छदल बिहारी बाजपेयी : अध्यक्ष महोदय, तीन सप्ता के सत्र की आज आखिरी रात है, कुछ संघों के लिए यह कल की रात मालूम होती होगी। उन विवाद में सत्ता-

कूट पक्ष की ओर से दो मंत्रियों ने भाग लिया, अनेक सदस्यों ने अपने विचार प्रकट किए किन्तु कुछ प्रश्न ऐसे हैं जिनका अभी तक उत्तर नहीं मिला है। गृह मंत्री महोदय ने मेरे द्वारा उठाए गए ठोस तथ्यों को कह कर एक ओर रखने का प्रयत्न किया कि उनके बारे में मैंने कोई पूछे सूचना नहीं दी थी। उन्होंने यह भी कहा कि वह तथ्य ऐस है कि उनके सम्बन्ध में अभी तुरन्त आकर कोई जानकारी प्राप्त नहीं की जा सकती।

श्री उमा शंकर दीक्षित : उन्होंने एक अफसर के बारे में कहा कि एक गरीब का गलत सामान मगा लिया, वह बंधार पड़ा है। मैं ने सी० बी० आई० से पुछवाय तो कहा म जो जवाब आया, है उस पर मैं कह रहा हूँ कि उस अफसर ने बस कोई सामान मगवाय ही नहीं है। सी० बी० आई० क डायरेक्टर या नाम लेकर बाजपेयी जी ने कहा कि एक कराड का सामान आया किन्तु। वास्तव में उसने वह सामान मगवाया ही नहीं जिनका चर्चा का गइ है। तीन वर्षों में सी० बी० आई० न कुल मिला कर 10 लाख म अधिक का सामान नहीं खरीदा।

श्री छदल बिहारी बाजपेयी : वह सामान किमने मगवाय

श्री उमा शंकर दीक्षित : अपने जो कहा था उनका मैं गलत कह रहा हूँ। अब आप हमारा प्रश्न को लिए तो अपने माल्य वह भी बता दूंगा।

श्री छदल बिहारी बाजपेयी : यह अपने साल पर निर्भर कर रहे हैं सारे सप्ताहों का जवाब देने के लिए।

श्री उमा शंकर दीक्षित : अब तीन सप्ताह होते में केवल दो दिन महीने ही रह गए हैं।

श्री अटल बिहारी वाजपेयी : श्री चट्टोपाध्याय ने जो कुछ कहा उससे इस प्रश्न का उत्तर नहीं मिला कि इन फर्मों को जिन्हें पिछले 18 वर्षों में लाइसेन्स नहीं दिए गए जिन्हें लाइसेन्स देने से पिछले तीन मंत्रिया ने मना कर दिया, उन्हें लाइसेंस देने का फैसला क्यों किया गया ? एक्स प्रेशिया का इन्होंने एक नया अर्थ निकाला है। मेरे मित्र श्री मधु लिमये ने वेस्टर डिवशन्री को अभी देख कर बताया एक्स प्रेशिया का मतलब है—ग्राउट आफ फेवर—अनुगृहीत करने के लिए जा किया जाता है उसे एक्स प्रेशिया कहते हैं। डा० चट्टोपाध्याय अब शब्दों की नयी व्याख्या करने लगे हैं। वे कहते हैं हमने न्याय के लिए, इक्विटी के लिए इनको एक्स प्रेशिया लाइसेन्स दिए, उनके ऊपर धृपा की। धृपा करने का ज़रूरत क्या है ? जब यह अदालत में गए, जब यह फर्म अदालत में गयी, वहाँ से न्याय नहीं पा सकी, इसका अर्थ है उनके साथ अन्याय नहीं हुआ और मामला वापिस ले लिया गया। श्री चट्टोपाध्याय कहते हैं कि सेटिलमेन्ट की बेमिस क्या थी यह उन्हें नहीं मालूम तो फिर एक्स प्रेशिया लाइसेंस देने की ज़रूरत क्या थी ? इस प्रश्न का जवाब नहीं मिला। श्री चट्टोपाध्याय ने माना कि इस आवेदन के पहले तीन आवेदन और मिले। एक आवेदन श्री तुल मोहन राम का पहले भी मिला था दूसरा आवेदन श्री नायर का मिला और तीसरा आवेदन इन कम्पनियों ने भी पहले किया था। वह आवेदन ठुकरा दिए गए लेकिन इस बार श्री तुल मोहन राम के साथ बीस ससत्सदस्यों का नाम जुड़ा था क्या इस लिए यह आवेदन मान लिया गया ? जिस प्रश्न का उत्तर दिया है मन्त्री महोदय ने राज्य सभा में उससे यह माना है कि बिल्टूज में समाचार बाद में छपा, वह आवेदन पहले प्राप्त हुआ, 23 नवम्बर, 1972 को यह आवेदन मिला। 21 संसत्सदस्यों के दस्तखत से आवेदन

मिला। सर्वोपरि जिसका नाम था वह वही थे श्री तुलमोहन राम जो पहले भी आवेदन कर चुके थे और जिनका आवेदन स्वीकृत नहीं किया था। क्या यह आवेदन मंत्रालय में मिलने के बाद सदेह पैदा नहीं हुआ ? जिनके हाथ में निर्णय करने की शक्ति थी क्या उनके मन में यह जिज्ञासा पैदा नहीं हुई कि यह आवेदन जिस पर अधिकांश बिहार के सदस्यों के दस्तखत बताये जाते हैं उनका पाडीचेरी, कराइल माहे और यनम की फर्मों से क्या सम्बन्ध है ? मन्त्री महोदय यह नहीं कह सकते कि जब आपने लिखा, बिल्टूज की खबर की और विदेश व्यापार मंत्रालय का ध्यान दिलाया तब इनका ध्यान गया। क्या विदेश व्यापार मंत्रालय इसी तरह से काम करता है ? (व्यवधान)

श्री ज्योतिर्मय बसु मुझे थोड़ी कुछ नहीं हुआ।

श्री अटल बिहारी वाजपेयी : चिट्ठी लिखने के बाद इन्होंने मामला सी० बी० आई० को दिया। वह भी मामला जाच के लिए नहीं दिया, "डिस्क्रीट वेरिफिकेशन" के लिए दिया। लेकिन राज्य सभा में जवाब देने के पहले इन्होंने सी० बी० आई० से पता लगाने की कोशिश नहीं की कि "डिस्क्रीट वेरिफिकेशन" का नतीजा क्या निकला। इस मदन में जिन सदस्यों ने कहा है कि उनके दस्तखत जाली बनाये गये, उनका इस आवेदन से कोई सम्बन्ध नहीं है, उन्होंने कहा कि चार पाच महीने पहले सी० बी० आई० के अफसर उनके पास आये थे। क्या सी० बी० आई० ने विदेश व्यापार मंत्रालय को अपनी जाच के परिणामों से अवगत नहीं रखा ? क्या सी० बी० आई० केवल प्रधान मंत्री के सचिवालय के प्रति जिम्मेदार है ? कभी

[श्री अटल बिहारी वाजपेयी]

सी० बी० आई० गृह मंत्रालय में हुआ करता था, गृह मंत्रालय के पास गृह मंत्रालय है लेकिन सी० बी० आई० नहीं है।

श्री उमा शंकर दीक्षित : जितना हमारे पास है वही हम कर लेंगे गनीमत है।

श्री अटल बिहारी वाजपेयी : स्पष्ट है कि सी० बी० आई० का संचालन साध होता है लेकिन क्या सी० बी० आई० का काम नहीं है कि जिस मंत्रालय ने संबंधित माधला है उस मंत्रालय के मंत्री को धरनी जाब की प्रगति के बारे में अवगत रखे ? सी० बी० आई० ने भी इस बात की आवश्यकता नहीं समझी और विदेश व्यापार मंत्री ने भी सी० बी० आई० से जानकारी प्राप्त करने की जरूरत नहीं समझी ? स्पीकर साहब ने अपनी स्थिति स्पष्ट कर दी है।

अध्यक्ष महोदय, दीक्षित जी ने कहा है कि मुद्रास्वत का मामला बेकार में उठाया जा रहा है। मुद्रास्वत और तुलसीमोहन राम के मामले में कोई समानता नहीं है। (अवधान)

श्री इत्त० इम० बनर्जी एक मरा हुआ है, एक जिव्वा है। (अवधान)

श्री अटल बिहारी वाजपेयी : उन्होंने यह भी कहा कि मुद्रास्वत के मामले में तय्यों के बारे में विवाद नहीं था, एक आम राय थी इसलिए मामला पार्लियामेन्टरी कमेटी को सौंप दिया गया।

मैं पूछना चाहता हूँ कि क्या यही बात श्री तुलसीमोहन राम पर लागू नहीं होती ? क्या यह सब नहीं है कि...

श्री उमा शंकर दीक्षित : उस में फ्राइम का सवाल है।

श्री अटल बिहारी वाजपेयी : फ्राइम और पार्लियामेन्ट ने एक मेम्बर के रूप में उनका आचरण, इन दोनों में विभाजक रेखा खींची जा सकती है। संसदीय समिति संसद सदस्य के आचरण पर विचार कर सकती है। उस के साथ यदि कुछ अपराध जुड़े हुए हैं तो उन पर बाद में मुकदमा चल सकता है, कार्यवाही हो सकती है।

अध्यक्ष महोदय, एक विजिटर यहा गैलरी में आकर गलत काम करता है तो इस सदन की अवमानना के लिए हम यहा उस के खिलाफ कार्यवाही करते हैं। लेकिन अगर वह छुरा लेकर आता है तो उस पर क्रिमिनल केस चलता है, बाहर चलता है। समद उसमें दखल नहीं देती। क्या यह विभाजक रेखा श्री तुलसीमोहन राम के संसदीय आचरण और उनके अपराधी आचरण के बारे में नहीं खींची जा सकती ?

श्री उमा शंकर दीक्षित अभी तक कोई ऐसा प्रमाण नहीं है। या तो बताइये।

SHRI SHYAMNANDAN MISHRA:
Taking one's position as Member of Parliament for promoting one's own material interest

श्री बलराम साठे (अकोला) : वह कहा अभी सिद्ध हुआ है कि श्री तुलसीमोहन राम ने अपने मैटीरियल इन्टरेस्ट के लिए कोई कार्यवाही या काम किया था। यह स्पष्टित क्या हुआ है अब तक ?

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी, अगर सब कुछ सिद्ध हो जाएगा तो जाब

के लिये ससदीय समिति बनाने की जरूरत क्या पड़ेगी ।

सवाल यह है कि जाच कौन करे ? मुद्दमल के मामले में भी जो कमेटी बनाई गई वह जाच के लिये बनी थी, इन्वेस्टीगेशन के लिये बनी थी ।

श्री उमा शंकर दीक्षित उस ने त्याग पत्र दे दिया ।

SHRI SHYAMNANDAN MISHRA
He was condemned by the House for this affrontery

श्री उमा शंकर दीक्षित मुख्य प्रश्न है कि उन्होंने जो कहा था वह हाउस में कहा था और इमलिये हाउस के अन्दर जाने की बात आयी । उस में हाउस के अन्दर किसी ने कुछ कहा नहीं इमलिये इस में हाउस के अन्दर जाने की न्यिया है ही नहीं ।

श्री श्यामनन्दन मिश्र हाउस में तो उन्होंने अपने को डिफें किया है था ।

श्री अटल बिहारी वाजपेयी अध्यक्ष जी, श्री तुल माहन राम ने माना कि आबंदन पर उन्होंने दस्ताख्त किया । क्या उन में यह नहीं पूछा गया कि यह 20 दस्ताख्त वहां में आयें ? 20 सदस्यों ने जिन के दस्ताख्त बताये जाते हैं इस में इन्वार कर दिया है कि उन्होंने दस्ताख्त किये हैं ।

SHRI NIMBAKLAR It was the first signature you are saying yourself

श्री अटल बिहारी वाजपेयी । वह वह रहे हैं कि पहला उन का दस्ताख्त था इमलिये उस से पूछ लिया गया कि तुम्हारे दस्ताख्त हैं कि नहीं । दूसरों के बारे में उन से पूछा ही नहीं । क्या सी० बी० आई० की जाच करने की यह बढ़ति है ? क्या सी० बी० आई० की जाच करने की यह क्षमता है ?

श्री मधु लिये दूसरे हस्ताक्षरों के बारे में श्री तुल माहन राम ने क्या कहा ?

श्री अटल बिहारी वाजपेयी क्या उन में सवाल नहीं पूछा गया ? (व्यवधान)

श्री उमा शंकर दीक्षित उन्होंने कहा उन्हें नहीं मालूम है ।

श्री अटल बिहारी वाजपेयी क्या उन में यह पूछा गया कि "ब्लिट्ज़" में खबर छपी है कि इस आबंदन लिखने के लिये और लाइसेंस दिलाने के लिये आप न रुपया लिया, क्या यह आरोप सही है ?

श्री उमा शंकर दीक्षित ऐसी डिटेल् की कोई रिपोर्ट हमारे पास नहीं है ।

SHRI SHYAMNANDAN MISHRA
He is trying to ignore everything

श्री अटल बिहारी वाजपेयी तो फिर जाच क्या हुई ? अध्यक्ष महोदय, मुझे क्षमा कीजिये (व्यवधान)

SHRI UMA SAHNKAR DIKSHIT
Allegations have been made He has not been asked and he has not admitted

SHRI SHYAMNANDAN MISHRA
Sir on a point of order Hon Member Mr Jyotirmo, Bosu had drawn attention to the entire Blitz report, which included a serious allegation that an hon Member had taken a bribe of Rs. 1,50,000 In effect the hon Minister says that he has decided to ignore all these things

SHRI UMA SHANKAR DIKSHIT
The allegation still stands

SHRI SHYAMNANDAN MISHRA
What did you do about it?

श्री अटल बिहारी वाजपेयी अध्यक्ष महोदय, मुझे क्षमा कीजिए गृह मंत्री महोदय ने आज जो भावण दिया है उस से मेरे मन में

[श्री अटल बिहारी वाजपेयी]

संदेह पैदा हो गया है कि अब श्री तुल मोहन राम को भी बचाया जाने वाला है।

(अध्यक्ष) सी० बी० आई० अभी तक किसी ठोस परिणाम पर नहीं पहुंच सकी है। सारा मामला पांच महीने का है, यह तथ्य इस बात को प्रमाणित करता है कि जिस मामले को लटकाना हो उसको सी० बी० आई० को भेज दो। कुछ सदस्यों ने कहा अगर कोई प्राइमफेसी केस नहीं है तो समर्पण जाच क्या होगी। लेकिन विधि मंत्री महोदय कहते हैं कि प्राइमफेसी केस है। मैं पूछता हू कि वह किम के खिलाफ है? श्री तुल मोहन राम उम में शामिल हैं कि नहीं? दूसरी रिजल्टिंग का जिस केस में एफ० आई० और दाखिल की गई वह किम के खिलाफ दाखिल की गई है?

SHRI MADHU LIMAYE Let Mr. Gokhale reply.

SHRI H. R. GOKHALE: I have already stated earlier, persons have not been identified. They have to be identified during investigation which has started after the registration of the case.

श्री अटल बिहारी वाजपेयी अध्यक्ष महोदय, प्राइमफेसी का क्या मतलब है? प्राइमफेसी केस किम के खिलाफ है? क्या हवा में प्राइमफेसी केस बन सकता है।

(अध्यक्ष) देखिये किम तरह के जवाब दिये जा रहे हैं। क्षमा कीजिये, इस तरह के जवाब इस सरकार की प्रांतिष्ठा को नहीं बढ़ाने। यह जवाब यह विषय भी पैदा नहीं करने कि आप इस बाढ़ की तरह में जा कर तथ्यों का पता लगाना चाहते हैं, अपराधियों को दण्ड करना चाहते हैं और जिन के नाम गला तीर पर लपेटे गये हैं उन के सम्मान को आप मचमुच में सुरक्षित करना चाहते हैं। यह जवाब ऐसे हैं जो इस सदन की, इस से सर्वाधिक सदस्य की प्रतिष्ठा को और भी कमजोर करेंगे।

पांच महीने तक मामला सी० बी० आई० में पड़ा रहा। गृह मंत्री महोदय कहते हैं आज सी० बी० आई० प्रचानक विरोधी दलों के विश्वास की पाव नहीं रही है। अध्यक्ष महोदय, मैं और मामले नहीं उठाना चाहता हूँ। इस समय जहाँ जहाँ राजनीतिगत भ्रष्टाचार के मामलों में जुड़े हुए हैं और वे मामले जब जब सी० बी० आई० को सौंपे गये हैं सी० बी० आई० ने या तो उनको क्षमा कर दिया है, या मामलों में धाधनी की है और कुछ मामलों में धाधनी की गुंजायश रही है। इमीलिये सी० बी० आई० को सेन्ट्रल ब्यूरो आफ इन्वेस्टीगेशन नहीं कहा जाता, कमिटेड ब्यूरो आफ इन्वेस्टीगेशन कहा जाता है। यह कमिटेड वा जमाना है। अब सी० बी० आई० भी कमिटेड हो गई है। गृह मंत्री महोदय कहते हैं विरोधी दल वाले माग करने हैं कि सी० बी० आई० को मामला सौंपा। कोर्ट में मामले सौंपे अनर्जित सौंपे मामले सौंपे जिन में सरकारी अधिकारी सम्मिलित हैं उनको सौंपो। मैं उन के मामले और मैंने को गवाही वा हवाला देकर वातावरण में सी० बी० आई० मंत्रियों की जाच नहीं कर सकता तो पार्लियामेंट के मंत्रों के साथ जाच कर सकता है? अगर हम में केवल पार्लियामेंट के मंत्रों नहीं जुड़े हुए हैं, हम में मिनिस्टर वा जुड़े हुए हैं। उनका जाच कौन करेगा?

SHRI SHYAMNANDAN MISHRA.
Who will investigate?

SHRI UMA SHANKAR DIKSHIT.
After the first investigation is over, then, all these questions will arise

SHRI SHYAMNANDAN MISHRA.
They have to go concurrently. Then, alone, the threads can be linked.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, गृह मंत्री महोदय इस समय जो कुछ कह रहे हैं उस में और विश्व मंत्री महोदय ने इस सदन में उतारी बातों जो कुछ कहा था उस में अंतर विरोध है।

गृह मंत्री महोदय मानते हैं कि सी बी आई जांच कर ले तो मामला फिर पार्लियामेंट के सामने आ सकता है और फिर अगर पार्लियामेंट उचित समझे तो कमेटी को मामला भेजा जा सकता है। मैं विधि मंत्री को उद्बुत करना चाहता हूँ।

"It is our view that these matters can be looked into only by a court of law. The proper agency the statutory agency that can investigate into the matter is the court"

SHRI H R. GOKHALE Please refer to my remarks on the subsequent occasion. I have said at that time that we shall take the House into confidence after the investigation report was available. After the results of investigation are available we shall take the House into confidence, the whole matter is open to the House to consider at that time

श्री अटल बिहारी वाजपेयी कमिटर क्या करेगी? जब मामला अदालत में चला जाएगा तब हाउस क्या करेगा? मुझे दुःख हुआ श्री भगत की बातों को सुन कर। यह ऐसा मसला रहे थे कि मारी अकल का ठेका उन्होंने ही ले लिया है। जब खुदा के यहाँ अकल बट रही थी तो शायद वह अकेले वहाँ हाजिर थे, हम सब लोग गैर हाजिर थे। कहते हैं कि ये लोग कुछ मसलते ही नहीं हैं। कहते हैं कि मामला अगर पार्लियामेंट की कमेटी में आ गया और फिर किसी ने कोर्ट में मामला उठा दिया तो पार्लियामेंट की कमेटी अपनी कार्रवाई बन्द कर देगी। उन में एक मुफरिसल के बकील की योग्यता तो है लेकिन उन्हें ससदीय नियमों तथा परम्पराओं की जानकारी नहीं है। हम इसलिए पार्लियामेंट की कमेटी चाहते हैं कि एक बार मामला उसके सामने आ जाए तो फिर उसे अदालत में चुनौती नहीं दी जा सकती है। सी बी आई के साथ यह बात नहीं है। जो मामला सी बी आई के पास है उसे लेकर कोई अदालत में जा सकता है।

इसका मैंने प्रारम्भ में ही उत्तर दे दिया था, लेकिन यह बात उनके गले नहीं उतरी। सदन में दो ही भगत हैं

एक माननीय सदस्य वगुला भगत कौन है ?

श्री अटल बिहारी वाजपेयी मुझे अफमोस है कि वह काले चश्मे से ही मारी दुनिया को देखते हैं। इसलिए कहते हैं कि दिल्ली म्युनिसिपल कार्पोरेशन में भी अफ्टाबार है। वहाँ पर कार्पोरेशन के मैम्बर भी हैं। वहाँ अगर कार्पोरेशन के मैम्बर एन कमेटी बनाने की माग करते तो हम उनका साथ देगे और वह कमेटी माग अफ्टाबार की जाच कर सकती है।

एक माननीय सदस्य : वहाँ में शरू वांग।

श्री अटल बिहारी वाजपेयी वहाँ अभी तक जाली दस्तावेज बनाने व आरोप में कोई गिरफ्त में नहीं आया है।

चेर है कि उन्होंने दून विवाद में स्वर्गीय श्री बलराज खन्ना का नाम भी घसीटने की कोशिश की है। मैं कहना चाहता हूँ कि सी बी आई इस बात का दोषी है कि श्री बलराज खन्ना व घरपरमात्रो आई ने नलागी नहीं ली जबकि समानारूपों में यह खबर छपी कि उसने नलागी ली। उसने इसका खडन नहीं किया और वह चुप्पी धारण करके बैठे रहें। श्री बलराज खन्ना को अगर आत्म हत्या की ओर धकेलने में किसी का हाथ है तो सी बी आई उग जिन्मेदारों में नहीं आच सकता। दिल्ली के एक अखबार में यह भी छपा था कि सी बी आई ने श्री बलराज खन्ना से पूछनाछ की जबकि पूछनाछ नहीं की गई। सी बी आई में कहा गया कि इसका वह खडन करे लेकिन उसने ऐसा करने में कई दिन लगा दिए। क्या राजनीतिक कारणा से यह देर नहीं लगाई गई। इसलिए हमारा

[श्री अटल बिहारी वाजपेयी]

विश्वास सी बी घाई पर से डिगा है। भगत जी कहते हैं कि श्री बलराज खन्ना दीन दयाल शोध स्मारक की इमारत से क्यों कूदे। अब इसकी जांच करने के लिए तो श्री बलराज खन्ना के पास जाना पड़ेगा।

एक माननीय सदस्य आप पता कराइये।

श्री अटल बिहारी वाजपेयी हम पता नहीं कराएंगे। भगत जी को पता करने के लिए जाना पड़ेगा। यह उन्हें मजूर नहीं है और हम भी नहीं चाहते हैं कि वह दतनी जल्दी जाए।

सारे विवाद से एक बात साफ हो गई है जो प्रारम्भ में मने कही थी कि देश में अग्रे राजनीतिज्ञों, बेईमान उद्योगपतियों, व्यापारियों और अप्रामाणिक नीकरशाहा में एक अपवित्र गठबन्धन है। यह लाइसेंस स्कैंडल इस अपवित्र गठबन्धन की गवाही देता है। प्रश्न केवल कुछ फर्मों को लाइसेंस देने का नहीं है। कुछ मित्रों ने सवाल किया है कि लाइसेंस देने की पद्धति क्या है, यह लाइसेंस परमिट राज हमें कहा से जा रहा है? अफसोस है कि आज जा कुछ गृह मंत्री जी ने कहा है उसने बोझो बहून जा जावहा रहीं थी वह भी रुक जाएगी, उस जाच को भी इन्होंने प्रेजुडिस कर दिया है। तय्यौ का पता लगेगा इस में सन्देह है। मने माग की थी और मैं चाहता था कि मेरे सशोधन पर आप अपने विचार प्रकट करे लेकिन आपने ऐसा नहीं किया। मेरा सशोधन यह है।

"The House further resolves that in so far as Shri Tulmohan Ram, one of the alleged signatories to this representation is concerned, his conduct ever since the revelation of this licences' issue amounts, *prima facie*, to an admission of guilt, and

that therefore, pending the completion of the probe Shri Tulmohan Ram be suspended from the service of the House."

बहुमत पार्टी इस सशोधन को भी मानने को तैयार नहीं है। वह श्री तुलमोहन राम के खिलाफ भी एकज्ञान लेना नहीं चाहती है।

एक माननीय सदस्य : वह यहां नहीं है।

श्री अटल बिहारी वाजपेयी कहां हैं। लाए क्यों नहीं गए हैं? उन्हें कौन सुरक्षा दे रहा है। आपके पास सब इंटेलीजेंस है। क्या पता नहीं लगा सकती है? श्री तुलमोहन राम किस की छत्र छाया में रह रहे हैं। गृह मंत्री जी कहते हैं कि श्री ज्योतिर्मय बसु के पास चीजों का पता लगाने के साधन हैं। क्या यह सरकार स्वयं दतनी अग्रहाय हो गई है।

श्री उमा शंकर दीक्षित एक प्रकार की चीजों का, मय का नहीं।

श्री ज्योतिर्मय बसु : वह क्या चीज है?

श्री अटल बिहारी वाजपेयी अगर कांग्रेसी मित्र इसको पार्टी का मामला नहीं मानते हैं तो उन्हें पार्लियामेण्टरी जांच की माग को स्वीकार कर लेना चाहिये। अभी तक हमारे यहा पार्लियामेण्टरी कमेटी का यह स्तर रहा है कि एक बार हम कमेटी में बैठते हैं तो फिर दलबन्दी के आधार पर विचार नहीं करते। श्री साठे और श्री भगत इस बात की गवाही देंगे। विशेषाधिकार समिति में हमने कभी पार्टी के रंग और रूको नहीं घाने दिया। लेकिन आज उन्होंने सम्वीय कमेटी की प्रतिष्ठा भंग कर दी है। वहां बहुमत और अल्पमत का सवाल पैदा होगा, यह कहते हैं।

क्यों होगा ? क्या झण्टाचार के मामले पर, संसद सदस्यों के आचरण के मामले पर भी हम दलबन्दी से ऊपर उठ कर विचार नहीं कर सकते हैं ? अगर नहीं कर सकते हैं तो फिर इस देश में लोकतंत्र के लिए भविष्य नहीं है। मेरा धारणा है कि मेरा सशोधन प्रस्ताव स्वीकार किया जाए वरना हम इस बात पर बल देंगे कि मत विभाजन हो। आप बहुमत के बल पर उसको ठुकरा सकते हैं लेकिन प्रस्ताव को ठुकराना एक बात है और हिन्दुस्तान की 56 करोड़ जनता को समझाना दूसरी बात है। आप मेरा प्रस्ताव ठुकरा सकते हैं लेकिन अपने आचरण के प्रीचित्य को जनता के गले की नीचे नहीं उतार सकते।

MR. SPEAKER I will now put amendments Nos. 1 and 8 moved by Shri Madhu Limaye.

Amendments Nos. 1 and 8 were put and negatived

MR. SPEAKER I will now put amendments Nos. 2, 3 and 9 moved by Shri Samar Guha.

Amendments Nos. 2, 3 and 9 were put and negatived.

MR. SPEAKER: I will now put the amendment of Shri S. N. Banerjee to the vote of the House The question is:

"That in the Motion,—

for 'that with a view to ensure high standards of conduct in public life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha. the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties

mentioned in the representation and to make necessary recommendations in that regard.'

Substitute—

'to constitute a Committee of the House consisting of 15 Members, to be nominated by the Speaker, to conduct an inquiry to identify the persons circumstances and factors that have tended to lower the dignity of the Lok Sabha as a whole as a result of alleged association of names of some Members of Lok Sabha with the recommendation letter for the grant of licence to the parties referred to in reply to Starred Question No. 730 in the Rajya Sabha on 27-8-1974 and that the Committee may submit an interim Report on the first day of Winter Session.' (4).

The Lok Sabha divided;

[23.21 hrs.

Division No. 27]

AYES

Bade, Shri R. V.
Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Bhagrath Bhanwar, Shri
Bhattacharya, Shri S. P.
Bosu Shri Jyotirmoy
Chandra Shekhar Singh, Shri
Chandrappan, Shri C K.
Chaudhary, Shri Ishwar
Chavda, Shri K S
Dandavate, Prof Madhu
Gowder, Shri J Matha
Hazra, Shri Manoranjan
Kalingarayar, Shri Mohanraj
Lalji Bhai, Shri
Limaye, Shri Madhu
Manjhi, Shri Bhola
Mavalankar, Shri P. G
Mayavan, Shri V.
Mehta, Shri P. M.
Misra, Shri Janeshwar
Mishra, Shri Shyamnandan
Modak, Shri Bijoy
Pandey, Shri Sarjoo
Parmar, Shri Bhaljibhai
Ram Hedao, Shri
Reddy, Shri Y. Eswara
Saha, Shri Gadadhar
Sambhal, Shri Ishaque

~~Patnaik, Shri J. B.~~

Sen, Shri Robin
Sezhiyan, Shri
Shastri, Shri Ramavatar
Singh, Shri D. N.
Vajpayee, Shri Atal Bihari

NOES

Aga, Shri Syed Ahmed
Agrawal, Shri Shrikrishna
Ahirwar, Shri Nathu Ram
Ambesh, Shri
Ankmeedu, Shri Maganti
Ausari, Shri Ziaur Rahman
Appanaidu, Shri
Azad, Shri B. L. gwat Jha
Babunath Singh, Shri
Banerjee, Shrimati Mukul
Barman, Shri R. N.
Barupal, Shri Panna Lal
Basappa, Shri K.
Basumatari, Shri D.
Besra, Shri S. C.
Bhagat, Shri B. R.
Bhagat, Shri H. K. L.
Bheeshmadev, Shri M.
Bist, Shri Narendra Singh
Buta Singh, Shri
Chakleshwar Singh, Shri
Chandrakar, Shri Chandulal
Chandrika Prasad, Shri
Chaturvedi, Shri Rohan Lal
Chaudhary, Shri Nitiraj Singh
Chawla, Shri Amar Nath
Chhotey Lal, Shri
Chhuttan Lal, Shri
Daga, Shri M. C.
Dalbir Sinh, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Deo, Shri S. N. Singh
Deshmukh, Shri Shivaji Rao S.
Dinesh Singh, Shri
Dixit, Shri G. C.
Dixit, Shri Jagdish Chandra
Doda, Shri Hiralal
Dumada, Shri L. K.
Dwivedi, Shri Nageshwar
Engti Shri Biren
Ganesh, Shri K. R.
Gangadeb, Shri P.
Gautam, Shri C. D.
Gavit, Shri T. H.
Gokhale, Shri H. R.

Gomango, Shri Giridhar
Goswami, Shri Dinesh Chandra
Gotkhide, Shri Annasabeb
Hansda, Shri Subodh
Hari Singh, Shri
Ishaque, Shri A. K. M.
Jagjivan Ram, Shri
Jamilurrahman, Shri Md.
Jha, Shri Chiranjib
Kadannappali, Shri Ramachandran
Kailas, Dr.
Kakodkar, Shri Purushottam
Kale, Shri
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kapur, Shri Sat Pal
Karan Singh, Dr.
Kaul, Shrimati Sheila
Kedar Nath Singh, Shri
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Kureel, Shri B. N.
Lakshminarayanan, Shri M. R.
Lutfal Haque, Shri
Maharaj Singh, Shri
Mahata, Shri Debendra Nath
Mahishi, Dr. Sarojini
Maihi, Shri Gajadhar
Majhi, Shri Kumar
Malaviya, Shri K. D.
Mandal, Shri Jagdish Narain
Mandal, Shri Yamuna Prasad
Mehta, Dr. Mahipatray
Melkote Dr. G. S.
Mishra, Shri L. N.
Mohan Swarup, Shri
Mohapatra, Shri Shyam Sunder
Mohsin, Shri F. H.
Muhammed Khuda Bukhsh, Shri
Munsi, Shri Priya Ranjan Das
Murmu, Shri Yogesh Chandra
Murthy, Shri B. S.
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pahadla, Shri Jagannath
Painuli, Shri Paripoornanand
Pandey, Shri Damodar
Pandey, Shri Sudhakar
Pant, Shri K. C.
Paoti Haokip, Shri
Parashar, Prof. Narain Chand
Partap Singh, Shri
Parthasarathy, Shri P.
Paswan, Shri Ram Bhagat
Patel, Shri Prabhudas
Patil, Shri T. A.

Patnaik, Shri J. B.

Pradhani, Shri K.
 Qureshi, Shri Mohd. Shafi
 Raghu Ramaiah, Shri K
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Ram Dayal, Shri
 Ram Dhan, Shri
 Ram Prakash, Shri
 Ram Sewak, Ch.
 Ram Singh Bhai, Shri
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Ramshekar Prasad Singh, Shri
 Rao, Shrimati B Radhabai A.
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M Satyanarayan
 Rao, Shri Nageswara
 Rao, Shri P Ankineedu Prasada
 Ravi, Shri Vayalar
 Ray, Shrimati Maya
 Reddy, Shri M Ram Gopal
~~Reddy, Shri P. Bayapa~~
~~Reddy, Shri P. Ganga~~
 Reddy, Shri P Narasimha
 Reddy Shri P V.
 Reddy, Shri Sidiam
 Roy Shri Bishwanath
 Sadhu Ram, Shri
 Sami, Shri Mulki Raj
 Samanta, Shri S. C
 Sanghi Shri N K.
 Sankata Prasad, Dr.
 Sathe, Shri Vasant
 Satish Chandra Shri
 Savitri Shyam Shrimati
 Saveed Shri P M
 Sethi, Shri Arjun
 Shafquat Jung, Shri
 Shahnawaz Khan Shri
 Shailani, Shri Chandra
 Shambhu Nath, Shri
 Shankar Dayal Singh Shri
 Shankar Dev Shri
 Shankaranand, Shri B
 Sharma, Shri A. P.
 Sharma, Dr H P
 Sharma, Dr Shankar Dayal
 Shastri, Shri Biswanarayan
 Shastri, Shri Raja Ram
 Sher Singh, Prof
 Shinde Shri Annasaheb P
 Shukla, Shri Vidya Charan

Siddheshwar Prasad, Shri
 Sinha, Shri R. K.
 Sohan Lal, Shri T.
 Surendra Pal Singh, Shri
 Suryanarayana Shri K
 Swamy, Shri Sidrameshwar
 Tarodekar, Shri V. B.
 Tayyab Hussain, Shri
 Tewari Shri Shankar
 Tiwary, Shri D N
 Tombi Singh Shri N
 Ulkey, Shri M. G
 Unnikrishnan, Shri K P
 Verma, Shri Balgovind
 Vikal, Shri Ram Chandra
 Yadav Shri Chandrajit
 Yadav, Shri D P
 Yadav Shri Karan Singh
 Yadav, Shri N P
 Yadav Shri R P

MR SPEAKER The result * of the
 division is Ayes 34, Noes: 175.

The motion was Negatived

MR SPEAKER Then there is the
 amendment moved by Shri B. V.
 Naik

SHRI B V NAIK: Sir, I am ris-
 ing on a point of order. Shri Sczhi-
 yan said that this amendment will
 amount to connivance. *Interrup-*
tions) Rule 344(2) says that an
 amendment shall not be moved which
 has merely the effect of a negative
 vote My amendment deals with the
 composition of the Committee.

SHRI ATAL BIHARI VAJPAYEE:
 I accept Shri Naik's amendment.

MR SPEAKER: I will now put
 the amendment of Shri B. V Naik to
 the vote of the House.

*Amendment No. 5 was put and
 negatived.*

MR. SPEAKER: I will now put
 the amendment of Janeshwar Misra
 to the vote of the House

*Sarvashri B. V Naik, Vidya Dhar Bajpai, P. R. Shenoy and S. K Sarkar
 also recorded their votes for NOES.

*Amendment No. 6 was put and
negated.*

MR. SPEAKER: Then there is the amendment by Shri P. R. Shenoy.

SHRI P. R. SHENOY: In view of the assurance of the hon. Minister, I do not press my amendment.

*Amendment No. 7 was, by leave,
withdrawn.*

MR. SPEAKER: I now put the amendment moved by Shri Nimbalkar to the vote of the House.

*Amendment No. 10 was put and
negated.*

MR. SPEAKER: I now put the amendments moved by Shri P. G. Mavalankar to the vote of the House.

*Amendments Nos. 11 to 13 were put
and negated.*

MR. SPEAKER: I now put the amendment moved by Shri Daga and Shri Chandrika Prasad to the vote of the House.

*Amendment No. 14 was put and
negated.*

MR. SPEAKER: I now put the amendment moved by Shri Sezhiyan to the vote of the House.

*Amendment No. 16 was put and
negated.*

MR. SPEAKER: I now put the amendment moved by Shri Vajpayee to the vote of the House.

*Amendment No. 15 was put and
negated.*

MR. SPEAKER: I now put the motion moved by Shri Atal Bihari Vajpayee to the vote of the House.

The question is:

"That this House resolves that with a view to ensure high stand-

ards of conduct in public life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha, the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard."

The Lok Sabha divided:

DIVISION No. 28]

[23.26 hrs

AYES

Bade, Shri R. V.
Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Bhagirath Bhanwar, Shri
Bhattacharyya, Shri S. P.
Bosu, Shri Jyotirmoy
Chandra Shekhar Singh, Shri
Chandrappan, Shri C. K.
Chaudhary, Shri Ishwar
Chavda, Shri K. S.
Dandavate, Prof. Madhu
Gowder, Shri J. Matha
Hazra, Shri Manoranjan
Kalingarayar, Shri Mohanraj
Lalji Bhai, Shri
Limaye, Shri Madhu
Manjhi, Shri Bhoja
Mavalankar, Shri P. G.
Mayavan, Shri V.
Mehta, Shri P. M.
Misra, Shri Janeshwar
Mishra, Shri Shyamnandan
Modak, Shri Bijoy
Pandey, Shri Sarjoo
Parmar, Shri Bhaljibhai
Ram Hedao, Shri
Reddy, Shri Y. Eswara
Roy, Dr. Saradish
Saha, Shri Gadadhar
Sambhalli, Shri Ishaque
Sezhiyan, Shri
Shastri, Shri Ramavatar

Singh, Shri D. N.
Vajpayee, Shri Atal Bihari

NOES

Aga, Shri Syed Ahmed
Agrawal, Shri Shrikrishna
Ahrwar, Shri Nathu Ram
Ambesh, Shri
Ankmeedu, Shri Maganti
Ansari, Shri Ziaur Rahman
Appalanaidu, Shri
Azad, Shri BhagwatJha
Babunath Singh, Shri
Bajpai, Shri Vidya Dhar
Banerjee, Shrimati Mukul
Barman, Shri R. N
Barupal, Shri Panna Lal
Basappa, Shri K.
Basumataci, Shri D.
Besra, Shri S. C.
Bhagat, Shri B. R.
Bhagat, Shri H. K. L.
Bhoshinadev, Shri M.
Bist, Shri Narendra Smgh
Buta Singh, Shri
Chakleshwar Singh, Shri
Chandrakar Shri Chandulal
Chandrika Prasad, Shri
Chaturvedi, Shri Rohan Lal
Chaudhary, Shri Nitiraj Singh
Chawla, Shri Amar Nath
Chhotey Lal, Shri
Chhullen Lal, Shri
Daga, Shri M C
Dalbir Singh, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Deo, Shri S. N. Singh
Deshmukh Shri Shivaji Rao S
Dinesh Singh, Shri
Dixit, Shri G. C.
Dixit, Shri Jagdish Chandra
Doda, Shri Hiralal
Dumada, Shri L. K.
Dwivedi, Shri Nageshwar
Engti, Shri Biren
Ganesh, Shri K. R.
Gangadeb, Shri P.
Gautam, Shri C. D.
Gavit, Shri T. H.
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb

Hansda, Shri Subodh
Hari Singh, Shri
Ishaque, Shri A. K. M.
Jagjivan Ram, Shri
Jamalurrahman, Shri Md.
Jha, Shri Chiranjub
Kadannappa, Shri Ramachandran
Kaulas, Dr.
Kakodkar, Shri Purushottam
Kale, Shri
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kapur, Shri Sat Pal
Karan Singh, Dr
Kaul, Shrimati Sheila
Kedar Nath Smgh Shri
Kisku, Shri A. K.
Kotaki, Shri Laladhar
Kurel Shri B. N
Lakshminarayanan, Shri M. R.
Luffal Haque, Shri
Maharaj Singn Shri
Mahata, Shri Debendra Nath
Mahishi, Dr Sarojini
Majhi, Shri Gajadhar
Majhi Shri Kumar
Malaviya, Shri K. D.
Mandal, Shri Jagdish Narain
Mandal, Shri Yamuna Prasad
Mehta, Dr Mahipatray
Meikote, Dr G S
Mishra Shri L. N.
Mohan Swarup, Shri
Mohapatra, Shri Shyam Sunder
Mohsin, Shri F H
Muhammed Khuda Bukhsh, Shri
Munsi, Shri Priya Ranjan Das
Murmu, Shri Yogesh Chandra
Murthy, Shri B. S.
Naik, Shri B. V.
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Painuli, Shri Paripoornanand
Pandey, Shri Damodar
Pandey, Shri Sudhakar
Pant, Shri K. C.
Pnoka Haokip, Shri
Parashar Prof Narain Chand
Partap Singh, Shri
Parthasarathy, Shri P.
Paswan Shri Ram Bhagat
Patel Shri Prabhudas
Paul, Shri T. A.
Patnaik, Shri J. B.
Pradhani, Shri K.
Qureshi, Shri Mohd Shafi

Raghu Ramaiah, Shri K.
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Ram Dayal, Shri
Ram Dhan, Shri
Ram Prakash, Shri
Ram Sewak, Ch.
Ram Singh Bhai, Shri
Ram Surat Prasad, Shri
Ram Swarup, Shri
Ramshekhar Prasad Singh, Shri
Rao, Shrimati B. Radhabai A.
Rao, Shri M. S. Sanjeevi
Rao, Shri M. Satyanarayan
Rao, Shri Nageswara
Rao, Shri P. Ankinēdu Prasada
Ravi, Shri Vayalar
Ray, Shrimati Maya
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Narasimha
Reddy, Shri P. V.
Reddy, Shri Sidram
Roy, Shri Bishwanath
Sadhu Ram, Shri
Saini, Shri Mulki Raj
Samanta, Shri S. C.
Sanghi Shri N. K.
Sankata Prasad, Dr.
Sarkar Shri Sakli Kumar
Sathe, Shri Vasant
Satish Chandra Shri
Savitri Shyam, Shrimati
Saveed, Shri P. M.
Sethi, Shri Arjun
Shafquat Jung, Shri
Shahnawaz Khan, Shri
Shailani, Shri Chandra
Shambhu Nath, Shri
Shankar Dayal Singh, Shri
Shankar Dev, Shri
Shankaranand, Shri B.
Sharma, Shri A. P.
Sharma, Dr H. P.
Sharma, Dr Shankar Dayal
Shastri Shri Biswanarayan
Shastri, Shri Raja Ram
Shenov Shri P. R.
Shor Singh, Prof.
Shinde, Shri Annasaheb P.
Shukla, Shri Vidya Charan
Siddheshwar Prasad Shri
Sinha, Shri R. K.
Sohan Lal, Shri T.
Surendra Pal Singh, Shri
Suryanarayan, Shri K.
Swamy, Shri Sidrameshwar
Tarodekar, Shri V. B.

Tayyab Hussain, Shri
Tewari, Shri Shankar
Tiwary, Shri D. N.
Tomar Singh, Shri N.
Ulkey, Shri M. G.
Unnikrishnan, Shri K. P.
Verma, Shri Balgovind
Vikal, Shri Ram Chandra
Yadav, Shri Chandrajit
Yadav, Shri D. P.
Yadav, Shri Karan Singh
Yadav, Shri N. P.
Yadav, Shri R. P.

MR. SPEAKER The result of the
division is:

Ayes: 34; Noes: 179.

The motion was negatived.

MR. SPEAKER After this motion,
when it will be inquired into, some
people might approach the Speaker for
comparing the signatures of MPs and
for other things I hope, after this,
our office should not have any objec-
tion if they are approached for com-
paring signatures or if they want to
interrogate any member

SHRI SEZHIAN With your per-
mission

MR. SPEAKER I want your guid-
ance because, though I have the right
to show, I thought I must sound you.
There should be no excuse later on
that this thing was not shown, permis-
sion was not given and hence it has
been delayed. From my side, for com-
paring signatures or if they want to
interrogate any Member out of those
21, I will have no objection

I thank you all very much. This
Session has been one of the most me-
morable Sessions in my life as a Pre-
siding Officer. I have really started
thinking that I should have some more
tonics during the inter-session period,
so that when we meet next I may be
stronger.

Thank you all. We now adjourn
sine die

23.31 hrs.

*The Lok Sabha then adjourned sine
die.*