

[Mr. Speaker]

in its issues dated the 30th July and 16th November, 1974, respectively, the newspaper deliberately suppressed the name of Shri Jyotirmoy Bosu.

The matter was taken up with the Editor of the *Jugantar*. The Editor has, in his letter dated the 12th December, 1974 stated *inter alia* as follows:—

Quote

"It is not possible for a newspaper to publish the full proceedings in regard to any matter and the editor is obliged to reduce the report and publish a summary thereof. In the summaries of the proceedings of the 15th November, 1974 and 29th July, 1974, as published, it appears the name of Shri Jyotirmoy Bosu. M P was omitted among the members who had spoken on the motion. It is not correct to say that the name of Shri Bosu was deliberately omitted or that the *Jugantar* is in the habit of suppressing the name of Shri Bosu."

"From the proceedings it appears that there were also other speakers who spoke on the question whose names could not be included in the report.

"We want to make it clear that there was no intentional or deliberate omission of the name of Shri Bosu. We respectfully submit that there has been no breach of privilege. We, however, express our deep regret and tender our sincerest apology for the omission which may have caused some pain to the Hon Member and which we had no intention to cause."

In view of the above, the matter is treated as closed.

SHRI JYOTIRMOY BOSU (Diamond Harbour): I was the mover of the Motion and they had omitted my name deliberately. However, I accept their apology. No further action is necessary.

12.21 hrs.

RE IMPORT LICENCE CASE

MR. SPEAKER: Now, may I tell you another thing. I have received a no-confidence motion and also Adjournment Motions. Adjournment Motions have been given notice of by many hon members, Shri Madhu Limaye, Shri Vajpayee, Shri Jyotirmoy Bosu, and so on the failure of the Government to accede to the unanimous Opposition demand for a Parliamentary probe into the Pondicherry case on the basis of the new evidence unearthed by the Opposition representatives after the perusal of the CBI report and other documents which conclusively establish the involvement of the former Minister of Foreign Trade, Shri L N Mishra, in the whole affair. And similar is the other one.

श्री अटल बिहारी वाजपेयी (ग्वालियर):
अध्यक्ष महोदय, हम आप के सचिवालय को सूचना दे चुके हैं कि वह मामला हम उठाना चाहते हैं, लेकिन काम-रो को प्रस्ताव के रूप में नहीं।

अध्यक्ष महोदय और नो-कॉन्फिडेंस मोशन।

SHRI JYOTIRMOY BOSU (Diamond Harbour): I am not pressing mine.

MR. SPEAKER. It can be either a no-confidence motion or an Adjournment Motion

Mr. Morarji Desai.

SHRI MORARJI DESAI (Surat): After we saw you last evening, we saw the Prime Minister and gave her a Memorandum about what conclusions we have come to on a perusal of the papers supplied to us so far, and we have pleaded with her that a clear *prima facie* case of ministerial involvement has been made out in these papers which makes it very necessary to have a further probe for any final

action that requires to be taken. While accepting her offer, I had made it very clear that we reserved our right of asking for a further probe and action if a perusal of the papers required us to do so. It is not possible for us to mention in the House several things which are in these papers because we have agreed not to do so, and it is also proper that we should not do it. But it is very vital and essential for the House as well as for the Government and even for you, Sir ..

AN HON. MEMBER: For the country as a whole.

SHRI MORARJI DESAI: Of course, the country is represented by this House. It is very essential that this should be probed completely as a *prima facie* case has been made out in our view beyond any doubt so far and a further probe is necessary to make it final. This can be done only by a Parliamentary Committee as we had asked for and that is what we pleaded with the Prime Minister to agree to.

It was then said that some time is required to consider it. Several hours have gone by since then and I should not consider it difficult for the capacity of the Government to come to a conclusion within these few hours on this question which, I hope, will be to agree to our request and not otherwise.

I do not know if they want further time. But if they want it, we can have it tomorrow. The session can be extended or we can have a secret session tomorrow or on Monday if it is necessary. That also can be considered by the Prime Minister, and that is why I would appeal to her to accept this very reasonable and legitimate demand of the combined opposition in a matter which is very vital to the honour of this House, also to the honour of the Government and to the head of the Government also, if I may be permitted to mention it.

May I, therefore, request her and also request you to see that this demand of the opposition is granted.

श्री मधु लिमये (बांका) : हम लोग जानना चाहते हैं कि प्रधान मंत्री जी की रिसपांस क्या है।

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): The leaders of some of the Opposition Parties met the Prime Minister, as stated just now, and some of her colleagues last night. They repeated their demand that a Parliamentary Committee be appointed to go into the question of the grant of licences to the Pondicherry firms. The opposition Leaders also gave a written memorandum to the Prime Minister. It is a detailed memorandum and refers to a number of documents and statements. The memorandum requires a close study. The House will appreciate that such a task will necessarily require some time.

SOME HON. MEMBERS rose.

MR. SPEAKER: This is a motion by Shri Indrajit Gupta.

Shri Indrajit Gupta

SHRI INDRAJIT GUPTA (Alipore): In this matter I wish to make it clear at the outset that our Party had not authorised Shri Morarji Desai to speak on our behalf. (Interruptions).

SHRI MADHU LIMAYE: We do not consider you to be in the Opposition. He did not make any reference to the allies of the Congress Party (Interruptions).

MR. SPEAKER: Order, please.

SHRI SHYAMNANDAN MISHRA (Begusarai): Has Mr. Morarji Desai ever expected that he would represent you?

AN HON. MEMBER: It is a combined opposition.

SHRI SHYAMNANDAN MISHRA: We do not consider them to be in the opposition.

SHRI INDRAJIT GUPTA: Our Party has been taking a consistent stand from the very outset, and long before Shri Morarji Desai took it upon himself to come from the back row to the front row. We have been taking the stand that a Parliamentary Committee should be set up to go into this matter....

SHRI SHYAMNANDAN MISHRA: Then it is a combined demand.

SHRI PILOO MODY (Godhra): Then he is only being petty-minded. (Interruptions).

SHRI INDRAJIT GUPTA: Have you finished? May I proceed?

SHRI PILOO MODY: By all means.

SHRI INDRAJIT GUPTA: As far as we understood it, it was in order to make such a Parliamentary Committee's work, if it is appointed, useful and purposeful* that we have been demanding that these papers, CBI report and documents connected therewith, should be made available to the House.

That was the purpose. And we had said it on the floor of the House repeatedly that if the House is to come to a correct judgment—a final judgment—in this matter, it can only do so if it is assisted by the Government in making available the report and the connected papers. That we consider essential for the interim stage before the setting up of a Parliamentary Committee. It seems, so far, we are on a certain common ground on this side. Now, after a lot of arguments, debate and so on and after two or three weeks have passed, the Government agreed, in a certain modified form, to the demand of the Opposition Parties. They could have agreed much earlier—I regret to say that they did not agree earlier,

SHRI PILOO MODY: And with greater grace.

SHRI INDRAJIT GUPTA: Anyway they agreed on certain conditions that those papers would be shown to the Opposition Parties, to their leaders or to any Member who is authorised by their leaders.

Now, Sir, that work of perusal of those documents, as far as I know, is still going on; it will be completed within a day or two. I am informed by Mr. Bhogendra Jha who is representing our party in the work of this perusal that some one Member—I forget the name—now had suggested that this perusal work should be completed by Friday or Saturday. Our representative was agreeable to that. But, other Members said 'no'; they insisted that time must be given even up to Monday of the next week. That itself is enough to show that even if anyone particular Member or one or more particular Members here—I do not know if they wish to make a claim—claim that they have completed the perusal, it still shows that all the Members or many of the Members have yet not done so and they have asked for time till Monday.

Anyway, now, Sir, whether the perusal is completed on a particular day or on some following day, I wish to make a submission as to what is the further procedure and modalities that will follow from that. Here, as far as I have understood it, there are two viewpoints—one is put forward or, rather, implied by Government, as far as I understand it—and the other is by Shri Morarji Desai and the submission he just now made.

As far as his submission is concerned, I have understood it to mean this, that already on the basis of whatever perusal has been done, some Members feel that a prima-facie case has been established and, therefore, straightaway, we should proceed to the constitution of a Parliamentary Committee.

The Government's viewpoint, as I understand it, is this. They have advanced the plea of some more time being required to study the memorandum which has been given. Here, I am not fortunate enough to have seen the memorandum—I do not know what it contains. Anyway, it is my firm belief that Government would prefer that no Parliamentary Committee is set up and that the matter should be hushed up or conveniently brushed aside under the carpet and the matter should end there.

I would not subscribe to either of these viewpoints. Otherwise there was no point in fighting for so many weeks to have access to those papers and documents. If we are not going to come to a considered viewpoint, then how are to proceed further in the matter? On that point I have made certain proposals which I shall explain and which are embodied in the motion that I have submitted. I do not agree with the Government's viewpoint that the matter should be dropped here and ended for the simple reason that I am quite sure that what has happened so far has its impact, outside this House, on the country, on the public. I made this point earlier some days ago also. That is not adequate enough to set at rest the doubts and suspicions which have been aroused in the public mind not only regarding certain individuals, other Members of this House or Ministers of Government but also regarding the very sovereignty of this Parliament itself. I do not think what has transpired so far is adequate to allay those suspicions and doubts. This is not a party affair, I repeat it. It is a matter in which every side of the House should be vitally interested to see that ugly suspicions and doubts are not allowed to linger in the public mind in the way they have been created.

Therefore, Sir, the suggestion I am making is this: That when the work of this perusal has been completed—it may be Monday or any day that is

fixed. I have no objection to that—what is the next step that should be taken? Our suggestion is that those hon. Members belonging to various parties who have been associated with this work of perusal should be consulted by the hon. Speaker, who will sit with them, they will exchange views as to what they have found in that perusal. I believe, Sir, they have been permitted to keep certain notes, though not allowed to carry those notes outside the room. Those notes are available. They can be compared and exchanged. Some discussion should be held with some purpose and the purpose of that discussion in my view should be that those hon. Members along with you should formulate or frame some agreed terms of reference. Some substantive points must come out of this perusal. Otherwise what is the use of perusing? Are we perusing in the air? Some agreed terms of reference should be formulated and those terms of reference will then be forwarded to a parliamentary committee which should be duly constituted representing various sections of this House because then we feel that that Parliamentary Committee will be able, if I may say so, to complete the work, which is very necessary, of investigation into the conduct of concerned persons who may be either Members of this House or Ministers of the Government so that ultimately we may at last be in a position to reach a considered—and officers also—and objective final conclusion in this matter and then decide to take whatever action we consider to be necessary. In this way, I hope, the Government will consider it also that it is not a matter of dropping the matter and declaring it to be closed. I am totally against that and certainly when anything has been brought to light which can establish the guilt or misconduct of any person—be a Minister or a Member or an official—he should not be spared.

If you go back to the history of the last 15 years of this House there have been numerous occasions when pro-

[Shri Indrajit Gupta]

minent Ministers of the Government have had to go—not on the basis of enquiry, even not on the basis of established proof or conclusive evidence—when they happened to be in the centre of some controversy or a type which was considered by even the then leader of the ruling party to be not a matter which was healthy or conducive to carrying on the responsibility which that particular Minister was entrusted with. I am not going into the merits of those cases whether it was done correctly or not. But they had to go and some of them later on came back also. Because so long as we function—I do not know how long it is going to be now as something is happening in the country—within the framework of parliamentary system then in addition to facts, evidence and so on which from time to time may be alleged or established—there is also such a thing as Parliamentary propriety which cannot perhaps be strictly defined but it is of the essence of the spirit of Parliamentary Practice. I dare say in other countries, in one country whose model we are fond of quoting, and saying that we are following them I am sure their concept of Parliamentary propriety is something different to ours. I find that in that country, in the United Kingdom, Ministers themselves came forward sometimes to resign at the slightest tinge or breath of suspicion against them. I am not saying that necessarily you must do the same thing here, because we are of a different culture and of a different tradition. But, I would suggest that whereas on the one side, it will be completely wrong and indefensible of the Government to try by virtue of its majority here to get this matter ended, closed, dropped once and for all, at the same time, I would appeal to my friends on this side, however agitated they may get whenever I get up. . .

SHRI PILOO MODY: Actually, you are quite sweet.

SHRI INDRAJIT GUPTA: Thank you that from the position which we have reached now, when certainly we succeeded after two or three weeks in getting the Government to agree even though in a somewhat limited and modified form to the demand which we have been making right from the beginning that we should now come forward to propose some substantive procedure, some modalities by which this matter can be led to a purposeful conclusion and not just because today happens to be the last day of Parliament that something must be said today, last day of Parliament or last day of the Lok Sabha. . . I am not afraid of the spectre. It is not that because today happens to be the last day, willy nilly in a hurry, something must be done just now, straightaway. If that is one of the apprehensions that Mr. Desai has that he fears that there may not be another Session. . . .

SHRI MORARJI DESAI: Not at all.

SHRI INDRAJIT GUPTA: If there is such a fear, they should dispel it. The Prime Minister should dispel it. Sir, I do not want to take much time. I will just read out for the benefit of the House the Motion that I have submitted to you. I feel that it does try to suggest a positive way out so that all sides of the House are satisfied provided Government does not wish to evade the issue which is something much bigger than what we are debating here. I think they should try to understand that though it would have been much better if they had yielded with good grace to this thing and ultimately if they had done it two-three weeks ago.

My Motion reads as follows:

“The House is of opinion that after the work of perusal of the CBI report and connected documents has been completed the hon. Speaker, in consultation with the Members who have been associated with the work of perusal should formulate agreed terms of reference

for a Parliamentary Committee representing all sections of the House to be duly constituted in order to complete the work of investigation into the conduct of concerned Members of the House and Ministers of Government so that the House may be enabled to come to a final conclusion in the matter and take necessary action thereon."

This is my Motion, Sir. I commend it to the House.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I would like to make a submission.

MR. SPEAKER: I thought that Shri Morarji Desai has spoken on behalf of all of you. Shri Indrajit Gupta has also spoken.

श्री अटल बिहारी वाजपेयी (ग्वालियर):
 श्री इन्द्रजीत गुप्त के बालन के बाद और उन का मीशन सदन के सामने आ जाने के बाद जो परिस्थिति पैदा हुई है, उस पर हम भी अपनी बात कहना चाहेंगे। हम ने भी अपना प्रस्ताव अलग से दिया है।

SHRI JYOTIRMOY BOSU: Sir, we have not pressed for the adjournment motion on the clear understanding that after Shri Morarji Desai makes his statement on behalf of the Opposition, we shall be trying to highlight certain things that have arisen without quoting from the documents as we have promised to do.

MR. SPEAKER: I have to see and decide as to whether we would take up this motion immediately or we take it up later on.

SHRI MADHU LIMAYE: Which motion?

AN HON. MEMBER: Under what rule?

SHRI K. RAGHU RAMAIAH: There is no motion before us.

SHRI INDRAJIT GUPTA: On the last day of the session it is our practice always to waive previous notice. We have to come to some decision. If you do not want to take it up, it is a different matter.

SHRI SHYAMNANDAN MISHRA: We have also submitted some motions.

SHRI MADHU LIMAYE: My adjournment motion is there. It is a priority motion.

MR. SPEAKER: There were so many adjournment motions. We are not taking up any. They are not in order.

SHRI JYOTIRMOY BOSU: I have not seen before a motion being recited on the floor of the House immediately after question hour. I have nothing against it that way. Shri Indrajit Gupta has made a speech. It is all interesting to hear. But for my education, kindly tell us under what rule, under what authority, this motion is being talked about, this motion is being introduced and it is being pressed for a debate today. We had tried to co-operate with you in the matter of coming to a conclusion coolly and properly. Therefore, in the Opposition we had a meeting and there we decided that we are not pressing for the no-confidence motion.

MR. SPEAKER: I will need time to consider how far this motion can be accepted..

SHRI JYOTIRMOY BOSU: There is a request to the Leader of the House for a secret session....

MR. SPEAKER: It is a great problem for me what to do with this gentleman.

SHRI SHYAMNANDAN MISHRA: May I seek your guidance? Just as we had a reaction to the statement made by the hon. member, Shri Morarji Desai, shall we have the reaction to the proposal made by the hon. member, Shri Indrajit Gupta, from the Government?

SHRI K. RAGHU RAMAIAH: It is the same thing. He has only suggested certain modalities. The proposal is substantively the same. I have already given our view; I said whatever has to be said.

MR. SPEAKER: It is just notice of a motion. It will be taken up at the appropriate time. We will treat it as notice of a motion.

SHRI DINEN BHATTACHARYA (Serampur): Mr. Raghu Ramiah's statement is nothing but a bluff to evade the House. It has nothing to do with Shri Indrajit Gupta's motion.

SHRI INDRAJIT GUPTA: The point is this. First of all, Government should tell the House whether—it is alright if they want time to study that memorandum and all that—they are in principle not averse to the idea of a parliamentary committee. Then what will be the modalities, what the procedure will be, we can discuss.

SHRI G. VISWANATHAN (Wandiwash): Let them say 'yes' or 'no'.

SHRI INDRAJIT GUPTA: If they say 'we do not think anything of that kind is required', it is a different matter.

श्री अटल बिहारी वाजपेयी. और सरकार यह भी बतलाये कि उसे कितना समय चाहिये। श्री रघुरमैया जी ने कहा है कि उन्हें बड़े समय की जरूरत है—सम-टाइम शब्द का प्रयोग किया गया है। यह बात मोरारजी भाई की ओर से भी आई है कि अभी दो दिन बाकी हैं, सरकार शनिवार और इतवार ले सकती है। हम ने कल भी रात में कहा था कि जिन तथ्यों के आधार पर हमारे सन्देह पुष्ट हुए हैं, वे तथ्य हम प्रधान मंत्री जी के ध्यान में लाने को तैयार हैं और अगर उन्होंने इसकी जिम्मेवारी बिधि मंत्री की सौंप दी है

तो हम उन्हें भी समझाने के लिये तैयार हैं। इस के लिये दो दिन काफ़ी होते चाहियें और इस सब को 17 सोमवार तक बढ़ाने का फैसला कर लें। कि हम ने जो कुछ देखा है और जिस के बारे में हमारे सन्देह मजबूत हुए हैं उस जानकारी को हम सदन के सामने रखें। लेकिन हम ने जो आप को वचन दिया है उस के अनुसार कर नहीं सकते, हम करना भी नहीं चाहते। इसीलिये सीक्रेट सेशन की मांग की गई लेकिन। अगर सरकार पार्लियामेंटरी कमेटी बैठाने की मांग स्वीकार कर ले और उस से माननीय इन्द्रजीत गुप्त भी सहमत हैं, तो मामला मरल हो जाता है। फिर यह तय करना बाकी होगा कि वह कमेटी कैसे बनायी जाय।

श्री इन्द्रजीत गुप्त नहीं यह बात नहीं। उस के टर्मस आफ रेफरेंस भी तय होने चाहिये।

श्री अटल बिहारी वाजपेयी जब हम कागज़ान देख रहे थे तो श्री गोखले बहा नहीं बैठे थे। उन को बैठना चाहिये था उस का नाम उन मेम्बरों में था जिन्हें ऐसे कागज़ान देखना था।

अध्यक्ष महोदय वह तो कागज़ान दिखाने वालों में है ?

श्री अटल बिहारी वाजपेयी माननीय रघुरमैया खाली चौकीदारी करते रहे।

SHRI K. RAGHU RAMAIAH: On that point, by way of clarification, may I point out that the Law Minister was here the whole day, busy with the Representation of the People (Amendment) Bill. The next day he had to go to Rajya Sabha. He was not keeping aloof without sufficient reason. He was not keeping idle.

श्री अटल बिहारी वाजपेयी : माननीय इन्द्रजीत गुप्त ने कहा आप के साथ बैठ कर वे मेम्बर तय करें जो कागज़ान देख रहे हैं। मगर आप ने कल कहा कि पार्लियामेंट्री कमेटी

बनाने का फैसला जब तक मैजिस्ट्री पार्टी
 नहीं करेगी । . . .

प्रश्नकर्ता महोदय : हाउस ।

श्री ज्योतिरमोय बोसु : हाउस का
 मतलब क्या है ? पार्लियामेन्ट्री कमेटी सदन
 की राय से बनेगी ?

प्रश्नकर्ता महोदय : कुछ भी जानें, हाउस
 हाउस ही होता है ।

SHRI JYOTIRMOY BOSU: Jus-
 tice delayed is justice denied. This
 is a matter over which we are
 struggling since 28th August. In
 spite of the assurances, they rushed
 to the court of law to protect this
 from the clutches of the House,
 although in the matter of miscon-
 duct or misdemeanour on the part
 of a member or a minister of the
 House, it is the domain of this
 House and this House is supreme.
 Why did you think we were sitting
 there hour after hour till late hours
 going through the papers thorough-
 ly and minutely? Our object was to
 find out whether from whatever we
 have seen a *prima facie* case is
 established to prove that Shri Lalit
 Narain Mishra was fully and wholly
 involved or not. After going through
 the papers, we are unanimous that
 Shri Lalit Narain Mishra is inextric-
 ably involved in the matter. There-
 fore, we want to see the Prime
 Minister and saw her. (*Interrup-*
tions).

MR. SPEAKER: The Prime Min-
 ister is going with my permission
 because she is hosting a lunch in
 honour of the King of Bhutan. All
 the other Members of the Govern-
 ment are there.

SHRI JYOTIRMOY BOSU: After
 we came to the agreement that we
 shall be allowed to peruse the

papers and make mental notes and
 no notes should be taken out, we have
 been cooperating with them fully.
 During our perusal it has come out
 clearly, and there is no second opinion
 among the readers on this, that a
prima facie case has been established
 Shri Lalit Narain Mishra had been
 wholly involved in the matter from the
 beginning to the end. And it is, there-
 fore, necessary, because the House is
 supreme and has its domain over
 misconduct, malpractice or corrup-
 tion by members, it is necessary that
 a parliamentary probe be instituted
 because it is much more serious than
 even the Mudgal case.

MR. SPEAKER: So far as the
 question of privilege raised by Shri
 Samar Guha and others is concerned,
 it is very difficult to take it up today.
 We can keep this privilege issue
 pending. Further, I do not see Shri
 Samar Guha here. We will keep it
 pending.

SHRI JYOTIRMOY BOSU: The
 CBI Report from which I quoted the
 other day, which you did not allow
 me to lay on the Table of the House,
 on the basis of that I was fully
 entitled to go to a court of law,
 praying that Shri L. N. Mishra be
 cited as co-accused. But, I refrained
 from doing so because, as far as
 Shri L. N. Mishra and other mem-
 bers of this House are concerned,
 the House is there....

MR. SPEAKER: He wanted to lay
 a part of the document on the Table
 which was not permissible. He can
 lay only a full document.

SHRI JYOTIRMOY BOSU: I
 wanted to lay on the Table the whole
 document. I can do it right now.

MR. SPEAKER: Not now. I do
 not know what it is.

SHRI SAMAR GUHA (Contai): Sir, what happens to my question of privilege?

MR. SPEAKER: That has been postponed. You were not here. We waited for some time. We have postponed it to some other time.
मैं ने घनाउन्स कर दिया है हाउस में,
सभी से पूछ कर किया है।

श्री मधु लिनये : बाद में पूछिये ऐडजर्नमेंट मोशन पर सबमिशन होने के बाद । अभी ऐडजर्नमेंट का फ़ैसला नहीं हुआ ।

अध्यक्ष महोदय : ऐडजर्नमेंट मोशन तो मैं ने कोई ऐक्सेप्ट नहीं किया :

SHRI JYOTIRMOY BOSU: I did not go to a court of law to make Shri L. N. Mishra a co-accused, though it is permissible under the circumstances. Because I had every hope that the House would take cognizance of the whole thing and sit in judgment as to what extent this man is involved in this serious licence scandal.

13 hrs.

Through the perusal of the documents, very revealing things have come out. I gave a privilege motion day before yesterday stating what Shri L. N. Mishra had said was false, saying, "I knew nothing of what happened after I ceased to be the Minister of Foreign Trade on 5th February, 1973."

It has come to my notice, long before I started perusing the documents, that on that day, Shri Tulmohan Ram went to his house and garlanded him. Shri Tulmohan Ram saw Shri L. N. Mishra twice on that day....

MR. SPEAKER: That was disposed of.

SHRI JYOTIRMOY BOSU: In the morning, he was assured that steps will be taken to complete the licences, and, in the evening, he was assured that the job had been done.

Then, there are various contradictory things. I do not want to go into details. It is precisely for that reason that a parliamentary probe is essential. The matter is hanging fire from 28th August. It is now about four months. The Law Minister has had a plenty of time to go through the documents. There is no reason why he should require more time to study the documents. It is essential that either we sit tomorrow or on Monday or on both the days and, if necessary, hold a secret session for which we have given the notice to the Leader of the House, Shrimati Indira Gandhi who has just disappeared from here.

It is necessary to the real fact finding in this very session. If it means that we are required to sit for one or two or three or four days, whatever it is, we are quite willing to do it. Please don't stand in the way. You have the power to appoint a parliamentary committee instead of allowing the majority to deny it on this rightful issue.

SHRI SEZHIYAN (Kumbakonam): Sir, the Government has not given any clear indication of what they propose to do. Since 28th August, we have been demanding a parliamentary committee to go into the entire question. Several motions have been given. My motion demands the setting up of a parliamentary committee to go into the conduct of Shri Tulmohan Ram as a Member of Parliament in the entire affair. These motions are still pending.

The Government, though belated, allowed us to go into the documents. We reserved the right to draw conclusions and to suggest certain measures. After going into the documents, our demand for a parliament-

tary committee has been strengthened. It is not as if that some Minister or a Member has been found to be guilty or there is a misconduct. But any ordinarily intelligent person, with the material supplied to him, will come to an inescapable conclusion that something could have been done. Even in those cases referred to in U.K., it is not as if they could prove the guilt and then order for a parliamentary probe. If an intelligent person comes to a reasonable conclusion that the thing could have happened, even then a parliamentary probe is started there. I do not think that today is the last day of Parliamentary democracy in this country, today may be the last day of this Session but not of Parliamentary democracy in this country. Therefore, I want them to give a categorical reply. They say that they want time. Yesterday evening we gave the Memorandum which contained only about five pages. I do not think the Government is not aware of the background. They are the possessors of all the documents and they have much more than what has been given to us. We went through the documents that were given to us for two or three days. I can conscientiously say that excepting the documents that were given to us at 2 O'Clock yesterday, all the other documents I have gone through to the capacity that was possible for me. We went through them in an objective way and we have given that memorandum. Many of us have been associated with Committees like the Public Accounts Committee and in these Committees we have been allowed to handle files of a confidential nature; some of the documents which were not given to the others were given to us and we were able to process them. Therefore, it is not as if these documents are of such a sacred nature that they cannot be shown to a Parliamentary Committee. Only some selected documents were shown to us and even with these, I can say that there are many gaps, there are many mysteri-

ous portions which cannot be explained by the dumb files, there are many places where I can easily point out contradictions and conflicts. One does not tally with the other; certain things do not tally with even what has been stated in the House or even with the charge-sheet. I can point out many gaps. Therefore, these things need a Parliamentary probe. It is not to be decided by the majority of the House. If they think that this House is supreme, they should also accept that Parliamentary democracy is more supreme than a single party, this party or that party. For the benefit of Parliamentary democracy, we should have a Parliamentary Committee.

In Bulletin No. 2, No. 2075, as many as 10 to 15 motions were suggested for the appointment of a Parliamentary Committee. It is not as if, for want of a formula, they are waiting. We fully support the motion put forward by Shri Indrajit Gupta and I want to know the reaction of the Government to it.

They say that they want time. How much time do they want? A few days or weeks or years? The Law Minister knows the facts of the case. He is the person who came to the House and said that a case had been registered. He gave a copy of the charge-sheet to the House; though for a long time he did not give the date, but ultimately he gave it. So, he knows the background. Going through our Memorandum should not take much time. A couple of days should do. By Monday they should be able to give a conclusive reply to our demand. If they think that today is the last day, they can stall it, they can put it under the carpet, then they are doing a great disservice not only to this House but to the entire Parliamentary democracy. I demand a clear and categorical reply from them as to how much time the Law Minister requires to go through our Memorandum and when the members of this House can be expected to

[Shri Sezhiyan]

have a clear reply from the Government, from the Minister for Parliamentary Affairs.

श्री अटल बिहारी वाजपेयी (ग्वालियर) अध्यक्ष महोदय, अभी आप ने कहा है कि संसदीय समिति बनाने का फमला मदन कर सकता है। लेकिन आप जानते हैं कि इस का अर्थ यह है कि जब तक बहुमत वाली पार्टी किसी सुझाव को स्वीकार नहीं करेगी, तब तक वह सुझाव मदन के द्वारा नहीं माना जायेगा। जो नये तथ्य सामने आये हैं, उन को छोड़ दीजिए। लेकिन श्री तुलमोहन राम के बारे में आप ने स्वयं कहा था कि एक प्राइमा-फेसी केस है मदन उस पर विचार कर सकता है। आप ने यह भी कहा था कि मामला अदालत में है इस कारण मदन को विशेषाधिकार के प्रश्न पर विचार करने में नहीं रोका जा सकता है। मैं जानना चाहता हूँ कि श्री तुलमोहन राम के मामले में सरकारी पार्टी ने क्या किया है। अगर प्राइमा-फेसी केस है जैसा कि आपने माना है तो क्या उन को मदन की मदद से लिम्बित करने का प्रस्ताव कांग्रेस पार्टी को नहीं माना चाहिए था? क्या उन के आचरण पर विचार करने के लिए एक समिति का गठन नहीं किया जाना चाहिए? लेकिन सरकार यह नहीं कर रही है क्योंकि वह जानती है कि हम मारे कांड में केवल श्री तुलमोहन राम दोषी नहीं हैं बल्कि कुछ मंत्री भी दोषी हैं, कुछ अफसर भी हम में जड़े हुए हैं और अगर एक बार श्री तुलमोहन राम का मामला संसदीय समिति को, या प्रिविलेज कमेटी को भेज दिया गया, तो फिर सरकार तथ्यों को पर्दे के भीतर रखने की जो काशिश कर रही है वह विफल हो जायेगी।

हम ने जो दस्तावेज देखे हैं, हम बड़े हुए हैं कि हम उन के बारे में सार्वजनिक रूप से कुछ नहीं कहेंगे। लेकिन उन दस्तावेजों से हम इस नतीजे पर पहुँचे हैं कि मदन को गुमराह किया गया है। मदन को कहा गया था कि इमपोर्ट लाइसेंस

का ट्रैफिक नहीं हुआ और यह बत्ती के बादल किया था कि इस मामले में जांच हो रही है। मगर उन्होंने अभी तक जांच के परिणामों के बारे में हमें सूचित नहीं किया है। दस्तावेजों से स्पष्ट है कि ट्रैफिकिंग हुआ है। उस के लिए कौन जिम्मेदार है? आखिर मदन के सदस्यों के, जिन में मंत्री भी शामिल हैं, आचरणों की जांच कौन करेगा? हम संसदीय समिति बनाने की मांग कर रहे हैं, क्योंकि हम चाहते हैं कि उन को भी अपनी सफाई का मौका दिया जाये। हम किसी के साथ धन्याय करने के पक्ष में नहीं हैं। लेकिन सारे मामले को दबा दिया जाये, इसे हम बर्दाश्त नहीं करेंगे।

हम ने श्री रघुरामैया से पूछा है कि वह कितना समय चाहते हैं। इस का जवाब देने के लिये वह तैयार नहीं है। अध्यक्ष महोदय, आप हमारी मदद करें।

अध्यक्ष महोदय मैं तो कहना हूँ कि परमात्मा मेरी मदद करें। मैं ऐसे वक्त में आया कि हद हो गई है। क्या किया जाये?

श्री अटल बिहारी वाजपेयी अध्यक्ष महोदय आप निराश मत होइये। इस लाइसेंस कांड में जहाँ लोकतंत्र के दूषित पक्ष को प्रकट किया है वहाँ लोकतंत्र की शक्ति को भी उजागर किया है। आखिर हम सरकार में यह बात मनवाने में सफल हुए कि सारे दस्तावेज आप के चेम्बर में रख दिये जायें और हमें उन्हें देखने का मौका मिले।

जैसा कि हम ने पहले भी कहा है, हम ने ये दस्तावेज केवल स्वतंत्र सुन्नाय केवल आपन को सतुष्ट करने के लिए नहीं देखे हैं। देश की जनता जानना चाहती है कि उन दस्तावेजों को देखने के बाद हम किस नतीजे पर पहुँचे हैं।

श्री जी० एस० मिश्र : (छिदवावा) देश की जनता आप के पीछे ही ठी है।

श्री अटल बिहारी वाजपेयी : थोड़ी तो हमारे पीछे भी है, और जो आप के पीछे है, वह भी इस मामले में सच्चाई को जानना चाहती है। या आप कहिये कि जनता सच्चाई नहीं जानना चाहती है। सच्चाई तक पहुंचने का तरीका क्या है? कल हम ने आप से प्रार्थना की थी कि आप अपने प्रभाव का उपयोग करें और सरकारी पार्टी को इस सारे मामले को एक संसदीय समिति को सौंपने के लिए तैयार करें। अगर इस का ऐलान हो जाये, तो आज का संकट टल सकता है। आज हम अन्तिम उत्तर लेकर जायेंगे, यह क़ैसला कर के हम आये है।

SHRI SHYAMNANDAN MISHRA (Begusarai): I would request the hon. Members on the other side of the House to consider our demand with a certain amount of objectivity, if not with generosity.

The whole thing has to be brought into perspective. There have been two demands from this side of the House. One has been for the constitution of a Parliamentary Committee here and now....

अध्यक्ष महोदय : अगर आप एक मिनट के लिए इजाजत दें, तो जो लोग टबल पर पेपर्स ले करने वाले हैं, उन को फी कर दिया जाय, नाकि वे जा सकें। उस के बाद यह बहस चले।

श्री मधु लिमये : अध्यक्ष महोदय, इस में ज्यादा समय नहीं लगेगा। इस को खत्म होने दीजिए। एक मामला चल रहा है, उस को चलने दीजिए।

SHRI SHYAMNANDAN MISHRA : Now, Sir, there is one demand that no time should be lost in constituting a Parliamentary Committee to go into the entire gamut of the issue involved. Another demand is from my hon. friend, Shri Indrajit Gupta that we should take two or three days more and then decide about the formation of the Committee. As I could

understand it, he wanted the Members to have two to three days more.

SHRI INDRAJIT GUPTA: I said just the opposite. My Member is agreeable to complete the work on Saturday. The other Members said they should get time upto Monday

SHRI SHYAMNANDAN MISHRA: So far as his party is concerned, probably, they would be prepared for the constitution of a Committee even tomorrow. That is the conclusion to which I come.

SHRI INDRAJIT GUPTA. You see my motion. Before that the Members have to sit with the Speaker, discuss, exchange notes and compare the notes and then finalise the terms of reference. After that the Committee should be constituted.

श्री अटल बिहारी वाजपेयी : कल हम लोग स्पीकर साहब के साथ बैठे हैं। स्पीकर साहब कहते हैं कि कमेटी बनाने का क़ैसला पार्लियामेंट को, यानी सरकारी पार्टी को, करना है—कमेटी तभी बनेगी, जब सरकारी पार्टी चाहेगी।

SHRI JYOTIRMOY BOSU: When we were discussing these matters, if I remember ... (Interruptions)

SHRI SHYAMNANDAN MISHRA: Now, the hon. Member Shri Gupta would not like to commit himself to any time horizon so far as the constitution of the Committee is concerned.

But, one could infer from what he had said that after his Member has completed his study, he would be in a position to discuss with the other Members the formulation of the terms of reference on the basis of which a Committee could be constituted. On that basis, I had reasonably expected that he would probably require two to three days' time more for the constitution of a Committee. But, if he does not want to commit himself to any time horizon, it is his business.

SHRI INDRAJIT GUPTA: You leave it to me.

SHRI SHYAMNANDAN MISHRA: About this motion also, when we wanted to know the reaction of the Government, the Government said that it could not accept it even, in principle. That is, the Government does not want to commit itself to the principle of the constitution of a Committee. The other thing is that he had suggested the constitution of a Committee. So, there is, in a sense a rejection of the demand at this point of time so far as Government is concerned.

Now, my hon. friend, Shri Indrajit Gupta said, when the hon. Member Shri Morarji Desai made our demand, that he was not speaking on behalf of the entire Opposition. This I can understand. But, what the hon. Member Shri Morarji Desai had to submit to you, in substance, is also the demand of my hon. friend, Shri Indrajit Gupta. And may I remind him that two or three months back, during the last session, his party had associated itself with a resolution which demanded the constitution of a Committee to fix responsibility in the matter? (Interruptions). He said so. But this requires to be repeated. At that time, his party could do it though it was not in possession of much of the material, or the facts to warrant the constitution of a Committee. Now, after the study of the documents for two or three days, I think his party should have been in a better position to say that they stand by the earlier demand for the constitution of a Committee. What he was submitting was that others seemed to be in a hurry and he was doing justice to us. We have not come to any conclusion in a hurry. We have done so after a great deal of study and after due deliberations amongst ourselves. It may well be, my hon'ble friend or any member of his party, was not associated with some of the consultations we had in

this matter. Here, I owe an explanation on behalf of those who deliberated amongst themselves. May I say that it is not our fault that his party was not associated with the deliberations that we had?

SHRI INDRAJIT GUPTA: We are not complaining that we were excluded from your talks.

SHRI SHYAMNANDAN MISHRA: But many people would like to ask as to why the CPI was not associated with the deliberations. I would like them to understand that on whatever occasion we had invited them to take part in our deliberations they had always absented themselves. So, the whole thing is that we have come to this decision to which the hon. Member of the Communist party had come earlier also during the last Session and it has been arrived at after due deliberations.

So far as the reaction of the Government to this demand is concerned, I must submit that it is wholly unreasonable. Why do they want to have more time? What have they been doing all the time? Had they been sucking their thumb? This matter was raised during the last Session also and the whole thing had been discussed from day to day during the current Session. The minds of the Members of Parliament were full of suspicions about it. What was the Government doing so far with the documents that had been made available to them by the CBI? Do they want to start from this point of time, that is, after we submitted the memorandum? Were they not expected to study those documents earlier?

Now, that raises a very important point. We had raised many issues during the last Session but the Government has been keeping its mind closed on those issues and they did not try to study those issues which had been thrown up during the course of the discussion. So, it comes

to this that if we had not taken pains to go into this matter, then Government would have allowed those issues to remain covered. That is the basic thing. Otherwise, they would not have taken this plea that they required more time about this.

Now, Mr. Speaker, you have not been pleased even to grant permission for the reference of the matter in some form to the Committee of Privileges. But in the case of hon. Member, Shri Tulmohan Ram, you had been pleased to say, as you had been reminded by the hon. Member, Shri Atal Bihari Vajpayee, that a special committee, as is done in the House of Commons, may be called for to go into the conduct of the hon. Member. Did we not get a completely unresponsive attitude from the Government also to that remark of yours?

Now, what is the door open to us? I would like to say that this demand that we have now formulated does not brook any delay and it is both in the interest of the Government and the Members of this House involved, because there is a clear suspicion now raised in our minds. So there must be fixation of responsibility in this matter. But how do you fix responsibility in this matter on those who are accountable to the House. If it is conceded that there has been something in the nature of a scandal, then, would not this hon. House like to fix responsibility for this scandal? We do not say at this point of time who has been responsible so far as this House is concerned, although we could confide in you, or the hon. Leader of the House so far as our impression is concerned. But, here, we have taken a completely objective stand. We want a Committee to be constituted to identify persons, factors, circumstances that have been responsible for this shady deal. In that not a very objective demand? Why should not the Government accept this demand now? Mr. Speaker, Sir, you would also

recall that the then Home Minister, Shri Uma Shankar Dikshit had said in his statement during the last session that a Committee was not ruled out. I ask you: would you like this Government to go on breaking one assurance after another? He had given this clear assurance in the House that if after the probe, a Committee of the House was required, that was not ruled out. I would like the hon. Home Minister, the present Home Minister to consider whether he would like to stand by that assurance of Shri Uma Shankar Dikshit or not.

MR SPEAKER: Please conclude now.

SHRI SHYAMNANDAN MISHRA: Then, Mr Speaker, Sir, finally, my submission would be that if the Government does not accede to this demand for the constitution of a Committee, then, those of us who have studied the documents owe a duty to the House. We will have to apprise the House of the facts and of the evidences which have been unearthed during the course of our study. How do we do that unless there is a secret session? Therefore, we have made the second demand that there should be a secret session, not for fixing responsibility in a collective manner in this House but for apprising the House of the facts and the evidences that have been thrown up during the course of the study. I hope that the Government with your help and guidance would persuade itself to accept the first demand in the first instance, and if it does not do so, then to accept the second demand for a secret session on Monday

श्री मधु लिखड़े : अध्यक्ष महोदय, आप मुझे नहीं सुनेंगे ?

अध्यक्ष महोदय : मैं बुलाऊंगा बाद में आप को, वेपर्स ले हो जाने के बाद ।

श्री मधु सिन्घे : नहीं वह नहीं हो सकता। पेपर्स के बारे में दो तीन प्वाइंट्स पर मैंने नोटिस दिया है। यह एक मामला चल रहा है उस को पहले खत्म कीजिए।

अध्यक्ष महोदय फिन के बारे में नोटिसेंज आए हैं उन को रहने देंगे।

श्री मधु सिन्घे : नहीं, अध्यक्ष महोदय, एक मामला चल रहा है, बीच में ये लोग नहीं आ सकते। (व्यवधान) इनको भुना। आपने, मुझको क्यों नहीं भुनेंगे? आप मुझको डी दबाते चले जाते हैं। सब लोग बोले तब नहीं कहा आप ने।

अध्यक्ष महोदय आप से कहूँ कि कुछ मेम्बर्स को जाना है, खाना बाना है कही, उस के लिए उन को जाना है।

श्री मधु सिन्घे : उन को जाना है हम को नहीं जाना है।

SHRI PILO MODY: Kindly recognise us.

अध्यक्ष महोदय मैं तो रेकग्नाइज करूँगा तो फिर सभी तरफ से करूँगा/प्रगर ऐसा है फिर सभी तरफ से करना पड़ेगा।

श्री मधु सिन्घे : अध्यक्ष महोदय, मैं नहीं मानता, बीच में इस को नहीं रोका जा सकता।

MR. SPEAKER: Those who want to go may go, authorising their colleagues to lay the Papers.

श्री मधु सिन्घे : हा, ठीक है, तीन तीन मिनिस्टर्स होते हैं इन के, हम तो एक ही होते हैं।

SHRI N. K. SANGHI (Jalore): Sir, on a point of order. You should also hear us, on this side.

MR. SPEAKER: In this case, Mr. Sanghi, I thought the Opposition wanted to express a view and later on if the Government wanted to say something, they can. But, if you want to make out a debate out of it, that is not possible. I do not mind a debate if on your side he demands it. If he demands it, I do not mind. But they have given their motions. I must call them. There is Shri Madhu Lumay's motion, there is Shri Mishra's motion, there is Shri Vajpayee's motion. How can I say, 'No I would not listen to you unless somebody else comes in between'?

श्री मधु सिन्घे : अध्यक्ष महोदय इस बहस में कुछ सिद्धान्तों और कुछ तथ्यों के सवाल उठेंगे। सिद्धान्तों के चार सवाल उठेंगे जिनमें में दो का आपने निर्णय दे दिया है। एक सवाल यह था कि एग्जीक्यूटिव प्रिविलेज की सीमा क्या है और पार्लियामेन्ट्री प्रिविलेज की सीमा क्या है इस का निर्णय हो गया। सी० बी० आई० के सभी दस्तावेजों का तो नहीं लेकिन सरकारी दस्तावेजों को हम को देखने का मौका मिला।

दूसरा सवाल था—प्रदात का कार्यक्षेत्र और पार्लियामेन्ट का कार्य-क्षेत्र—दोनों में जो टकराव और संघर्ष है—उस का क्या होगा? उस का आपने निर्णय दिया कि जहाँ सदस्यों के दुराचरण का सवाल आता है, मिस-कान्डक्ट का सवाल आता है—उस में प्रदात की जूरिसडिक्शन का सवाल नहीं है।

तो इन दो सिद्धान्तों का फैसला हो चुका है, दो सिद्धान्त अभी बाकी हैं। एक—एग्जीक्यूटिव गवर्नमेंट के अन्दर, कार्यपालिका के अन्दर मंत्री और अफसर, सिविल सर्वेन्ट्स और मिनिस्टर—उन का क्या रिश्ता होना चाहिए। यह पूरा सवाल इस में उठा है और सभी दस्तावेजों को देखने के बाद हम इन नतीजों पर पहुँचेंगे कि पार्लियामेन्टरी कमेटी को इस ब्रह्म के बारे में अन्तिम फैसला करना ही चाहिए, करना अराजकता पैदा होनेवाली है।

बीबा सवाल—पोंक प्रतिलिखि यानी लेजिस्लेटर्स का नौकरमाही और मंत्रियों के साथ और सरकार के साथ क्या रिश्ता हो—यह भी एक विवाद का विषय है और पालियामेंट्री कमेटी को इस के बारे में भी गाइड-लाइन्स मार्गदर्शक सिद्धान्त तय करने चाहिए। इस लिए दो सैद्धान्तिक प्रश्नों का फैसला हो चुका है और दो प्रश्न अभी बाकी हैं— इसीलिए हमारी पालियामेंट्री कमेटी की मांग है।

अब जहां तक तथ्यों का सवाल है— आपने स्वयं अपने फैसले में कहा है कि जो विवादास्पद सवाल है—जैसे इम्प्रोप्राइटी का सवाल है, मिस-कान्ट्रक्ट का सवाल है—इन के ऊपर यह सदन बहुत भी कर सकता है और जांच भी कर सकता है। जांच के बारे में आप ने यह कहा कि मैं अपने अधिकार में यह मामला किमी कमेटी के पास नहीं भेज सकता हूँ, मुझे सभा का, सदन का आदेश चाहिए। इस लिए अध्यक्ष महोदय, जब आप इस में तटस्थ बन जाते हैं तो मामला विरोध पक्ष और सरकार के बीच में रह जाता है। अभी डा. मुन्नाब इस सदन के सामने आये—एक—हम लोगों की ओर से मोरारजी भाई ने रखा कि पालियामेंट्री कमेटी की मांग को सरकार स्वीकार करे और आज ही घोषणा करे, फिर आगे बहुत की कोई जरूरत नहीं है, क्योंकि टर्ज आफ रेफ्रेन्स बौगह मेरी राय में मामूली सवाल है, इस पर विवाद की गुंजाइश नहीं है।

दूसरा मुद्दा आया—श्री इन्द्रजीत गुप्त का उन्होंने कहा कि सरकार सिद्धान्त इसको मान ले, कमेटी के गठन का मामला इस सत्र की समाप्ति के बाद तय किया जाए, 10 दिन में, 5 दिन में, दो दिन में।

श्री बीनेल भट्टाचार्य आज भी हो सकता है।

श्री जयु लिये कहें यही है—इन दोनों प्रस्तावों में। मोरारजी भाई और हम लोग

चाहते हैं कि पालियामेंट्री कमेटी के गठन का फैसला आज ही हो, यह सत्र समाप्त होने के पहले हो और श्री इन्द्रजीत गुप्त ने भी कहा है कि पालियामेंट्री कमेटी बने, लेकिन वे कहते हैं कि बाद में इस के ऊपर स्पीकर महोदय के साथ बात करके तय किया जा सकता है।

श्री इन्द्रजीत गुप्त अभी पैरयूजल का काम ख म नहीं हुआ है, उस में पता नहीं कितना समय लगेगा।

श्री जयु लिये यह बात सही है कि कुछ सदस्यों ने अभी कागजात अभी नहीं पढ़े हैं। मोरारजी भाई ने स्वयं नहीं पढ़े हैं, क्योंकि वे कल ही आये हैं। लेकिन हम लोग ने सीउड—डाक्यूमेंट्स की फाइल और सी० बी० आर्ड० की रिपोर्ट को गौर में पढ़ा है। जिन मामला पर बारबार चर्चा हुई है और जिनने तथ्य और विवादास्पद प्रश्न उठे थे—मुझे जो नई जानकारी मिली है उस की चर्चा में नहीं करूंगा, लेकिन चार्जशीट के आधार पर विवादास्पद प्रश्न उठे थे, इस लिए मैं कोई सीक्रेसी के खिलाफ नहीं बोल रहा हूँ, चार्जशीट के आधार पर बोल रहा हूँ—श्याम नन्दन बाबू ने जो 23 अगस्त, 1972 की नोटिंग का सवाल उठाया था और दूसरा सवाल उठा था—ज्वाइन्ट चीफ कन्ट्रोलर श्री के० एन० आर० पिल्ले, डिप्टी चीफ कन्ट्रोलर—गमन—इन लोगों को पाण्डित्य किस लिए भेजा था। हम लोगों ने यह कहा था कि उन को इस लिए भेजा गया था कि जांच करके रि-अपॉइनिंग के लिए काम बनाये। इस पर श्री ललित नारायण मिश्र ने कहा—नहीं, एक फाइल गायब थी, उस को रिकस्ट्रक्ट करने के लिए उन को भेजा था—यह विवाद का विषय है। अब हम क्यों पालियामेंट्री कमेटी चाहते हैं? इन दस्तावेजों के आधार पर हमारी राय में इन प्रश्नों पर काफी रोशनी पड़ती है। अब क्या रोशनी पड़ती है—यह कहने के लिए मैं फी नहीं हूँ।

तीसर सवाल—यह उठा कि क्या एन० के० सिंह ने वास्तव में यह हिदायत दी थी कि

[श्री मधु लिमय]

केस अदालत से वापस लिया जाए, विद्वा किया जाए, यह भी विवाद का विषय है।

चौथा विवाद का विषय है—क्या श्री एन० के० सिंह ने तुलसीमोहन राम को यह कहा था कि 21 सदस्यों के हस्ताक्षर का मुझे नया मेमोरेण्डम चाहिए। काहे के लिए? यह चार्जशीट में है—

“to strengthen the hands of the minister in the reopening of the case”.

यह भी विवाद का विषय है।

पांचवां विषय है—5 फरवरी, 1973 को जो नोटिंग है श्री एन० के० सिंह का 5 फरवरी, 1973 का नोटिंग जो चार्ज शीट में कोट किया गया है—उस के बारे में भी विवाद है। सी० बी० आई० रिपोर्ट में 5 फरवरी की घटनाएं बिस्तार में दी गयी हैं।

मेरी राय में और विरोध पक्ष के सभी सदस्यों की राय में ये पांच विवादास्पद विषय हैं जो इस सदन में उठाये गए थे। इन सब के ऊपर एक नई रोशनी, एक नया प्रकाश, नए सबूत, नगे एविडेन्स जरूर मिलें हैं। इसलिए मेरी प्रार्थना है कि आप के पास जितना नैतिक बल है, नैतिक-शक्ति है, उसका इस्तेमाल कर के आज ही इस सदन में पार्लियामेंट्री कमेटी की घोषणा करवाइये। उस के बाद इस बात पर और ज्यादा विवाद बढ़ाने और लम्बा खींचने की हमें जरूरत नहीं है।

SHRI N. K. SANGHI (Jalore): On a point of order, Sir. The CBI report has been shown to certain opposition leaders with certain qualifications. We are not in the know as to at what stage the perusal of these documents is. Once the process has started under the directions of the House, since we do not know at what stage it is, we would like to have your ruling whether this is the right stage to take up a subsequent discussion emanating from the perusal of the document.

SHRI B. V. NAIK (Kanara): In continuation of this point of order, may I say, there are certain leaders of the opposition who are aware of the report. There are certain ministers who are aware of the report. But we are ignorant of the report. A large section of the House is ignorant of the report. How do you expect us to understand what they are saying?

SHRI G. VISWANATHAN (Wandiwash): I support Mr. Naik. It should not be the privilege of a few leaders to see the report. We should all be given to understand what the report is.

MR. SPEAKER: This discussion arose out of Shri Morarji Desai's acceptance of the Prime Minister's offer in her speech, namely, perusal of the documents by the opposition leaders or their nominees, and I am keeping it within these bounds. Now, if you also claim to be an opposition leader, I do not deny that.

SHRI B. V. NAIK: Our claim is that this should be allowed to be discussed inside the chamber of the Speaker.

MR. SPEAKER: Now everything is confined to the statement made by the Prime Minister. I am nobody to come and change it here or there, or interpret it in any way. I am going by the statement.

SHRI PILOO MODY (Godhra): Mr. Speaker. Sir, to begin with, I entirely sympathise with the hon. Member, Shri Naik. In fact, it has been our persistent demand....

MR. SPEAKER: You can sympathise with him at Bombay.

SHRI PILOO MODY: Sir, I cannot hear what you are saying.

SHRI INDRAJIT GUPTA: Put on your ear-phones.

SHRI PILOO MODY: Then, I cannot hear what I am speaking.

As I started by saying, I entirely sympathise with what the hon. Member, Shri Naik, is saying. We have made persistent efforts in this House to see that these reports are laid on the Table of the House. We have also suggested that there should be a secret session of Parliament in which this can be discussed. Now, neither suggestion is acceptable to the Government because, unfortunately, the Government has gone into a state of thinking from which it cannot retrieve itself. After hearing all the supplications that have been made here and the persuasive dissertation of Shri Indrajit Gupta, all that the Minister of Parliamentary Affairs could do was to get up and say "we want more time". They have been asking for time from the end of the last session. Because, when in the end of the last session I gave notice of a privilege motion against *Pratipaksha* they could have sent this matter to a parliamentary committee, and the matter would have died there, or even held up for may be another six, eight or ten months.

But the arrogance of this Government is its own greatest enemy. Thank God, they have some vital enemies still left in this country and their arrogance is the worst of them. What they have denied on one occasion, they cannot agree on another occasion. That was their only plea for which today they are in this pathetic, pitiable condition. They want more time because Shri Gokhale has to read the report. Yesterday at the meeting with Shrimati Gandhi, Sardar Swaran Singh was there, Shri Raghu Ramiah was there; I do not know who else, Shri Dikshit and God knows what other Ministers were there; none of them was connected with the affair. But Shri Gokhale, who should have been there, was not there.

AN HON MEMBER: He was there.

SHRI PILOO MODY: He had to be given more time. As far as I remember, Shri Gokhale is also one of the perusing members. Now I can understand the plea of Shri Bhogendra Jha that he could have finished by Friday but wants time till Monday. Shri Gokhale, who happens to be the least literate, needs another week or ten days to think over. This is nothing but the most useless excuse for stalling, hoping, as the hope of a giant man clutching at every straw, that something will come which will extricate them from this particular mess which they themselves got into.

First, they did not want a parliamentary committee; then, they did not want a parliamentary probe. At one time, they did not even want a discussion on the subject in the House. Then, they did not want a debate. They did not want to place the CBI Report on the Table of the House. Then, they did not want to place the supplementary documents; they did not want to place the diary. They did not want a committee again.

Finally, they realised that in spite of their intransigence, they had to yield inch by inch, inch by inch, and, ultimately, whatever documents they had, fabricated or otherwise, they made available only to the leaders of the Opposition. They started the same delaying tactics. They made available the documents only to the leaders of the Opposition and in secrecy, saying, "You please see them". Thereafter, they are told to only read it, don't think about it, don't speak about it, don't write about it—just read it.

This sort of reading without thinking and talking can only be done by the Congress and cannot be done by the Opposition. Therefore, I would say that this is the pettiest, the meanest, the lowest, form of harassment that any section of Parliament has ever been subjected to.

[Shri Piloo Mody]

Now, I want to know: Who is responsible for this delay? Who is responsible for wasting the money of the public exchequer? Who is responsible for the wasting of time of Parliament? Who is responsible for postponing legislative business? Who is responsible for postponing discussions on all the important problems that we are facing in the country, the problems that were to be discussed in this session?

It is only the Government who is responsible for all this and who was unwilling to yield to justice and right demand. We have wasted a whole session, an entire session, to save the miserable neck of one man I do not think this is doing justice. The Government must realise it. The sooner they realise, the better it is.

Today, as Mr. Indarjit Gupta said, they are before the bar of the people and the people are not going to exonerate them. Only the Opposition is in a position to exonerate them if exoneration is demanded. We are not doing witch-hunting. We are not asking for any particular man. All we are saying is that justice and right must be done. Whether it is one man, whether it is two people, no people or ten people, that is not material. But as we stand today, only the Opposition can vindicate the honour of this Government.

Who is guilty? Is Mr. L. N. Mishra guilty or is the rest of the Government guilty?

AN HON. MEMBER: The Prime Minister.

SHRI PILOO MODY: It is only the Opposition who can decide it. The Opposition can only decide it if the Government gives a fair opportunity to the entire Parliament to look into the papers and decide by itself who is guilty. If it does not give that opportunity, the entire Government will

stand condemned. The entire Government will be guilty. It is only, therefore, a parliamentary committee which we have demanded that can in any way exonerate them from the doubt, slander and, malice which is today on their head.

SHRI H. N. MUKERJEE (Calcutta-North-East): May I make a submission? I just put it in one sentence. It is this.

Since there is a unanimous request from the Opposition for a probe which was made clear by the statement of the leader of my party that we want a reference to the committee and this can be done only after the perusal of the documents is complete and after you can formulate the terms of reference and since we are under obligation to uphold the honour of Parliament, you sir, the hon. Speaker, can certainly, on the basis of your own stand earlier which you had made in a principle way, and also gauging the obvious fact of a sufficient number of MPs wanting the reference to the Committee, you can appoint, on your own, a Committee, say, in a week's time at the outside, without reference to the Government party in view of its lack of response to deal with a matter of paramount urgency. My submission, therefore, is that, under the rules, you can do so (*Interruptions*).

MR. SPEAKER: Here I do not have the support of the House. I cannot, I have made it very clear. The Committee can be appointed only by the House.

SHRI S. A. SHAMIM (Srinagar): I also want to make it clear that Shri Morarji Desai did not speak on my behalf. There are other people also who are not articulate, who do not like to say. For instance, the Muslim League member has asked me to convey this to you that Shri Morarji Desai did not speak on his behalf as well. Nevertheless, as my friend, Mr. Madhu Limaye, says, I support the demand.

but not the demand made by Shri Morarji Desai. I do not, in any case, speak on behalf of BLD, that junk party.

There is no doubt that the Government is interested in concealing the truth. But I am afraid the Opposition represented by Shri Morarji Desai in this case, is not also interested in knowing the truth alone, because, in that case, they would have accepted the most sensible suggestion made by my friend, Shri Indrajit Gupta. What has he said? He says that the perusal is not over. The Opposition Members do not challenge that. Then he says that a Committee cannot be just formed in the air. The Committee must have terms of reference. This is another sensible suggestion. Then, of course, that Committee should not comprise of the so-called leaders of the Opposition parties. That Committee must be a representative Committee. You will remember, Sir, I have also suggested that the business of showing the documents to the leaders alone is not doing justice to the Parliamentary forum. I sympathise with Mr. Naik and the others genuinely because for all these Members except myself—because I have seen the real copy of the CBI—for all of them it is a pantomime, somebody is talking about something and the entire House does not know what they are talking about. Government has given a handle to the leaders of the Opposition—to some of them; I am certain—to make references, alleged references, and they are getting away with it. If the Government had the guts and the clarity of mind, they would have conceded the demand for a secret Session where the entire House would have known what exactly is there—maybe, some of them; I do not say, all of them. Let the Government come out with the documents and lay them on the Table of the House and have a secret Session.

Emphasis is laid on only Shri L. N. Mishra by most of the Opposition

members. I think, they are doing a great service indirectly to Mrs. Indira Gandhi by suggesting that there is only one corrupt Minister in the whole Government. I would like the entire House not to draw that inference. The way the Opposition has been after the blood of one person leads the country to infer that there is probably only one corrupt man. I had thought that the entire Government, from top to bottom, was corrupt, including all those Ministers who were in charge. The only thing is that no Tulmohan Ram has had occasion to name them as well.

Therefore, my point is that Shri Indrajit Gupta's suggestion is the most constructive one; it is the most sensible one and it should be accepted. Neither the Government nor the Opposition should make it a point of prestige, Government by saying that they will not accept the demand for a probe, and the Opposition by saying that, if the Committee is not formed today, they will not leave the Government alone. My suggestion would be that the constructive suggestion of my friend, Mr. Indrajit Gupta, should be accepted....

AN HON. MEMBER: Mr. Hiren Mukerjee's?

SHRI S. A. SHAMIM: Not Mr. Hiren Mukerjee's. He has brought a new element. He wants you, Mr. Speaker, to shoulder the responsibility. But all the time you have tried to evade the responsibility. If you had accepted the responsibility, then we would not have wasted one month. Therefore, it is better for you now to accept the suggestion of Mr. Indrajit Gupta.

SHRI SAMAR GUHA: I have only one submission to make. I will not take more than two minutes.

MR. SPEAKER: I am not calling you now.

SHRI INDRAJIT GUPTA: Shri Bhogendra Jha who was there and examined the CBI documents has asked for your permission to speak.

MR. SPEAKER: Yes.

Shri Mavalankar.

SHRI P. G. MAVALANKAR (Ahmedabad): Various submissions have been made on this important issue. You have already been pleased to observe that this has resulted into a kind of a small debate. It is so because of the unusually long, indecisively and deliberately clever manner in which the Government are trying to keep this House and the Parliament and the country from the main truth. Now, I do not want to spend time again in telling you in too many details as to why this whole procedure you were good enough to adopt has been extraordinary. If the CBI report were made available to a Parliamentary Committee, I would have accepted it straightaway because I would have thought that I am represented in that Committee even though I may not be a Member of such a committee. But to ask this or that particular Member of this or that particular party or section to go through the report, that in itself challenges the very basis of the rights of every Member of this House who is equal with every other Member. After all, party considerations come only with regard to certain formalities like channels of communication between the party whips, and for deciding how much time particular Member of a party must get on the basis of the strength of that party in this House, and such other matters. But there are certain basic rights of all MPs about which surely the Government and much more the Chair cannot say that some Members are more equal than the other Member! But I do not want to repeat that aspect. Now, the whole course is already decided and acted upon. Some Members have already seen the report under the oath of secrecy.

Now, Shri Morarji Desai and Shri Indrajit Gupta had in their own way made certain submissions to you. They have focussed the matter from two different angles and both have ably put forward their arguments. What surprised me however, is this. After Shri Morarji Desai's statement, Shri Raghu Ramaiah, on behalf of the Prime Minister, although the Prime Minister was present in the House, gets up and reads out a prepared statement saying that Government want some more time. Now, you might have seen that after Shri Indrajit Gupta got up and made out an able case from his angle, to that also the same Minister gives the same reply! Now, that means what Shri Morarji Desai and Shri Indrajit Gupta said is the same thing and that the Government are determined not to be open or to be receptive to this point at all.

Now, they say that they want some time I want to ask. Why do they want some time? After all some of us on this side have seen the CBI report. Of course, I am not there. But at least the Government has seen it from the beginning till today. So, they know whether there is a *prima facie* case or not. They have all the facts in their possession. But even from those facts which are in the possession of some of the Members on this side, they have come to a definite conclusion, not a tentative conclusion now. A tentative conclusion was on the basis of an inference before looking into the CBI report. Now, it is a definite conclusion that from whatever reports, documents and notings on the files these few members have seen, they are convinced beyond doubt that there exists a *prima facie* case for sending the whole matter to a Parliamentary committee.

14 hrs.

Now, Sir, the Government are in full possession of facts. I want your guidance on this particular point. Why should the Minister of Parliamentary Affairs say that Government

want more time so that Mr. Gokhale reads the various documents? He should have, if at all, made this offer much earlier that he wants—Government want—more time. But asking for some more time to-day is in order to merely get the whole thing cancelled or lapsed. They want to get this thing lapsed and killed!

Therefore, I want to ask this question—Why does the Government want more time? Is it for throwing out the whole thing? Some of my friends wanted a secret Session—my friends Shri Bosu, Shri Shamim and others spoke about it. They all repeated the same demand. But I want to give a warning. If we have a secret Session, what will happen? Sarvashri Madhu Limaye, Atal Bihar Vajpayee, Shyamnandan Mishra and other Members have taken an oath of secrecy, as regards the perusal of CBI reports and related documents. They are now saying that they cannot speak about these papers in any case while we are here in open session because of the oath. Now, if you have a secret Session, what will happen? In a secret Session, no strangers and pressmen will be allowed. Only the Members will be there and they will only be sitting and discussing all these things. All these things and secret matters will be brought in. But because it is a secret Session, we won't be able to speak anything outside and the Government which has a majority will, in any case, throw the whole thing out, whether it is a secret or an open Session! And, thus, the main purpose will not be served. My point is that the purpose will be served only if there is a full, proper Parliamentary probe.

In conclusion, I would invite your kind attention to my own motion—No. 216 printed in the Lok Sabha Bulletin, Part II dated 6th December, 1974. This is what I said in my motion, I quote:

"That this House resolves that a special Parliamentary Committee,

nominated by the Speaker and under his Chairmanship, be constituted with a view to going through the CBI Report and deciding whether the conduct of some of the Members of the House was in conformity with the high standard of Parliamentary democracy and decency."

I am very glad that some of the hon. Members who gave their motions that are printed in the Lok Sabha Bulletins and several who have spoken just now also confirm after going through the CBI reports etc. that there is a *prima facie* case for a Parliamentary probe. So, I am happy that what some of us inferred and imagined even without the perusal of the documents is being fully confirmed and strengthened.

My point is that this Parliamentary probe must take place immediately. I am glad that after the CBI report's perusal some esteemed friends have been more than convinced about the *prima facie* case. Therefore, there should be a probe, and it must be announced to-day, and to-day only. Parliament has a right to demand that There is, after all, a democratic policy in our land and, no matter, who the person is, higher of the high, if he is found guilty of certain charges of corruption and undignified behaviour he should be forced to be removed by a Parliamentary probe. In a Parliamentary democracy, no one is indispensable or unremovable.

Please therefore decide to-day, and do not let it go to another three or four days because this will then be thrown out!

MR. SPEAKER: Prof. Guha has already spoken.

SHRI SAMAR GUHA: I want to draw your attention to one thing.

MR. SPEAKER: I shall give you two minutes only. Your party Members have already spoken.

SHRI BHOGENDRA JHA (Jainagar): I kept on standing. . .

MR SPEAKER: I am not denying you a chance.

SHRI BHOGENDRA JHA I cannot keep quiet.

SHRI INDRAJIT GUPTA: He had been perusing the documents. . .

MR SPEAKER: I shall call him last of all.

SHRI BHOGENDRA JHA: No I do not seek time from you I want that this House should have some more facts

MR. SPEAKER: Do not lose your temper. You will be called

SHRI BHOGENDRA JHA: You heard everyone.

MR SPEAKER Mr Guha will you wait a minute?

SHRI SAMAR GUHA: For him I shall sit I shall speak after him

MR SPEAKER: I am not going to allow everybody

SHRI SAMAR GUHA You may carry on

SHRI BHOGENDRA JHA: Let the Speaker decide whether I should speak or Shri Guha I cannot stand everytime.

SHRI INDRAJIT GUPTA: When Mr Mody got up to speak Shri Jha also rose But you said at that time that after Shri Mody you would allow him

MR SPEAKER: I tell you I am doing it this way I allowed the party leaders to speak first. From the same party some Members came. I told them that their leaders have already spoken. You may have two minutes Mr. Guha and then Mr. Bhogendra Jha

SHRI SAMAR GUHA: Sir, let him. first speak.

SHRI BHOGENDRA JHA: Sir, I want to know your decision. If you do not allow the second Member to speak from the same party then I will sit down. (Interruptions)

MR. SPEAKER: You had sat down in his favour and he has withdrawn I had called you and you sat down in his favour. I am not going to call any other gentleman now. I allowed perusing nominees and the leaders to speak. In your case you were not the perusing nominee.

SHRI SAMAR GUHA: I had nominated Mr Madhu Limaye. You have allowed more than one person from different parties.

MR SPEAKER I request you to please sit down now. We had enough of it

SHRI SAMAR GUHA: You have allowed more than one spokesman from one party.

MR SPEAKER: That was done. Mr. Limaye has spoken.

SHRI SAMAR GUHA: Certainly, if you do not allow other Member . .

MR SPEAKER. I am not allowing any other Member

SHRI SAMAR GUHA: There should not be more than one from every party.

MR SPEAKER I accept that. Papers to be laid on the Table.

SHRI BHOGENDRA JHA: Sir, kindly hear me I am not insisting upon to speak. Shri Indrajit Gupta has moved a Motion. Some other Motions are also before you. Then, those Members said, that they are not going to press those Motions. Shri Indrajit Gupta read out the Motion and he has spoken on that.

MR. SPEAKER: This is Notice of a Motion which I received while sitting here.

SHRI BHOGENDEA JHA: Sir, Members have perused the documents. Today's discussion begins on that basis. Having gone through the documents, if you think that my views or suggestions on these Motions are necessary, you allow me. Because my name has also been mentioned by certain people, because I was in the Committee and you know how the memorandum was drafted (*Interruptions*).

MR. SPEAKER: Not at present I clearly said that this is Notice of a Motion. This is Notice of a Motion, like other Motions. I have not taken any decision on it yet.

जी अटल बिहारी वाजपेयी : अध्यक्ष महोदय, इस मामले पर आप बहुत समाप्त कर रहे हैं या कागज रखने के बाद...

अध्यक्ष महोदय आप ने अपने व्यूज दिए हैं।

जी अटल बिहारी वाजपेयी : व्यूज दिए हैं लेकिन हम ने कोई हवा में बाने नहीं की है। मंत्री महोदय ने कहा कि वह समय चाहते हैं। हम पूछ रहे हैं कि कितना समय चाहते हैं? इस का जवाब नहीं देगे?

SHRI K. RAGHU RAMAIAH: Sir, it is very unfair to pin us down to any particular time. On behalf of the Government, I did say that the memorandum requires a close study and that it will require some time. How can I say how much time the Government will take? It is very unfair.

SHRI INDRAJIT GUPTA: What about my Motion? I have not given you any memorandum.

SHRI K. RAGHU RAMAIAH: We have not even had a copy of that. (*Interruptions*).

SHRI BHOGENDEA JHA: Sir, the Minister has stated that all the Opposition leaders had met the Prime Minister and gave the memorandum. This is factually wrong. (*Interruptions*)

SHRI INDRAJIT GUPTA: Sir, we are all feeling hungry and you are also feeling hungry and that is why you are also very angry sometimes. I would suggest that you allow as a special case, those Ministers who are waiting to lay the Papers. We do not mind. Let them lay the Papers and go away and then this discussion can continue. You can hear Mr. Bhogendra Jha and others also.

MR. SPEAKER: I shall not give any chance to any Member. I have asked the Minister to reply. He has already replied.

SHRI SAMAR GUHA: Sir, on a point of order. A specific resolution, a specific motion has been brought before the House and it has been categorically stated here. (*Interruptions*). Where they have categorically stated that a Committee should be constituted. In reply to that, the hon. Minister has said that they want time. Time may be eternal. Time may be one day, two days and so on. It is everybody's hunch that today may be the last day not only of this Session but of this Parliament. Therefore, this House is entitled to know when is the Government going to give their considered view. What is the specific time? Time may be of Nth degree. It does not mean that. Otherwise, this Government will carry the whole blemish, the Prime Minister will carry the whole blemish, of shielding one corrupt Minister. The whole people will think that the Government and the Prime Minister are carrying the

[Shri Samar Guha]

whole blemish of shielding one Minister....

MR. SPEAKER: No, no.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, ...

SHRI BHOGENDRA JHA: On a point of order—On a point of order—On a point of order.

MR. SPEAKER: This is not the way of outing a point of order.

PROF. MADHU DANDAVATE: He has said 'point of order'. Let him formulate his point of order.

SHRI INDRAJIT GUPTA: When one or more motions have been formally moved, how do you dispose of them?

MR. SPEAKER: I told you that you had brought it at the time I was sitting in the Chair. I said you had sent in a motion which would be treated as a notice.

श्री अटल बिहारी वाजपेयी अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है।

SHRI INDRAJIT GUPTA: You do not join this game of playing for time like this.

श्री अटल बिहारी वाजपेयी : एक मुझाव और भी दिया गया था सारी चर्चा में कि सरकार एक सीक्रेट सेशन करना स्वीकार कर ले, दो दिन सारे दस्तावेज देख लें... (उद्यवचान)... मैं खुद प्वाइंट आफ आर्डर पर खड़ा हूँ।

SHRI BHOGENDRA JHA: On a point of order.

MR. SPEAKER: Please do not disturb. Shri Vajpayee was called first. He was already on his point of order.

SHRI BHOGENDRA JHA: No. You are violating your order. See the record.

PROF. MADHU DANDAVATE: Let him formulate his point of order.

MR. SPEAKER: He is not in a position to formulate.

SHRI BHOGENDRA JHA: My point of order is that you as Speaker..

अध्यक्ष महोदय : मिस्टर भोगेन्द्र झा, इतनी टेम्पर लूज करने से कहीं नहीं पहुँच सकता आदमी। आप गुस्से में मत आइए।

SHRI BHOGENDRA JHA: Agreed.

SHRI INDRAJIT GUPTA: This should apply to everybody, not once in a blue moon and only to us.

SHRI BHOGENDRA JHA: My point of order is this. You had announced when Shri Madhu Limaye was speaking that you are going to give me time not in the capacity of the second member of the party but as a person who has perused the documents. Today the discussion has arisen on that basis.

The second point of order is that while the Minister was making his statement, he had included all the Opposition parties....

SHRI K. RAGHU RAMAIAH: No, no. The correct version is this. I said 'leaders of some of the Opposition parties'. I did not say 'all'.

SHRI BHOGENDRA JHA: Anyway. Either you abide by your order or you say you have committed a mistake in announcing that you would give me time.

MR. SPEAKER: If it satisfies your vanity, I will admit that I committed a mistake. I am sorry. (Interruptions).

SHRI BHOGENDRA JHA: I will get a more reasonable chance outside(Interruptions). What is your ruling on that. Unless you allow me, I will not speak.

अध्यक्ष महोदय : अगर आप की इस से तसल्ली होती है कि मैं कहूँ कि गलती हुई है तो दस दफे कहूँगा कि हुई है । मैं ऐसा नहीं हूँ कि ज़िद में आकर जो मर्जी आए किए जाऊँ ।

SHRI BHOGENDRA JHA: Sir, to-day being the last day of the session—I do not hope that this is the last day of Parliament or Parliamentary democracy; even though the forces are there, they are not strong enough to destroy parliamentary democracy. .

SHRI ATAL BIHARI VAJPAYEE: Obviously he is referring to the ruling party.

SHRI BHOGENDRA JHA: The issue has been precipitated according to me. Even before the perusal of the documents, our stand was there should be a probe by a parliamentary committee. At that stage, many members of the ruling party were also of that view. That is my assessment of the situation. Having perused most of the documents—the report, the case diary, seizure list etc., many of us could not give adequate time to that. Yesterday I could not give time to the House; day before yesterday also I would not give time to the house. After spending 10 hours each day, still I have not completed it. I do not think anyone else has been able to complete the perusal. They have decided that the study of the documents should continue tomorrow, day after tomorrow and perhaps even beyond that. In such a situation, Mr. Indrajit Gupta suggested and I also suggested that there should be a probe by a Parliamentary committee. So, from the beginning we have been demanding that there should be a parliamentary probe. I would still say that it would have been much better for democracy, for

this Parliament, for the ruling party and for the entire Council of Minister without exception, if this had been allowed. I do not support the suggestion for a secret session. On the basis of the evidence collected, the CBI have given us abundant material after perusing which one can be in a position to come to a conclusion on a particular point. In such a situation, let the Government announce their decision now. Even if there is a secret session, there would be suspicion lingering in the minds of the general public. So, I am not for a secret session. I think there should be a parliamentary committee. Even if it is a full parliamentary debate, neither Parliament nor Government will lose anything, because the facts have come out in the charge-sheet and nothing new will come out which will harm the country or the democratic system or the Minister. So, I suggest that let the perusal of the documents be completed and then let those members come to some unanimous conclusions.

In such a situation, this being the last day of the session, let the Government announce their decision as to what steps they are going to take.

SHRI S. M. BANERJEE (Kanpur): Sir, I rise on a point of order.

MR. SPEAKER: There is no point of order.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय आप को स्मरण होगा आज प्रातः काल से दो बातों पर जोर दिया जा रहा है— एक तो सरकार संसदीय कमेटी बनाने की घोषणा कर दे और अगर सरकार समय चाहती है तो सोमवार तक के लिये यह अधिवेशन बढ़ा दिया जाय । इसके बारे में कोई जवाब नहीं दिया गया है । वे सीक्रेट सेशन करे या न करें—श्री भोगेन्द्र झा का उस से मतभेद है, लेकिन हम उन की इस बात से सहमत हैं कि सरकार संसदीय कमेटी बनाने का ऐलान कर दे । यदि आप संसदीय

[श्री अटल बिहारी वाजपेयी]

कमेटी बनाना स्वीकार करते हैं तो हम लोग मिल कर बैठ कर टर्म्स आफ रेफरेन्स आदि तय कर सकते हैं—इस के बारे में इन का जवाब दिलवाइये।

SHRI DINEN BHATTACHARYYA: After so much of discussion lasting so many days over this matter, if nothing happens, what will be the impression in the country about Parliament? So, it is our firm opinion that the Government should immediately fix some time, appoint that committee and decide the terms of reference of that committee.

SHRI INDRAJIT GUPTA: I can appreciate the hon. Minister for Parliamentary Affairs being in a difficulty because he has got only that brief which he got in the morning. He is sticking to that. He is not in a position to say anything which is outside his brief. I would say in all seriousness that we are prepared to accommodate him. Let the laying of papers go on; in the mean while, let him have further consultation, and let him come back and announce the decision of the Government. Because, there are motions moved which cannot be disposed of this way, in a cavalier fashion, passing on to the next business. We will not allow that.

SHRI S. M. BANERJEE: I rise on a point of order, Sir. My point of order is this. I want a ruling from you on two points. My first point is that the notice of a motion has been given. Fortunately or unfortunately, the notice has been read out in the House. It has gone in the proceedings. Today is the last day of the session. I want to know whether you have accepted it and, if you have accepted, when it is coming, whether it is coming in the next session....

MR. SPEAKER: It is a No-Day-Yet-Named motion.

SHRI S. M. BANERJEE: Under rule 184, it has been moved. Whether it is under rule 184 or 193, I do not know. But it is a motion. I am a Member of the House and I am entitled to know what is going to be the fate of the motion. If you have accepted the motion, what is the reaction of the Government thereto?

My apprehension is that the people are marking time and, today, the session will adjourn and everybody will go away, including myself. I want to know the fate of the motion. Let the Government come forward and openly discuss it. Let the motion be discussed. Let them reject it. You give your ruling.

MR. SPEAKER: Please sit down.

As I have ten times told earlier, it is the notice of a motion. It is like any other motion. It is a No-Day-Yet-Named motion.

SHRI K. RAGHU RAMAIAH, Sir. I really thought that the Opposition would appreciate the spirit in which I made the statement. Yesterday, it was about 8 P.M. or so when a memorandum was given, when a suggestion was made about the parliamentary committee, etc. Again, this morning, some other suggestions are made. Do you expect the Government to immediately react, all at once, within a minute? The memorandum which contains so many points has to be examined. The Law Minister is doing it. It is unfair to expect that the Government must react immediately. I do not accept this suggestion.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, इस का मतलब यह है कि सरकार इस संवाल पर विमर्श बन्द कर के बैठे है।

MR. SPEAKER: Whatever you take it.

SHRI ATAL BIHARI VAJPAYEE:
We stage a walk-out in protest.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय,
मैं बाक आउट कर रहा हूँ ।

अध्यक्ष महोदय : अठ्ठा जी ।

Shri Atal Bihari Vajpayee and some other hon. Members then left the House.

14.33 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER ALL INDIA SERVICES ACT, 1951

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 3 of the All India Services Act, 1951:—

- (i) The Indian Administrative Service (Fixation of Cadre Strength) Twenty-fourth Amendment Regulations, 1974, published in Notification No. G.S.R. 1299 in Gazette of India dated the 7th December, 1974.
- (ii) The Indian Administrative Service (Pay) Twenty-third Amendment Rules, 1974, published in Notification No. G.S.R. 1300 in Gazette of India dated the 7th December, 1974. [Placed in Library. See No. LT-8827/74].

AUDIT REPORT OF WORKING OF COCHIN REFINERIES LTD., 1973 AND NOTIFICATION UNDER CUSTOMS ACT, 1962

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PRANAB KUMAR MUKHERJEE): I beg to lay on the Table:—

1. A copy of the Report (Hindi and English versions) of the Comptroller and Auditor General of India for the year 1973—Union Government (Commercial)—Part IV—Appraisal of the Working of the Cochin Refineries Limited, under article 151(1) of the Constitution. [Placed in Library. See No. LT-8828/74].
2. A copy of Notification No. G.S.R. 691(E), (Hindi and English versions) published in Gazette of India dated the 17th December, 1974, under section 159 of the Customs Act, 1962, together with an explanatory memorandum. [Placed in Library. See No. LT-8829/74].

CORRECTION OF ANSWER TO USQ No 4569, DATED 16TH DECEMBER, 1974 re. FINDING OF U.P. LAND REFORMS COMMITTEE, GUJARAT AGRICULTURAL PRODUCE MARKETS (AMNDT.) RULES, 1974 AND NOTIFICATIONS UNDER GUJARAT PANCHAYAT ACT, 1961

THE DEPUTY MINISTER IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI PRABHUDAS PATEL): On behalf of Shri Anna Sahab P. Shinde, I lay on the Table:—

1. A statement correcting the reply given on the 16th December, 1974 to Unstarred Question No. 4569 by Shri Madhu Dandavate regarding Finding of U.P. Land Reforms Committee on Violation of Land