

only refer to the Chief Minister's statement as it has appeared in the newspaper today because some one quoted from the newspaper and said that he has said such and such thing. My hon. friend said that the Chief Minister said something generally about CIA activities in universities, political parties and so on. But on the specific matter before us, the Chief Minister said—I am quoting from today's *Times of India*:

"Referring to charges of anti India activity against Mr. Richard N. Blue, an American, the Chief Minister said the research scholar had not indulged in any activity prejudicial to the interest of the nation during his stay here since September last."

This is the question before us and that is why I quoted from the Chief Minister's statement as it has appeared in the newspapers. I do not have the authoritative version and that is the only reason why I am quoting from the newspaper.

The other question he asked was, during the ten months' duration where was he allowed to go etc. These projects are carefully scrutinised. It is not for us, but it is for the Education Ministry to scrutinise the projects. It is for the educational experts and for the university to decide whether the research project is all right. These agencies look into this aspect of the matter and they satisfy themselves.

With regard to the general question he raised about foreign money, the House has discussed this matter on various occasions and expressed concern at the possibility of foreign money subverting our institutions and we are all united in our concern for keeping our institutions immune from such damage by any foreign money. On this question, the hon. member is aware that Government is bringing forward a Bill for the restriction on use of foreign money in India. This has been discussed in this House and the Prime Minister in her reply has said so. He referred to some letter or

correspondence which the Chief Minister had not disclosed, according to him. I do not know which letter or correspondence he is referring to. We are living in a free country. Unless there is reason for suspicion, one cannot go on chasing private persons' correspondence. There must be a sense of balance in this matter. (*Interruptions*)

MR. SPEAKER : Shri Amar Nath Chawla—not here.

12.40 hrs.

MOTION FOR ADJOURNMENT

ALLEGED DONATION MADE BY A
CALCUTTA BUSINESS HOUSE TO
THE RULING CONGRESS FOR
ELECTION CAMPAIGN

SHRI P. K. DEO (Kalahandi) : In connection with this adjournment motion, we had thought of moving some other motion.

MR. SPEAKER : I received notice of these two adjournment motions this morning. But, before I saw this motion, the news already appeared in the papers. I saw in the papers that an adjournment motion is coming.

SHRI ATAL BIHARI VAJPAYEE (Gwalior) : We did not give it.

MR. SPEAKER : I do not know whether it is from your sources or their own sources.

SHRI ATAL BIHARI VAJPAYEE : It is their own sources.

MR. SPEAKER : This matter is being raised in various forms in this House for the last two or three days. Today I think everybody is well prepared. I saw preparation going on both sides. The Speaker is also very well prepared. The point raised

[Mr. Speaker]

the other day was that the government was involved. It was refuted by the Finance Minister. Today the motion has come in a different shape. It talks of a violation.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR): A mere allegation of violation.

MR. SPEAKER: The other day it was a passing reference which was denied by the Minister. Now the adjournment motion is about the alleged violation and the failure of the government to take action against the alleged violation.

The matter is before me. I have seen the rules concerning these and also the precedents and rulings by my predecessors. Two things are very necessary for an adjournment motion. The facts must be ascertained and established before the Speaker allows it. I am not aware of the facts from the other side. I asked the Secretary to provide me facts. So far he has no facts available. Before I make up my mind whether to give consent or not, I must have the facts. When will the government be able to give me facts about the points mentioned in the adjournment motion? There are two motions, but I will take up only one. I saw frequent consultations between you. So, I thought you are preparing for it today. Have you got the facts or are you going to send them to me?

SHRI RAJ BAHADUR: As a matter of fact, all the facts which we have so far got are the facts which are known to the House. Nothing beyond that has been given to us. This is for the first time that this matter has come to our notice. These are only allegations and a reply has already been given by the Finance Minister yesterday.

MR. SPEAKER: What is your position?

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE): Although it is put in a somewhat different form, substantially the allegation is the same that there was a breach of the law. It is in this form that it has been put. Whether Rs. 5 lakhs has been paid to the ruling Congress for the election fund or not is a matter to be ascertained. These allegations have been denied already. Such a payment has been made to the Ruling Congress has already been denied by the Finance Minister yesterday in categorical terms. It is not true. Whatever payment was to be made by the Congress Party was made by crossed cheques and this particular payment has nothing to do with the payment to the Congress Party. That fact or allegation was denied. His allegation of the violation of the law is dependent on these facts. Similarly, the leaflet which was produced, *prima facie*, on the face of it, it does not disclose any connection with the Congress Party. The Congress Party is not referred to at all. There is a clear allegation which was made yesterday and there is a clear denial. The question about the violation of law will arise only if the facts are there. The facts are denied. This is only an allegation. How can there be an adjournment motion on the basis of an allegation only?

MR. SPEAKER: What to do if the facts are disputed. (*Interruptions*) These allegations were levelled yesterday and day before yesterday. He says, even in the context of this adjournment motion, the facts do not exist. They are disputed; they are completely denied. So, unless the facts are established, how can I allow any adjournment motion? Where is the failure? The facts are denied.

SHRI S. M. BANERJEE (Kanpur): I am not talking about the adjournment motion as such. That is before you. The whole question is this. The ruling party or anyone on their behalf, the Finance Minister, has denied it. Mr. Chavan

denied it in this House and Mr. K. R. Ganesh denied it in the other House. Whether we agree with it or not is a different matter.

One thing is to be investigated by the Company Affairs Department, whether any person belonging to the Goenka group or anyone in the Goenka family has printed 8 lakh posters in three languages. Here is the photostat copy. There are three things. One is the name of the party; the second is that it is from Saraswati Press and they have said that they are doing it and that the bill will be submitted on completion of this work. And there is no signature.

The only fact remains to be investigated is whether this is known to the Company Affairs Department and, if it is known to the Company Affairs Department, what action has been taken. These things were raised by Shri Shymnandan Mishra yesterday. That is the only relevant thing to be investigated. Whether they have denied it or not is a different matter. The question is whether there is a violation of Company law by a particular family, the Goenka family, which is very notorious....(Inter-ruption) The question is, whether they have done it or not.

MR. SPEAKER : This is what he is denying.

SHRI S. M. BANERJEE : Whether it is forgery or what; whether they have done it to malign somebody or with other motive. These things are to be ascertained.

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी, यह सवाल नहीं है कि कांग्रेस पार्टी ने जो भी पोस्टर छपाए उनकी छपाई चेक में दी, या नहीं दी, सवाल यह है कि किसी कम्पनी ने कांग्रेस पार्टी के लिए पोस्टर छपा या नहीं छपा—छपा है यह हमने फोटोस्टेट कापी भेज करके बताया है, पांच लाख रुपये पोस्टर्स की कीमत होती है...

श्री राज बहादुर : इसमें कांग्रेस का नाम कहाँ है ?

श्री अटल बिहारी वाजपेयी : इन्दिरा गाँधी के पोस्टर क्या भारतीय जनसंघ के लिए छापे जायेंगे ?... (व्यवधान)...

किसी कम्पनी ने कानून का उल्लंघन करके किसी राजनीतिक दल को नकद के रूप में या पोस्टर छापकर कोई चन्दा दिया या नहीं दिया ? दूसरा सवाल यह है कि जो फोटोस्टेट कापी दी गई है क्या वह जाली है ? अभी तक उसको चुनौती नहीं दी गई है । यह नहीं कहा गया है कि जो फोटोस्टेट कापी पेश की गई है वह जाली है । इसका मतलब यह है कि वह सच है, कम्पनी ने पोस्टर छापे तो वह कांग्रेस पार्टी के लिए छापे गए । मेरा कहना है कि मन्त्री महोदय सारे तथ्य सबन के सामने रखें जिस से छाप निर्णय ले सकें ।

SHRI P. K. DEO (Kalahandi) : I would like to submit this. Here is a document, a photostat copy, which has been authenticated to be a true copy and placed on the Table of the House. The House has taken full cognizance of it. Even though it may be denied by the Government, I can cite several instances in the past. On 1st February 1958 late Feroze Gandhi referred to certain confidential documents, the House took cognizance of it and there was a full debate. On 3rd April 1963, Mr. Homi Daji quoted certain documents from the Auditor-General's report on the working of two insurance companies—the New Asiatic Insurance Company and the Ruby General Insurance Company, and the House took full cognizance of it and there was a full debate. On 4th May 1963, Mr. Homi Daji and Mr. S. M. Banerjee quoted from the report of the Attorney-General certain portions and there was a full discussion on it.

[Shri P.K. Deo]

When Shri S. N. Dwivedy revealed certain facts regarding Sirajuddin's payment of money to Shri K. D. Malaiya's Secretary, there was a Commission of Inquiry under Justice S. K. Das. I myself, on the ruling of Shri Hukam Singh on 26th February 1965, placed the CBI report against the Orissa Chief Minister on the Table of the House. These are the various past cases.

There has been a dispute on the facts. But the facts are there and they have rocked the confidence of the entire nation. I request you to see rule 58 of the Rules of Procedure and Conduct of Business. It says, 'to discuss a definite matter of urgent public importance'. There are no two opinions that it is an urgent matter of public importance. I do not like to press for an adjournment motion, but would like to bring a no-confidence motion against the Government.

SHRI SHYAMNANDAN MISHRA (Begusarai) : May I make one submission? To my mind, the denial or acceptance by the Government is irrelevant in this matter. The accusation is against a company—whether the company has offended against the law or not. We would like to know whether the Ministry of Company Affairs has gone into this matter after it was raised in this House, whether they have instituted an inquiry, whether they have got in touch with the alleged offending party. (Interruption.)

MR. SPEAKER : But they are denying it. (Interruptions)

हमारे मेहरबान तो बहुत होते हैं। बड़ी-बड़ी तस्वीरें भी बिकावते हैं उन का क्या किया जाय।

श्री अटल बिहारी वाजपेयी : हमें तो अध्यक्ष महोदय, ऐसा एक भी मेहरबान नहीं मिला।

अध्यक्ष महोदय : माननीय अटल बिहारी वाजपेयी जी की बहुत तस्वीरें मैंने देखी हैं, बहुत खूबसूरत तस्वीरें देखी हैं।

SHRI SHYAMNANDAN MISHRA : Issues are getting diverted. I am trying to put the matter strictly on a legal basis. For argument's sake, one can concede that the ruling party is not involved in the matter, Government is not involved in the matter. But there is a company involved. There is a statutory prohibition on donation. . .

MR. SPEAKER : Then how does the ruling party come in the picture? It is a question of enforcement of ordinary law. How can it be a matter of adjournment motion?

SHRI SHYAMNANDAN MISHRA : This is the way how it corrupts the process of democratic elections.

MR. SPEAKER : It is an enforcement of law. How can it be an adjournment motion? They have also denied it. . .

SHRI SHYAMNANDAN MISHRA : My submission is that they may deny. But it cannot be left to their judgment. It should be left to the judgment of the House whether by making clandestine donations they had corrupted the process of elections or not. (Interruptions)

SHRI S. A. SHMIM (Srinagar) : Let the Independents also have an independent say. . . (Interruptions)

भाप मेरी बात सुनिये, भाप की सवियत खुल हो जायगी। वह चार्ज जो है क्या यह सही है या, गलत, इस बारे में कांग्रेस पार्टी का नुस्तेजबुर बाध करना चाहता हूँ।

MR. SPEAKER : I am not allowing a debate.

श्री एस० ए० शमीम : भाप मुझे सुनते ही नहीं हैं। (अव्यवधान)

MR. SPEAKER : Order, please. . .
(Interruptions) I have not allowed anybody.

12.57 hrs.

SHRI BHAGWAT JHA AZAD
(Bhagalpur) : We are strong enough.
He need not plead for us.

श्री एस० ए० शर्मा : आप ने मेरी
बात का प्रीएम्बल भी नहीं सुना।

अध्यक्ष महोदय : मैंने तो आप को
इजाजत ही नहीं दी, सुनूँ कैसे।

SHRI A. P. SHARMA (Buxar) :
Whatever he says should not go on
record,

श्री एस० ए० शर्मा : मैंने माना
कि मैं इंडिपेन्डेंट मेम्बर हूँ. . . .

अध्यक्ष महोदय : मैं सुनना ही नहीं
चाहता।

श्री एस० ए० शर्मा : मैं यह नहीं
कहता कि चार्ज सही है। लेकिन यह
इल्जाम लगा है. . . .

MR. SPEAKER : It will not go on
record if the hon. Member speaks with-
out my permission.

SHRI S. A. SHMIM : *

श्री कृष्ण चन्द्र पांडे (सलीलाबाद) :
अध्यक्ष महोदय, सदन का समय इस तरह
से बर्बाद किया जा रहा है, यह नहीं
होना चाहिये। आप के आदेश के बावजूद
अगर कोई माननीय सदस्य नहीं मानता तो
यह उचित नहीं है।

MR. SPEAKER : Shri K. R.
Ganesh,

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER CUSTOMS ACT,
CENTRAL EXCISE RULES AND LIFE
INSURANCE CORPORATION ACT

THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI K. R.
GANESH) : I beg to lay on the Table—

(1) A copy each of the following
Notifications (Hindi and English
versions) under section 159 of the
Customs Act, 1962 :—

(i) G. S. R. 270 (E) published in
Gazette of India dated the 1st
May, 1972 together with an
explanatory memorandum.

(ii) G. S. R. 529 published in
Gazette of India dated the 29th
April, 1972 together with an
explanatory memorandum.
[Placed in Library. See No.
LT-2079/72]

(2) A copy of Notification No. G. S. R.
530 (Hindi and English versions)
published in Gazette of India dated
the 29th April, 1972, issued under
the Central Excise Rules, 1944
together with an explanatory
memorandum. [Placed in Library
See No. LT-2080/72]

(3) A copy of Notification No. G. S. R.
262 (E) (Hindi and English versions)
published in Gazette of India dated
the 27th April, 1972, under sub-section
(4) of section 43 of the Life Insurance
Corporation Act, 1956. [Placed in
Library. See No. LT-2081/72]

श्री एस० ए० शर्मा (मीनार) :
चूंकि स्पीकर साहब, आप ने मुझे बोलने की
इजाजत नहीं दी इसलिए ऐज ए प्रोटेस्ट मैं
बाक भाउट कर रहा हूँ।