

12.02hrs.

QUESTION OF PRIVILEGE

IMPORT LICENCE CASE

SHRI JYOTIRMOY BOSU (Diamond Harbour): rose.

MR. SPEAKER: No, no.

SHRI JYOTIRMOY BOSU: Sir, from 1971 to 1974 there have been firings on 91 occasions.....

(Interruptions.)

MR. SPEAKER: Mr. Bosu, I am not allowing any adjournment over them.

SHRI JYOTIRMOY BOSU: I want only one minute to make my submissions. I shall take half a minute only.

श्री मधु लिमये (बाका) : अध्यक्ष महोदय कृपया आप ने यह तय किया था कि जिन लोगों ने विशेषाधिकार का नोटिस दिया है, उन को आज मुता जायेगा। इस लिए प्रिविलेज मोशन को पहले ले लीजिए।

श्री अटल बिहारी वाजपेयी (स्वानियर) : अध्यक्ष महोदय कायवाहा के नियमों के अनुसार प्रिविलेज मोशन पहले लिया जाना चाहिये हम प्रिविलेज मोशन की सूचना दे चुके हैं।

श्री मधु लिमये : उस लिये उस को तत्काल ले लिया जाये।

MR. SPEAKER: Mr. Bosu, you have already explained that.

SHRI JYOTIRMOY BOSU: I shall certainly make a room for these privileged people. I am one of those people.

MR. SPEAKER: Mr. Bosu, I have already allowed a calling attention motion

(Interruptions.)

MR. SPEAKER: Nothing will go on record since I have not called you We have already admitted an-
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other motion. You do not care for it.

There are privilege motions—so many of them. Many of them are alike; many of them are identical; they are overlapping also. I can say that some of them are completely separate things. Of course I tried to see what procedure we should follow because they are all alike.

SHRI JYOTIRMOY BOSU: Mine is so concrete that it is a sheer breach of privilege.

MR. SPEAKER: There is not only one but there are some others too. They are allied motions along with the first one. So, I have been trying to think over this. The situation is some what unusual. I can give a ruling on any one but the allied one is not covered. If the allied one is not covered, what I say is this. I try to apply my mind over it to come to some decision after listening to the Members who have given them.

But, may I request you that if you like to take any one of them then you will not take much time? The motions are from Sarvashri Limaye, Bosu, Shamnandan Mishra and Atal Bihari Vajpayee.

श्री मधु लिमये : अध्यक्ष महोदय यह सही है कि हालांकि विषय एक ही है लेकिन विशेषाधिकार भंग के अभियोग कई लोगों पर लगाये गये हैं। मैंने जो नोटिसिज दिये हैं, उन में जिन लोगों ने मेरी राय में इस सदन का प्रपमान किया है, पहले मैं उन की सूची बना देता हूँ। सब में पहला गृह मंत्री...

अध्यक्ष महोदय : मैं एक बड़ी इन्ट्रिगिंग बात की तरफ आप की तरफ ज़रूर दिलाना भूल गया।

I am sorry. I thought I must invite your attention to this before all of you proceed ahead. This is a letter written by Shri Tulmohan Ram dated November 14.

SHRI SHYAMNANDAN MISHRA (Begusarai): Nehru's Birthday.

SHRI ATAL BIHARI VAJPAYEE:
Bal Divas.

MR. SPEAKER: It was a holiday.
Then 16th and 17th were holidays.

इस में उन्होंने बड़ी मजेदार बातें लिखी हैं।

श्री अटल बिहारी वाजपेयी : आप
अकेले ही उन का मजा न ले हमें भी वे बातें
बताये ताकि हम भी मजा ले सकें।

MR. SPEAKER: It is addressed to
"The Honourable Speaker, Lok Sabha"
and says "for your very kind consid-
eration". It is not for me but it is
directed to you.

He says in the letter:

"In connection with the case which
has been filed against me by the
prosecution, you were pleased to
observe as follows in the Parliament
on November 12".

Then he quotes what I said here:

"But a difficulty has arisen because
of CBI instead of waiting and laying
it before the House, has followed
another course by sending it direct
to the court. This is another thing.
The Minister says that it was beyond
his power....".

Then he quotes another para from the
proceedings:

"Now the investigation report has
also come, I can say that they have
brought it before the House. On the
other hand, it has gone beyond the
control of the House because it has
gone to the court....".

He quoted my observations. Again:

"I can very well imagine that
there may be many matters about
which you can say 'all right'. But
this House is directly concerned with
the honour of these M.Ps. So some
way should be found out of this
tangle".—

I will circulate this letter to you—
Again he quotes my observations:

"I do not stand on prestige. The
M.Ps. from this or that side have
to show themselves that they are
honest people."

Again:

"We do not like any black sheep
which may happen to come out of
us. Many M.Ps. resented because
their "signatures were forged. The
CBI report says that some of them
are forged and some of them are
doubtful. I do not say anything
good or bad. I think that some way
should be found....".

AN HON. MEMBER: What are his
observations?

MR. SPEAKER: He says:

"As a Member of Parliament, I
am also vitally concerned with its
dignity and its privileges".

"That as an accused person in the
case under reference, I am also deep-
ly concerned with the fact that no
prejudice is created to my case by
any discussion after my case has
become sub judice."

He again says:

"I am fully confident that my in-
terests are fully safe with you....".

AN. HON. MEMBER: The cat is
out of the bag.

SHRI SHYAMNANDAN MISHRA.
We know who is at the back of this.

MR. SPEAKER: He has written it
to me. He is asking me.

"I am fully confident that my
interest are fully safe with you".

SHRI MADHU LIMAYE: They are
also safe with us.

MR. SPEAKER: When he says
'you' it is not me, but all of you.

Then he says:

"I am glad to know that your
honour is looking into the matter
and have very kindly asked the
Home Minister also to do so.

"In fact, I would have been glad to clear all doubts raised by the CBI to the satisfaction of the House had a discussion taken place in the House before the filing of the case in the court. Now since the matter has become *sub judice* and a criminal charge is pending against me, any discussion of the matter in the House would prejudice my case in the court. In all fairness, I may submit that I should not be subjected to double jeopardy."

"I need hardly add that the rules and convention of the House postulate a procedure which does not deprive an accused of his defences and does not create an atmosphere which would undermine the possibility of a just and fair trial. I need hardly submit that a discussion or decision in the House in relation to my conduct at this stage would not only destroy the presumption of innocence which is the foundation of our criminal jurisprudence but would also destroy the chances of a proper trial of the case."

In your observations in the House 12th November, 1974 you have been at pains to express the question of the honour of such Members whose names got involved in this matter. The Home Minister Shri Reddy in his statement in the House on 12th November, 1974, *inter alia* stated that "In the light of his opinion as well as other evidence there are sufficient grounds to believe that signatures of 20 members of the Parliament were forged....".

Government did not say that; they said there were four doubtful cases also. He goes on;

"A discussion cannot be more than confirm what the Home Minister has said on the basis of which the honour of 20 Members of Parliament according to Government stand already vindicated. If that be so, I submit that the only purpose that the discussion in the House can

serve at this stage is to surcharge the atmosphere with personal and political recriminations and thereby prejudice my defence in the case instituted by the CBI."

As the custodian of the procedural safeguards embodied in the rules you would kindly appreciate that the demand for a discussion or decision by the House in this matter at this stage is far from fair and bonafide or in consonance with the relevant rules or procedure.

It is obvious that the honour and fair name of the hon. Members concerned can be preserved without any discussion....".

This is what he has written. I think that we are doing it just for the sake of the fair name. It is my humble opinion. I think it is wrong that we are ignoring the honour and fair name of the Members. It is for the sake of maintaining it that we are doing it. He had not met me. If he is on bail, he should have met me; I could have explained.

PROF. MADHU DANDAVATE (Rajapur): Is it an English translation of his Hindi letter?

श्री मधु लिमये यह इसलिए पूछ रहे हैं कि उन्होंने कहा था कि मैं अंग्रेजी बिलकुल नहीं जानता।

MR SPEAKER: It is all in English. It came to us on 15th, quite late in the afternoon. Then 16th and 17th were there. I thought that instead of allowing it to lie on my table as a matter between him and me, I should bring it to the notice of the House also.

SHRI MADHU LIMAYE: Please have it circulated.

MR. SPEAKER: I was thinking about it yesterday. After a lot of thinking I came to the conclusion that you were going to raise it and so it must come to your notice also.

श्री मधु लिमये : अध्यक्ष महोदय, जैसा कि मैंने कहा, विषय एक ही है, लेकिन इस के पहले बहुत ज्यादा है और मदन का मानहानि करने वाले सदस्यों और मंत्रियों की संख्या भी ज्यादा है। सब से पहले उन की सूची मैं आप के सामने रखना चाहता हूँ। पहले है गृह मंत्री। इस में सर्वश्री उमाशंकर दीक्षित जिन्होंने आश्वासन दिया और ब्रह्मानंद रेड्डी जिन्होंने उसी पद पर रह कर आश्वासन तोड़ा इन दोनों का मैं समावेश करना हूँ। फिर आश्वासन देने वाला मैं श्री हरिभाई गाखले भी है। कानून मंत्री (व्यावहार) यहाँ तो भाऊ का भाई ही हो जाता है। फिर चौथे है श्री चट्टोपाध्याय व्यापार मंत्री और पाचवें है लोक सभा के सदस्य श्री नृपमोहन राम।

अब मैं इकट्ठा ही बोलूंगा सब से पहले भूतपूर्व गृह मंत्री श्री उमाशंकर दीक्षित जो ने इस मदन का क्या आश्वासन दिया था वह मैं उन्हीं के शब्दों में पढ़ कर सुनाता हूँ

"I am making a promise. I am giving an assurance that after this investigation is over, the first thing that we will do is to come to Parliament and we will say, this is where we have arrived. Please tell us what we should do. It is only after that, according to the wishes of Parliament that we will proceed. We are not closing the door for further investigation by Parliament. There can be one remote possibility when the matter can go to a committee."

यह श्री उमाशंकर दीक्षित ने 9 तारीख का कहा था।

अब कानून मंत्री श्री गोबिंद साहव ने इस के बारे में दो दफा बक्तव्य दिया है। एक उन्होंने 9 तारीख को ही आश्वासन दिया वह इस प्रकार है

"Please refer to my remarks. I have said at that time that we shall take the House into confidence after the investigation report was available. After the results of investiga-

tion are available, we shall take the House into confidence. The whole matter is open to the House to consider at that stage."

गृह मंत्री के आश्वासन मैं और श्री गोबिंद साहव के आश्वासन में महत्व की दृष्टि से मैं थोड़ा फर्क करना हूँ क्योंकि गृह मंत्री जी कानून मंत्री नहीं है लेकिन श्री गोबिंद साहव कानून मंत्री हैं। कानूनी मामलों में वे सरकार के सहायक हैं। वे हाई कोर्ट के नज़र रख सकते हैं। और सुप्रीम कोर्ट के एक बड़े अधिवक्ताओं में से रहे हैं। अधिवक्ता माने एडवोकेट। इसलिए इन मंत्रियों में इन की जिम्मेदारी सब में अधिक है।

चौथे मंत्री हैं व्यापार मंत्री। आप को याद होगा इन्होंने 9 नवम्बर को कहा था कि जा ताउमम दिख गये हैं न्याय और ईतिवृत्ति के लिए दिये गये हैं। बाद में इस मदन का यह बक्तव्य आया कि मैंने लगे हुए उपाय किये गये। तो अगर न्याय के लिए दिये गये थे तो उपाय क्या किये गये? उन्होंने दूसरा भी स्पष्ट शब्दों में कहा था कि लाउमेमस ट्रिफिकिंग नहीं हुई हालांकि 28 अगस्त को मैंने इन को नवम्बर दिनांक थी कि इडा बगला देश ट्रैडिंग कारपोरेशन के मार्फत और श्री सिद्दीकी के माफत उन लाउमेमस को बेचने का प्रत्यय किया जा रहा है। यही तक उदा बगला देश ट्रैडिंग कारपोरेशन पर छापा मारने के बाद क्यों क्या जानकारी मिली इस के बारे में मदन को विज्ञान में नहीं लिखा गया। मदन ने बार बार माफ करने के बाद भी चर्जशेड भी नहीं दी गई। इसलिए व्यापार मंत्री भी इस में मदन के बिगोवाधिकार को भंग करने में मदन की मानहानि करने में सम्मिलित है।

अब गृह मंत्री श्री ब्रह्मानंद रेड्डी को तरफ में आता हूँ। उन्होंने अपने बक्तव्य में जो उन्होंने इस मदन में इसी मात्र में दिया, उस में उन्होंने कहा है—

"The investigations did not disclose that any of the officers who dealt with the matter were involved in the commission of the offence."

यह इन्होंने इन लोगों को सर्टिफिकेट दे दिया लेकिन अनियत यह है— हम ने अब्दुलबारी में पठा है कि सी० बी० आई० की रिपोर्ट और चार्जशीट में यह कहा गया है कि श्री तुलमोहन राम ने अपना प्रभाव पब्लिक सर्वेन्ट्स पर डालने का प्रयास किया और उस के लिये पैसा लिया। तो वास्तविकता यह है कि तुलमोहन राम और दूसरे लोगों के प्रयास से—इस में मैं ललित नारायण मिश्र को भी शामिल करता हूँ—उन के प्रयास से पब्लिक सर्वेन्ट्स प्रभावित हो गये, इस का मुबूत हम लोगों के पास है।

श्री एन० के० सिंह के बारे में चार्जशीट में दो तरह की बातें कही गई हैं। श्री तुलमोहन राम ने कहा है कि श्री सिंह ने कहा था कि एक पैटीशन और दो जम में मंत्री का हाथ मजबूत हो जायगा। दूसरी बात यह भी सामने आई है कि श्री एन० के० सिंह जो ललित नारायण मिश्र के समय स्पेशल एमिस्टैंट या एडवाइजर थे, प्रो० चट्टोपाध्याय ने उन को श्री ललित नारायण मिश्र के आग्रह पर अपने मंत्रालय में रखा इन के बारे में यह जानकारी श्री तुलमोहन राम ने दी है कि 20 हजार रुपये उन को देना पड़ेगा अभी तक यह चार्जशीट हम को नहीं दी गई है।

अध्यक्ष महोदय, जो पब्लिक डायरेक्ट है उस को देने में भी इस को हिचक है। एफ० आई० और० की रिपोर्ट सारी बहम होने के बाद हम लोगों के सामने टेबिल पर रखी गई, तो चार्जशीट क्या नहीं रखी गई, इस में कलमी सीक्रेट बा है या वह यह चाहते हैं कि हम आगामी मंजूर-रहा या मंजूर-धर्या छोड़ दें—और मंजूर में सर्टिफिकेट कापी मांगें—उस पर अब्दुल महोदय, 6 अपर मंत्री ना इस में शामिल हैं।

अब अध्यक्ष महोदय, घमा फिरात आग्रह यह कहा जा रहा है कि मामला न्यायालय के अधीन है। किंग ने मामला न्यायालय के अधीन बनाया? श्री गोखले की सलाह पर गृह मंत्री जी ने मामला सबजूडिस बना दिया, जब कि उन्होंने स्पष्ट शब्दों में आग्रहामन दिया था कि इन्वेस्टीगेशन की प्रक्रिया पूरी होने के बाद हम पार्लियामेंट के सामने आयेगे और आप से पूछेंगे कि आगे क्या करना है। ऐसा करने में इन को किसी तरह की हिचक नहीं होनी चाहिये थी, कानून का कोई बंधन नहीं था—आप चाहें 100 त्रिमनल प्रामीजर काट की धाराओं को पढ़ें—कही नहीं लिखा गया है कि दो-चार या दस दिन की दरी नहीं हो सकती है या आप सी० बी० आई० को कह सकते थे कि अभी कोई और मामला ऐसा है जिन की इन्वेस्टीगेशन कीजिये और यह भी कह सकते थे कि पार्लियामेंट का सत्र शुरू होने तक इस का पूरा किया जाय—लेकिन यह आप ने जानबूझ कर नहीं किया।

अध्यक्ष महोदय, मेरा यह आरोप है कि पोलिटिकल अफेयर्स कमेटी में, जो कैबिनेट की कमेटी है, हाई-लेवल पर प्रधान मंत्री जी की सभ्यता से, बल्कि उन के कहने पर, यह निर्णय लिया गया कि पार्लियामेंट को दिये गये आश्वासन के बजाय हम लोगों की टटिजी यही होनी चाहिये कि इस मामले को सबजूडिस बना दिया जाय। इस लिये मैं प्रधान मंत्री जी से लेकर पोलिटिकल अफेयर्स कमेटी के जितने सदस्य हूँ और बाकी जिन मंत्रियों की सूची मैंने रखी है इन के ऊपर असदभावपूर्ण व्यवहार—मैलाफाइड एक्शन—का आरोप लगाता हूँ। इस लिये यह मामला बहुत संगीन और गम्भीर बन जाता है।

अब यदि कोई केस कोर्ट में चल रहा है तो क्या पार्लियामेंट का जो अधिकार है कि अपने सदस्यों के व्यवहार के बारे में, उन के आचरण के बारे में निर्णय कर सके—समाप्त हो जाता है? अदालत जहनुम में जाय, अदालत से इस का कोई सम्बन्ध नहीं है। जब पार्लियामेंट का कानून भंग होता है तो इस में अदालत के दखल की जरूरत नहीं है। वह अपना केस अलग से चलाये। छोटी सादड़ी सोना काण्ड की तरह से—उसको चाहे सात साल चलाये या नागरवाला की तरह दो मिनट में खत्म कर दे। अध्यक्ष महोदय, यह सरकार न्यायालय के साथ किस तरह से खिलवाड़ करती है—नागरवाला का केस एक दिन में, एक घंटे में खत्म होता है और सुखाड़िया का छोटी सादड़ी का मामला सात साल चलता है। तो आप के सबजूडिस से यह पार्लियामेंट स्वने को तैयार नहीं है, आप दो-तिहाई बहुमत के

बल पर जो कुछ भी कीजिये, लेकिन फैसला पार्लियामेंट में होना चाहिये—यह मैं ताकत के साथ कहना चाहता हूँ।

अध्यक्ष महोदय, आप जानते हैं कि सविधान की दफा 105 क्या है, मैं उस को पढ़ना नहीं चाहता हूँ। इस लिये मैं “मेज पार्लियामेन्ट्री प्रेक्टिस” का पहले हवाला देता हूँ—मेम्बरों को हाउस आफ कामन्स क्या सजा दे सकता है—यह पेज 128 है और 18वां एडिशन है इस में यह कहा गया है—

“The purpose of expulsion is not so much disciplinary as remedial, not so much to punish Members as to rid the House of persons who are unfit for membership....”.

मैं इस को अधोलिखित करना चाहता हूँ—

“It may justly be regarded as an example of the House's power to regulate its own constitution. But it is more convenient to treat it among the methods of punishment at the disposal of the House.”

किस किस बिना पर सदस्यों को निकाला जाता है—उसकी सूची दे रहा हूँ—

Members have been expelled as being in open rebellion; as having been guilty of forgery.....

अब तुलनाहः राम ने फोर्जरी तो की है—आज देखर और एडमॉशन—अब अगर सी० पी०आई० की रिपोर्ट में विश्वास नहीं है तो मैं चाहूंगा कि पार्लियामेंट की प्रिविलेज कमेटी हैण्डराइटिंग एक्सपर्ट को बुलाकर अपना निर्णय कर सकता है। फोर्जरी का केस बाहर चले और हमारा केस यहां अलग चले। दूसरी बात—

“Of perjury, of frauds and breaches of trust; of misappropriation of public money; of conspiracy to defraud; of fraudulent conversion of property; of corruption in the administration of justice, or in public offices, or in the execution of their duties as Members of the House; of

conduct unbecoming the character of an officer and a gentleman; and of contempts, libels and other offences committed against the House itself."

अध्यक्ष महोदय, इस में कई बिना पर यह कार्यवाही की जा सकती है। जहां तक मेज़ पालियारेन्ट्री प्रेक्टिस का सम्बन्ध है, इस तरह के इस में बहुत सारे उदाहरण मिलेंगे लेकिन इस समय मैं अपनी सभा की ओर आ रहा हूं। मैं केवल दो उदाहरण आप के सामने रखूंगा—एक तो मुदगल का केस है। अगर मैं गलती नहीं कर रहा हूं तो पालियामेंट को प्रभावित करने के लिये और सरकार को प्रभावित करने के लिये उन्होंने स्टॉक-एक्सचेंज से पैसा लिया था। इन्होंने भी पब्लिक सर्वेंट्स और सरकार की लाइसेंसिंग पालिसी और निर्णयों को प्रभावित करने के लिये पैसा लिया है—ऐसा आरोप है। इस लिये, अध्यक्ष महोदय मुदगल केस और इस केस में बहुत हद तक साम्य है। मुदगल के खिलाफ बाद में न्यायालय में कोई बानूनी कार्यवाही हुई या नहीं—मैं नहीं जानता, लेकिन उस से मेरा सम्बन्ध भी नहीं है, वह हुई है या नहीं हुई है—यह देखना सरकार का काम है। वैसे सरकार हमेशा ही ऐसा करती है—बानूनी के बारे में पर्जरी का केस आया, पर्जरी साबित होने के बाद भी सरकार सो गई—कोई कार्यवाही नहीं हुई। आप हम को कहते हैं कि ला-मस्ट-टेक-इट्स-ओन कोर्स लेकिन यह सरकार तो इसी तरह से मजबूत करती आ रही है। जब चाहते हैं मामले को सबजूडिस बना देते हैं और जब इस को सुट नहीं करता है तो उस को लटकाये रखते हैं।

अब आप दूसरे केस को लीजिये—यह एस० सी० मुखर्जी का मामला है। इस के बारे में सदन ने यह प्रस्ताव पास किया था :—

"That this House having considered the Twelfth Report of the Committee of Privileges presented to the House on 24th November, 1970 in which Shri S. C. Mukerjee, the then Deputy Iron and Steel Controller has been held to have deli-

berately misrepresented facts and given false evidence before the Committee on Public Accounts and committed contempt of the House, do resolve that he be summoned before the Bar of the House and reprimanded and the House do further recommend that the Government, in the light of the gravity of the offence, administer to Shri S. C. Mukerjee the maximum punishment under the law and report the same to the House."

अब आखिरी जो हिस्सा है उस के बारे में बाद में झंझट हुआ। उसी समय मैं ने ऑर्डमेंट दिया था कि आप ने फ्राईडिंग किया है वह अपराधी है तो सजा आप दीजिये। आप सरकार पर क्यों छोड़ते हैं? और मैं ने कहा था कि सात दिन की जेल की सजा दीजिये। तो उस समय आप ने फ्राईडिंग दिया और सरकार को कहा कि बड़ी सजा दें। और बाद में तरह तरह के झंझट हुए, स्वर्गीय कुमार मंगलम आये और बोले कि अटार्नी जनरल की यह राय है। तो मैं इस का उदाहरण इस लिये दे रहा हूं कि एस० डी० मुखर्जी के खिलाफ बाद में परजरी का केस चल सकता है। आप ने नहीं चलाया। तो मैं हजारों उदाहरण दे सकता हूं कि जब चला सकते थे नहीं चलाया, और चला कर लटका कर रखा। और इस केस में वही सादरी वाली टेक्टिक्स आप अपनाना चाहते हैं।

तुलसीमोहन राम आप को अंग्रेजी में पत्र लिखता है, जब कि यहां दर्जनों पत्रकारों के सामने उन्होंने कहा है कि मैं अंग्रेजी नहीं जानता तो यह ड्राफ्ट किस का है? क्या श्री ललित नारायण मिश्र का ड्राफ्ट है?

MR. SPEAKER: Do not impute motives to him. He is already in trouble.

श्री मधु लिमये : अध्यक्ष महोदय, चूंकि तुलसीमोहन राम की और उन की दोस्ती है और चार्ज शीट में और इन्वेस्टीगेशन रिपोर्ट में

[श्री मधु लिमबे]

यह आशा है कि ललित नारायण के पिता जी के लिये स्कूल बनाने के लिये 50,000 रु० मांगा गया था, उस समय माननीय वाजपेयी जी बोल रहे थे तो यह लोग झड़गा डाल रहे थे। ता मैं जानना चाहता हूँ तुल मोहन राम अंग्रेजी नहीं जानता उस को ड्राफ्ट किस ने लिख कर दिया? अटार्नी जनरल ने दिया? माननीय एच० आर० गाखले ने दिया या माननीय ललित नारायण मिश्र के किसी लाइसेंस ने दिया?

अध्यक्ष महोदय, इसलिये मैं आप से प्रार्थना करना चाहता हूँ। मैंने दृष्टा अरुनी बाते बही है, लेकिन आप मेरे एच० ए० पीडेट के ऊपर निर्णय दीजिये कि क्या माननीय ब्रह्मानन्द रेड्डी ने गृह मंत्री के पास जा आशवासन दिया था उस का उल्लंघन पर के सदन का अपमान किया है कि नहीं? जब उन्होंने ने बहस हाई अफमरों का कोई कमर नहीं है। यह झूठ और गलत बात कह कर सदन को उन्होंने गुमराह किया है या नहीं। Telling a deliberate lie; यह एक अलग आफ्रेस है। मामला एक है, लेकिन आफसेज बई बन्द रहे है। यह तो हुआ माननीय ब्रह्मानन्द रेड्डी के बारे में।

माननीय गाखले का जुर्म तो बहुत ही गम्भीर है। आप ला मिनिस्टर है और आप इस सदन का आशवासन देते हैं। फिर एक दफा अध्यक्ष महोदय, इन के आशवासन को देखा जाय

"Please refer to my remarks I have said at that time that we shall take the House into confidence after the investigation report was available. After the results of investigation are available, we shall take the House into confidence. The whole matter is open to the House to consider at that time"

बहुत ही स्पष्ट और साफ आशवासन है। इसलिये इन के बारे में तो आप को निर्णय देना ही है।

और हमारे मित्र बाणिज्य मंत्री के चेहरे से पता चलना है कि यह बहुत ही निष्पाप और इम्पोर्ट आदमी हैं। लेकिन इन का कर्म भी ऐसा होता?

श्री श्याम नन्दन मिश्र : कितनी लायल्टी दिखाई अपने प्रडीसेसर के साथ। तभी नीकरी रहेगी।

श्री मधु लिमबे : : दोनों ने मिल कर किया है। इन का कर्म भी इसी तरह मालूम होता तो आज प्रो० चट्टोपाध्याय को यहाँ म बघाई देने के लिये खड़ा होता। उन के खिलाफ प्रिविलेज मोशन नहीं लाता। लेकिन उन्होंने ने भी कदम कदम पर सदन को गलत जानकारी दी है। जब मैं ने पूछा क्या यह एक्स ग्रेजिया लाइसेंस है? ऐस्टैबलिश्ड इम्पोर्टर्स लाइसेंस या एक्सग्रेजिया लाइसेंस? आज शाम को बहस है। कैसे इस का मेल बैठता है। ऐस्टैबलिश्ड इम्पोर्टर्स लाइसेंस ऐड हाक लाइसेंस है, यह भी आप ने एडमिट किया है

Not for the future, not qualified for quota, NQQ

आप को पता ही नहीं था लाइसेंस की शब्दावली शायद मुझको मालूम हो जाय। लेकिन आप का यह दुर्भाग्य है कि यह मुझे मालूम हुआ और आप को 9 नवम्बर का यह सब कल करना पड़ा। इसलिये इन्होंने जो आर्डर पास किये यह आर्डर उन क मंत्रालय के अधिकारियों की रिपोर्ट के बाद, उन की रिपोर्ट क आधार पर जारी किये गये। उन्होंने ने एडमिट किया है मेरे एक पत्र के उत्तर में कि श्रीन दी स्पोट स्टडी करने के लिये अफमरों को भेजा था। उन की रिपोर्ट आप क्या नहीं सदन के सामने रखते है? सदन को जा करने दीजिये कि जस्टिस और ईक्विटी है या नहीं, या उसम घपला है। बहुत सारी फर्म बोगस हैं, उन का कोई व्यापार नहीं था। इम्पोर्टर्स यह थे नहा कई साल से, 17, 18 साल से और यह लाइसेंस देने के बाद भी माल मगवाने की स्थिति में

नहीं थे। इसीलिए दारे दारे चूम कर यह बेचने का प्रयास करते थे। इसलिये यह भी दोषी ह।

अन्त में श्री तुल मोहन राम, जिन का पत्र पढ़ कर सुनाया, यह और एक बड़ा अपराध कर रहे हैं। एक और अश्वशर वालो को कह रहे हैं कि मैं अंग्रेजी नहीं जानता और दूसरी ओर बड़ी शैलीदार अंग्रेजी में आप को पक्ष लिखते हैं। यह बात सही है कि श्री तुल मोहन राम तो बलि का बकरा हैं। इन के पीछे जो आदमी है उस को मैं पकड़ना चाहता हूँ। इसलिये अध्यक्ष महादय, मिमडेमनर का मामला है। मामला प्रिविलेज कमेटी में एक एक का जाना चाहिये, अलग अलग जाना चाहिये और प्रिविलेज कमेटी को सारी चीजों का अध्ययन कर के एंडेस वगैरा लेकर, उन को भी बुलाया जाय, तुल मोहन राम को भी बुला जाय, और कमेटी अपना निर्णय इंडिपेंडेंटली करे। मैं फिर कहता हूँ कि अदालत जहन्नुम में जाय, उस से हमें मतलब नहीं है। ला आफ पार्लियामेंट के तहत हम लोगों को आगे बढ़ना चाहिये।

SHRI JYOTIRMOY BOSU (Diamond Harbour): My privilege motion was very specific. There were two categorical assurances given on the floor of the House by the Home Minister. I am not worried whether it was Mr. Uma Shankar Dikshit or Mr. Brahmananda Reddy. I know the Home Minister of the Government of India had given a clear and categorical assurance on the floor of the House in which he had stated:

"I am making a promise. I am giving an assurance that after this investigation is over, the first thing we will do is to come to Parliament and we will say, 'This is where we have arrived. Please tell us what we should do.' It is only after that, according to the wishes of the Parliament, we will proceed. We are not closing the door for further investigation by Parliament. There can be one remote possibility...."

Then, when they come forward with the argument that the Home Minister was not quite knowledgeable in matters of procedures and of law, etc., etc., the first argument that will come from me will be that if they were serious and sincere with all they have said on the floor of the House, they could have, before going to the court of law, come out with the CBI report and circulated it and initiated a debate on the floor of the House. They could have tabled a motion seeking the guidance of the House as to what should be done.

Now, I am turning my head and eyes to Mr. Hari Bhau Gokhale, an one-time Supreme Court lawyer with a four figure practice. (Interruptions). The hon. Lady Member should not get jealous. I must call him a good lawyer I have not called her a good lawyer. If you kindly go through what Mr Hari Bhau Gokhale said on the floor of the House on the 3rd September he says:

"Perhaps a stage may come later on after the investigation is completed and then the House can decide about this."

So, if the Government take the plea that Mr. Hari Bhau Gokhale, the Law Minister of the Government of India is ignorant of the procedures of law, then God help this House and the country. I am making this submission before your goodness....

MR. SPEAKER: You have faith in God?

SHRI JYOTIRMOY BOSU: Not here. Nobody can help.

Now, I come to the point. The Home Minister gives a clear and categorical assurance. The Law Minister gives a clear assurance that the House should decide after the investigation is over. In spite of that, in order to keep the matter out of the purview of this House, as I have seen in another case a man rushes to Patna to make a report of a commission of inquiry *sub judice* so here also, in order to keep a report from the purview of the House, they went to the court of law. Don't you

[Shri Jyotirmoy Bosu]

call it a gross undermining of the House? Don't you call it a gross contempt of the House? Don't you call it an utter disregard of the House? This has been the assurance given by two cabinet ministers that they will not proceed an inch unless Parliament is apprised about it with regard to the report of the CBI etc. If this is not privilege, what will constitute privilege, I would like to know, Sir, I would like to be educated by your goodness or by the Government in the matter. The most important thing is this. This is a matter about which I wrote to the hon. Speaker in April if I remember right. I had sent reminders, I wrote to Mr. Chattopadhyaya but I got no reply. The whole thing has been done deliberately to save their party image which is falling into bits and pieces. The CBI report has clearly stated that out of 21 persons' signatures, 11 have been found to be forged and all that. Now the question will be out of 10 that are not proved to be forged, what are they doing with those 10 signatures? What are they doing about that? Don't make a scapegoat of one man because he has confessed and came out with a statement. He has done something grossly wrong. We agree to it. The brain behind the whole thing is the Foreign Trade Minister and what about the other ten personalities?

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY): There seems to be a misunderstanding in the House. I have made it very clear in my statement made in the House the other day that all the signatures are forged; there is no dispute about that now. Whether they are forged or not is not the question now. Out of this regarding 2 of the names the authorship is attributed to Mr. Tul Mohan Ram. About 14 other people the authorship is attributed to Mr. Jha. Regarding the other four, they are forged; it is clear; but by whom it is forged is not clear. I have made this clear in my statement. If you want I will read out that portion. In para 4 of my statement I said this:

"In the course of investigation the opinion of Shri B. Lal the Government Examiner of Questioned Documents, Simla was obtained. In the light of his opinion as well as other evidence there are sufficient grounds to believe that signatures of the 20 members of Parliament were forged and that 14 of the signatures were forged by Shri Yogendra Jha and 2 by Tulmohan Ram. Regarding the remaining 4, the opinion of the G.E.Q.D. was not definite."

SHRI MADHU LIMAYE: Who are these four?

SHRI K. BRAHMANANDA REDDY: I will give you the names.

SHRI SHYAMNANDAN MISHRA: We have been insisting since the last session that he should give the names.

PROF. MADHU DANDAVATE: Sir, I now rise on a point of order. The procedure is that he should be allowed to complete his statement. What he is doing is by way of some information. Therefore, Mr. Bosu may be permitted to finish with his submissions.

SHRI SHYAMNANDAN MISHRA: Let him name those four names.

MR. SPEAKER: The rule is this that when a Member is speaking, the other can intervene only if the Member is yielding.

SHRI SHYAMNANDAN MISHRA: Let him give those names.

MR. SPEAKER: Let him make it clear. Fourteen were forged by Shri Bhogendra Jha; two were forged by Shri Tul Mohan Ram. The other four were also forged. But, who is the author of them is not yet known. The names of the four are all forged.

SHRI K. BRAHMANANDA REDDY: Yes.

MR. SPEAKER: They are asking who are they.

SHRI SHYAMNANDAN MISHRA: Please name them.

SHRI JYOTIRMOY BOSU: Let him come out with those names.

SHRI SHYAMNANDAN MISHRA: Ask him to give out those four names.

MR. SPEAKER: If you want he can give those names.

SHRI PILOO MODY (Godhra): Sir, on the last occasion, the Home Minister agreed that he would give the names. That was made several days ago.

MR. SPEAKER: This is about the authorship. About one of them he is definite as to who is the author of the forgery.

SHRI SHYAMNANDAN MISHRA: We want the names of those four.

MR. SPEAKER: They want you to give those names. You can look into it; in the meanwhile, I shall allow him to speak so as to save the time. Mr. Bosu, you may now go ahead.

SHRI JYOTIRMOY BOSU: Sir, my information is this—I would like to be corrected if I am wrong—that the hon. Minister's evidence is correct.

MR. SPEAKER: Not evidence but the statement

SHRI JYOTIRMOY BOSU: No, Sir.

MR. SPEAKER: You go ahead.

SHRI JYOTIRMOY BOSU: One Special Assistant of the then Foreign Trade Minister—it is mentioned here—went to a nursing home in Delhi where the M.P.s are harboured with a letter for obtaining his signatures. I have also told that everything was engineered in the premises on Akbar road inhabited by the Minister.

SHRI PILOO MODY: Name him.

SHRI JYOTIRMOY BOSU: Shri Lalit Narayan Mishra

Mr. Speaker, Sir, I would like the whole file on which Mr. Mishra had passed certain observations—I do not say order—to be placed on the Table

of the House for the examination by the Members to see if they do not have the skeletons to hide. Sir, this is not the first time but even in Rajya Sabha, it was stated by the same Minister that the files containing the name of Karnataka Export Corporation's stainless steel importation and so many things were not available. But, my information is that those files were destroyed by the same Minister because that will expose many things.

Now there are lobbies working here suggesting to us that this was done by Prof. D. P. Chattopadhyaya and not by Lalit Narayan Mishra. We do not want to play into this game, but this is the thing we have been told categorically by a lobby yesterday in the Central Hall and elsewhere. I would find it difficult to accept it.

A clear and categorical reply has to come. The findings of the hand-writing experts should be placed on the Table of the House for examination by members because I have heard even of cases where a person remains present but makes somebody else sign his name. We also would like to be satisfied that in the case of some of these members that was also not done. These licences... (Interruptions)... if an attractive young lady gets agitated, I do not mind. These licences fetched no less than 400 per cent premium in the market. All his predecessors like Shri T. N. Singh, Shri B. R. Bhagat, Shri Manubhai Shah and Shri Dinesh Singh declined to oblige those applicants because they were not conspiring....

MR. SPEAKER: Do not go into a story

SHRI JYOTIRMOY BOSU: I am not going into a story.

MR. SPEAKER: Do not make it a regular discourse. This is a privilege motion. Do not go into the merits. Do not avail of this opportunity for all sorts of things.

SHRI JYOTIRMOY BOSU: No, I am only making a short submission to your goodself.

Recently, I went to Pondicherry to find out things, and there I was satisfied about one thing that the very basis of the licences were forged documents. The Secretary of the erstwhile French Government, a man called Mon. Pierre, was there. His signature has been forged because he was the last licensing authority on behalf of the French Government. On the basis of those forged signatures, licences were forged. That was made the basis for an established importer to strengthen the hands of the Minister together with 21 signatures of members (*Interruptions*).

This is not only one case. I am putting it before you that since 1971 they have been collecting more money in crores. If you go to Pondicherry, if you go to Mahe, Yanam and Goa you will see that firms which do not have a sign-board have letter heads and through these letter heads things are cooked up in Delhi and Shri Lalit Narayan Mishra is the presiding deity collecting money for *garibi hatao*. Therefore, this is what it is.

Lastly, I assure you that Shri Tulmohan Ram—I do not know whether the Tul is not a 'tool'—is really a Toolmohan Ram and is used as a tool by the presiding deity. If you are interested in getting at the real mastermind behind this, which undoubtedly a parliamentary body if it went into inquiry would establish, it is undoubtedly Shri Lalit Narayan, alias Naqad Narayan, Mishra.

MR. SPEAKER: Shri Shyamnandan Mishra.

SHRI JYOTIRMOY BOSU: Which are the four names? I sat down on that condition.

SHRI K. BRAHMANANDA REDDY: According to information received from the investigating authority, they are: Shri Basra, Shri Chiranjib Jha,

Shri Mohammad Yusuf and Shri R. P. Yadav.

MR. SPEAKER: The position is not clear about these signatures.

SHRI MADHU LIMAYE: That is their opinion.

श्री अटल बिहारी वाजपेयी : गृह मंत्री महादय एक जानकारी और दे दें । उन्होंने कहा था कि दो नाम श्री तुलमोहन राम ने जानी बनाये और चौदह नाम उनके मित्र ने जानी बनाये । वह बता दें कि दो नाम किन किन सदस्यों के हैं और चौदह नाम किन किन सदस्यों के हैं ।

SHRI SHYAMNANDAN MISHRA: The House is relieved to learn that there are only two characters in my story. But that does not mean that I am less respectful to the other characters who have been covered by other hon. Members of the House. Since they have already been dealt with by other hon. Members, I do not direct my attention to them.

In one of my notices I have complained of breach of privilege against the hon. Member Shri Tul Mohan Ram. As the House knows no less an authority than the Home Minister thought a *prima facie* case has been established of misdemeanor against him. That is no longer in doubt. Not only misdemeanor. He is being prosecuted in the court; there are criminal offences committed by him, on the reliable authority of the hon. Home Minister himself.

The second notice relates to the Hon. Home Minister because he deliberately misled the House by asserting that no official was involved in this scandal. I should not like to wary the House by quoting what all the hon. Minister had said; I shall read out one or two sentences:

"Investigations did not disclose that any of the officers who

dealt with the matter were involved in the commission of the offence".

Now it so transpires after the report submitted by the CBI that some officers were really involved in this and we also learn that some of the disclosures made during the course of the raids carried out at various places have confirmed the impression that some officials were really involved. Is this Government the custodian of hon. Members who are taking some interest in the matter that they are not given the full report of the CBI. Is this Government the custodian of the report which involves the hon. Members of the House? This shameless Government would not share with Parliament even the F.I.R. for a pretty long time; this Government would not share with us the complete CBI report which involves our reputation and affects our reputation. We have not been given the full report nor have we been given the information that had been disclosed during the course of the raids that had been carried out at various places. After all the House is the master of the situation, not the hon. Home Minister who has just now shifted from his obscure quarters in Andhra. This is a sovereign House (Interruptions)

AN HON. MEMBER: What is the relevancy of this observation? Andhra is as important as any other State in India.

SHRI SHYAMNANDAN MISHRA: This is just reffling of feathers: more things are going to come. Let them hold their breath for a while. The newspapers report that the CBI, in the charge sheet submitted by it, had said that an officer in the Foreign Trade Ministry who was handling the matter had advised two of the accused that a fresh representation signed by several Members of Parliament recommending grant of licence to the merchants who had formed themselves into an association was necessary "to strengthen the hands of the Minister in reopening the matter".

13 hrs.

The charge sheet says that around November 1972 the two of the accused had met this officer and later informed the approver, Shri S. M. Pillai that this officer had given this advice. According to the charge sheet, Mr. Tul Mohan Ram had also told the approver that an additional sum of Rs. 20,000 would be needed for paying to this officer for getting the work done. I do not want to go on further with this, but I would only say that even the charge sheet discloses what is quite contrary to what the hon. Home Minister has told us earlier during the course of his statement. So, it is a clear breach of privilege.

I now come to the case of Shri Tul Mohan Ram. What are the salient aspects of this? These are:

- (a) That some hon. members allegedly sponsored the cases of some merchants for the grant of licences by appending their signatures to an application intended to pave the way for this and that this was done in lieu of gratification of material consideration.
- (b) That all members except one denied before the house that they had made such an application at all. So, there appeared to be a conspiracy to forge signatures.
- (c) Subsequently, a debate followed in the House and the Government informed the House that there would be an investigation by the CBI and the results of such an investigation made available to the House.
- (d) On the basis of the CBI investigation, the Home Minister made a statement in the House on the 12th November, 1974, which *inter alia* said:

"In the course of investigation, the opinion of Shri Shri Bial

[SHRI SHYAMNANDAN MISHRA]

—I do not know what is his name—the Government examiner of Questioned Documents was obtained. In the light of his opinion as well as other evidence, there are sufficient grounds to believe that signatures of 20 Members of Parliament were forged and that 14 of the signatures were forged by Shri Yogendra Jha and 2 by Shri Tul Mohan Ram. Regarding the remaining 4, the opinion of the G.E.Q.D. was not definite. Further adequate evidence, both oral and documentary, has also come on record to establish that both Shri Tul Mohan Ram and Shri Yogendra Jha used to meet Shri Pillai and that Shri Pillai paid a sum of 70,000 besides other small amounts to Shri Tul Mohan Ram. Shri Gurbachan Singh, who had put Shri S. M. Pillai in touch with Shri Tul Mohan Ram had also obtained a promote for Rs 40,000 from Shri S. M. Pillai.

As the evidence mentioned above *prima facie* established that a criminal conspiracy was entered into by Shri Tul Mohan Ram, Shri Yogendra Jha, Shri Gurbachan Singh and Shri S. M. Pillai, a charge sheet, as required under certain sections had been filed."

I do not want to go into all that.

"Shri Tul Mohan Ram has further been charged with substantive offences punishable under sections. . . . Shri Tul Mohan Ram and Shri Yogendra Jha were arrested and released on bail."

These are the bits of information that has been given by the hon. Home Minister.

What follows from this? The position is like this:

(a) the investigation was made by an appropriate and authoritative agency;

(b) the investigation has established, as the Home Minister has said:

(i) that Shri Tulmohan Ram had presented two petitions on behalf of the Merchants—one on his letter paper;

(ii) that Shri Tulmohan Ram was found by the Government examiner to have forged the signatures of two Members;

(iii) that Shri Tulmohan Ram according to adequate evidence, both oral and documentary, used to meet Shri Pillai and that Shri Pillai paid a sum of Rs 70,000 besides other small amounts to Shri Tulmohan Ram;

(iv) that the contact man, Shri Gurbachan Singh had also obtained a promote for Rs. 40,000 from Shri Pillai;

(v) that the evidence had established *prima facie* that a criminal conspiracy was entered into by Shri Tulmohan Ram;

(vi) that a charge sheet has been filed against four persons, certain sections of the IPC in the Court of the Chief Metropolitan Magistrate on 11th November, 1974;

(vii) that Shri Tulmohan Ram has been charged with substantive offences punishable under certain sections of the IPC; and

(viii) that Shri Tulmohan Ram was arrested and released on bail.

I would like to lay stress on this fact, which has not been emphasised

by other hon. Members, that just on the day on which this Parliament met this Government went to the court to institute a case, just on the same auspicious day on which the Parliament commenced its sitting.

Shri Tulmohan Ram has further been charged with a substantial offence, as has been reported by the hon. Home Minister. Therefore, the hon. Member was arrested and he had been released on bail. These are the facts which the House has to take into account, while considering what action is required to be taken in a matter which so scandalously involves a member and in which the conduct of the member is *prima facie* found to be derogatory to the dignity of the House and inconsistent with the standards which Parliament is entitled to expect from its members.

In my humble opinion, there is a clear duty cast upon the House to deal with the misdemeanour aspect of the matter, while the criminal offence is dealt with by a court of law. This is what happened in the case of Shri Ratan Lal Gupta, who had committed a contempt of the House recently. After serving the sentence for the contempt of the House, he was tried and sentenced for criminal offences. I believe investigations were conducted in respect of the criminal offence even while he was serving his sentence for contempt of the House. I am referring to Shri Ratan Lal Gupta, who was found here with some explosives and a revolver. The point that I want to emphasize is that in the case of Shri Ratan Lal Gupta the two processes were going on concurrently. While he was serving a sentence under your orders, the processes of law were also working against him.

Even in the case of Mr. Nixon the processes in the Congress and the processes in the court went on concurrently. There is no conflict between the two. If the hon. Members

want you to say that the case is sub judice and, therefore, it would be adversely affected, as has also been submitted to you in a letter written by Shri Tulmohan Ram, I would only say that this would be against all practices in other countries also. No less a person than the head of the United States Government was being prosecuted simultaneously in two forums, that is, the forum of the Congress and the forum of the courts of law.

This is what has happened and it is as it should be. For, there are matters with which no court can deal as, for example, where any action of a member is derogatory to the dignity of the House, or is inconsistent with the standards that the House expects of an hon. Member. That is a matter which cannot be dealt with by any court of law. Similarly, so far as the administrative responsibility, the political responsibility, the ministerial responsibility in the matter is concerned, that is not a subject which can be dealt with by any court of law.

May I emphasise that no person, whatever your majority, is going to prevent us from getting the matter fully probed by a Parliamentary Committee to fix the ministerial responsibility right from the start? If you have the force of numbers, I tell you, we have the force of logic and the logic would also be backed by such a legitimate force as is necessary for getting the whole matter fully probed because the ministerial responsibility cannot be brushed aside.

Moreover, the nature of the matter is such that it lies exclusively within the domain of the House. The House would be abdicating its function and lowering its dignity if it did not take appropriate steps when a *prima facie* case has been established by investigation to further ascertain the truth in the matter and take suitable action.

There are two courses open to the House to adopt in the given situation.

[SHRI SHYAMNANDAN MISHRA]

One is indicated by the course adopted in the Mudgal case, in 1951. There are similarities between the two cases. In the case of Mr. Mudgal, the Member was involved and came to the question because of certain arrangements he had arrived at between the Bombay Bullion Association on the one hand and himself on the other. That was the transaction. The information about the deal in that case was given by a Government official. That was the basis for the House to go into the matter fully. The information was given to the Prime Minister of India or to the Government of India by an official of the Bombay Government who happened to be on the Board of Directors of the Bombay Bullion Association. No further information.

Later on, Pandit Nehru went into this matter and he had some interview with Mr. Mudgal. The explanation offered by Mr. Mudgal did not satisfy the then Prime Minister. Then, he came before the House. The hon. Prime Minister, while moving the motion for appointment of a special Committee said as follows:—

"This is an unusual motion and, I believe, it is for the first time that such a motion has been placed before Parliament. I hesitated for some time before doing so and gave careful consideration to the matter. The dignity of the House and proper behaviour of every hon. Member is dear to the House. I felt that any action taken by a Member might not be in consonance with propriety and good behaviour and what is expected of him should be inquired into. That would be fair both to the House and to the Member concerned."

That seems to be the impression that we have got from the observations that you have also made this morning, that it would be fair both to the Member and the House, if such a course is adopted. The then Prime

Minister had met Mr. Mudgal, as I said earlier and he told the House that he was not satisfied with what he had said. He further said:

"I have, therefore, thought it fit to place the matter before the House and to suggest the appointment of a Parliamentary Committee to inquire into. It seems to me that an *ad hoc* Parliamentary Committee would perhaps be more suitable for an investigation in such a matter than the Committee of Privileges of the House under certain rules or procedure."

The terms of reference of that Committee also included an inquiry, whether the conduct of the Member was in consonance with the norms and standards which are expected of an hon. Member.

When the Speaker was asked, whether he had applied his mind to the facts, whether he, under the circumstances of the case, was convinced that there was no other proper alternative of dealing with the matter except to place it before the House in the way in which it had been done, the Speaker was pleased to make the following observations:—

"As the hon. Member has raised the point, I may say that I have applied my mind to the fullest possible extent, in all the details of the evidence, and it is my deliberate conclusion that there is undoubtedly a *prima facie* case for the Inquiry Committee. That is my judgment."

The Speaker is expected to assert in the manner in which hon. Speaker, Shri Mavalankar, asserted: "That is my judgment; I have applied my mind to the fullest possible extent, in all the details..." He further said:

"As regards the question of safeguarding the reputation of a member, I quite agree that, if there is no *prima facie* case and the case rested merely on suspicion without evidence, then such a motion as that should not be permitted by me.

but in this case I felt that I had no other go looking to the evidence and I felt that there was a *prima facie* case for inquiry. It is in the interest of the reputation of every member of this House that there should be an open inquiry, so that public may not have an impression that Members of Parliament are of low calibre and they are capable of accepting some kind of gratification or some kind of satisfaction to do the work in Parliament. Also it is in the interest of Mr. Mudgal that he should be given an opportunity of clearing up the whole position by an Inquiry Committee of Parliament. That is my view and I do not think I need say anything further."

The Speaker further emphasized:

"It is just for the purpose of inquiry into all details that a Committee is proposed to be appointed and the report of the Committee will come before the House before any action is taken."

MR. SPEAKER: I would like to be enlightened on this. You need not infer anything from my question. In Mudgal's case,...

SHRI SHYAMNANDAN MISHRA: You will please make your observations later.

MR. SPEAKER: Please let me know what is your view on that?

SHRI SHYAMNANDAN MISHRA: I have not yet come to my view. When Mr. Frank Anthony doubted if there was a *prima facie* evidence for the course of action proposed, the Prime Minister said as follows:—

"There is no question of primary or secondary or tertiary evidence. What I have already said to the House is according to a reliable information I received from an official member of the Board of Directors of the Bombay Bullion Exchange. A report came to us of a meeting of the Directors where the Chairman

made a statement. That statement, if there was any truth in it, quite apart from what Mr. Mudgal said, by itself, casts a grave reflection on a Member of Parliament."

"This was followed up."

Then the Prime Minister narrated the sequence of events leading to questions being put and interviews arranged so that there were circumstantial bits of evidence which seemed to fit in. Then the Prime Minister went on to say:

"Ultimately they may or may not fit in, but there is a chain of events which does create certain *prima facie* presumptions for an inquiry I can either make an inquiry publicly or secretly in Bombay or elsewhere or come to the House for a formal inquiry."

Ultimately Pandit Nehru said, 'I thought that the best course was to place all the facts before the hon. House and let the House decide whether an inquiry committee should be appointed' as proposed by him. He did not want to go into it in his own way.

Now, it is also relevant here to record that it was suggested by some Members during the course of the debate that the matter deserved to be referred to the Committee of Privileges, and not to a special Committee. But the Speaker gave his opinion in the following words:

"As regards the other point, there is a Committee of Privileges constituted under the rules. Yet, it is within the powers of the House to constitute other special committees if there are any special circumstances and enquiries to be made. There is nothing inconsistent with that. I may also say that it is a moot question to be considered as to whether any such conduct as alleged is really in a sense a breach of privilege of the House or something different. A member may

[SHRI SHYAMNANDAN MISHRA]

behave in a manner which the House would not like him to behave and yet it may be argued that it is not a breach of privilege. In all such circumstances...."

Now, Mr. Speaker, here is a point which I would like you specially to consider....

MR. SPEAKER: At this stage, with your permission, may I ask one more elucidation?

SHRI SHYAMNANDAN MISHRA: Now, the Speaker, Mavalankar said:

"In all such circumstances, the practice in the House of Commons has been to constitute a Special Committee...."

Would you, as the hon. Speaker, accept that a special committee should be appointed as is done in the House of Commons because we are guided by the procedure of the House of Commons?....

MR. SPEAKER: I thought this is the proper time so that you may cover that point also.

The normal practice in moving a privilege in the House of Commons is through the Prime Minister. At the time of my predecessor's ruling, three things existed. The Court was not seized of it. He was lucky in that respect. Then, the *prima facie* case was there....

SHRI SHYAMNANDAN MISHRA: Here, there is more than that.

MR. SPEAKER: Please listen to me. Firstly, the Prime Minister herself moved the motion. In my case, the position is that there is a concurrent inquiry or investigation by the court. In my case, there is no motion by the Prime Minister. Otherwise, perhaps, I could have followed Mr. Mavalankar's ruling on this. I leave it to you to cover this point.

SHRI PILOO MODY: It is very easy to cover the Prime Minister.

SHRI SHYAMNANDAN MISHRA: So far as the two points you have been pleased to make, I would say that if there is a dereliction of duty on the part of the Prime Minister, is the House to remain silent in the matter? In the matter of performance of a duty, any member is equal to the Prime Minister in the House. The reputation of the House stands injured by the conduct and misdemeanour of a Member. Then, it is the duty of every other member including the Prime Minister to come up before the House for such appropriate action as may be required. I would not like any difference to be made so far as the hon. Speaker is concerned in the performance of duty by the Members of the House.

MR. SPEAKER: I would also expect you not to make any difference when my case is quoted. I say you have been very kind. You also study the procedure of moving a privilege motion in the House of Commons because you are insisting on that. There is always a practice that it is moved by the Leader of the House.

SHRI SHYAMNANDAN MISHRA: But that has not been done here.

MR. SPEAKER: I am telling you my handicap. I am not contradicting you.

SHRI SHYAMNANDAN MISHRA: Thereby you are highlighting the dereliction of duty on the part of the Prime Minister.

MR. SPEAKER: There is no question of enlightening or dereliction. That is why I say, do not have any inference drawn from my observations.

SHRI SHYAMNANDAN MISHRA: Now I come to the second aspect of the matter. This case is referred to a court of law and on that I have already made by submission earlier.

There are certain aspects of the matter which can never be dealt with by a court of law and the Privileges Committee should go into those aspects of the matter. I have given you the practice in the House of Commons. It is this. A special committee is appointed and to the extent that we are obliged to follow the practices and procedures of the House of Commons, we have to do it, according to the provisions of our constitution as well. The Constitution has laid down that we can be guided by the practice and procedure in the House of Commons. That is what is usually adopted. That is clear.

Also the similarities between the two cases are fairly obvious. I would not like to emphasise this point further. I will tell you why I am pleading that it should be committed to the Privileges Committee and not to a special committee, although I will have no objection to that also. In the Mudgal case the entire gamut of issue was referred to the Special Committee of the House. And, as you have been pleased to note, the matter was not before the court. So the entire gamut of the issue was to be dealt with by that special committee. The Committee of Privileges could not go into the entire gamut of the issues. Therefore that special committee was appointed at that time. In the present case certain aspects have been committed to a court of law. There are other aspects like misdemeanour which have to be dealt with by the House in my opinion. And therefore, the ends of justice would be met if these aspects are referred to the Committee of Privileges. But if the House chooses to refer the matter to a special committee of the House as in Mudgal case I will have no objection. The proceedings of any committee of the House are secret and confidential. Nobody can say that the proceedings in the committee would prejudice the proceedings before a court of law. You were pleased to observe that the matter

could be taken in an appropriate way for discussion in the entire House. But in the same breath, Mr. Speaker, would you also suggest that this could not be committed to a committee? All our committee proceedings are secret and confidential. That is also the case in regard to the Committee of Privileges. Therefore I crave the indulgence of the House, for the fair name and reputation of the entire House, for safeguarding even the reputation of Shri Tulmohan Ram, and I say that the House will not be satisfied only on the basis of the findings which have come out in this particular case.

It cannot go simply by that although that will have its due weight in the consideration of this matter.

These are my humble submissions for the Privileges Committee.

श्री अटल बिहारी वाजपेयी : जैन् जैन् समय बीनना जा रहा है लाइसेंस काड अधिकारि पेरीरा, घिनोता और कुछ मात्रा में रहस्यमय हाता जा रहा है। अर प्रश्न केवल एव सद सदस्य पे आचरण ना नही रहा, प्रनक मलियो आचरण प्री अ वाचना का विषय बन गया है। सी०बी०आ० ने उनके बारे में कछे जाच नही की। लाइसेंस दिए गए। निर्मा मन्त्री की इजाजत दी गई। भूतपूर मणिज मन्त्री ने तान मि आनेदन उनके पास प्रायाव प्रमीता मर रूप नही है कि उस आचरण का उन्होंने क्या किया।

एक माननीय सदस्य : भेन दिया।

श्री अटल बिहारी वाजपेयी : जिस को भज दिया। अर मलिया शनेगी तान न वृण होने के लिए नै गहू (बाबुवन)।

अध्यक्ष महोदय : यह आपकी विशालता है। जरा एहीनयास रहना।

SHRIMATI MAYA RAY (Rangaj):
Then why do you choose to remain a bachelor?

अध्यक्ष महोदय : राजपेयी जी कभी कभी यह जानबूझ कर भी करते हैं।

श्री अटल बिहारी वाजपेयी : जानबूझ कर क्या करता है यह आपकी भनभाने में कैसे पता चल गया।

अध्यक्ष महोदय : आपकी मजबूरी में अच्छे तरह से समझता हूँ।

श्री अटल बिहारी वाजपेयी : शायद आप भी कभी उन मजबूरियों का शिकार रहे होंगे।

अध्यक्ष महोदय : मैं तो बहुत रहा हूँ।

श्री अटल बिहारी वाजपेयी : श्री ललित नारायण मिश्र का आचरण अब मसदीय अधिनियम पर कसा जाना है। 9 मितम्बर की जब विवाद उठाया गया और मेने श्री तुलमोहन राम द्वारा श्री ललित नारायण मिश्र के गांव में बनाए जा रहे विद्यालय का हवाला दिया तो श्री ललित नारायण मिश्र ने सदन में खड़े होकर कहा था कि उस विद्यालय के निर्माण के बारे में उन्हें कोई जानकारी नहीं है। उन्होंने कहा था कि मुझे कोई जानकारी नहीं है। उन्होंने अपना अज्ञान प्रकट किया था। सी बी आई का एक अफसर उस गांव में गया था वह देख आए हैं कि विद्यालय बन रहा है। इतना ही नहीं सी बी आई को श्री तुलमोहन राम द्वारा उस गांव के एक प्रतिष्ठित व्यक्ति को लिखा गया पत्र भी प्राप्त हुआ है जिसमें श्री तुलमोहन राम ने यह लिखा है कि विद्यालय के निर्माण के लिए श्री ललित नारायण मिश्र आर्थिक सहायता देने वाले हैं। मेरा आरोप है कि श्री ललित नारायण मिश्र सदन के सामने असत्य भाषण करने के दोषी है, सदन को गुमराह करने के अपराधी है। अब इस मामले की जांच कौन करेगा? मामला अदालत में है उसकी जांच अदालत करेगी। लेकिन श्री ललित नारायण मिश्र के आचरण की जांच कौन करेगा? प्रधान मंत्री श्री तुलमोहन राम के विरुद्ध प्रस्ताव नहीं लाती है आपका कहना है कि आप मजबूर

हैं। अगर सदन की नेत्री प्रस्ताव नहीं लाती है तो आप किस तरह से कार्यवाही कर सकते हैं। लेकिन अध्यक्ष महोदय, मैं आप से निवेदन करूँ कि आप इन सारे विषयविकासों के मामलों को विधायिकाई समिति को भेजें। वह आपके अधिकार में है। सदन की नेत्री रोड़ा नहीं भटक सकती है। यह समिति को भेजने से भले ही इन्कार करें, अपने कर्तव्य का पालन न करें, अपने पूज्य पिता के पद चिन्हों पर चलने से भले ही इन्कार करें लेकिन वह आपको नहीं बाध सकती है, आपके अधिकार को कुठिन नहीं कर सकती है।

मेरे पास पहाड़ गज के सरदार सेवा सिंह द्वारा श्री तुलमोहन राम का दिए गए एक कानूनी नोटिस का कापी है। श्री तुलमोहन राम सेवा सिंह एंड कम्पनी स कुकिंग गैस लिया करता था। उन्होंने छ हजार रुपये की कुकिंग गैस ले ली लेकिन रकम नहीं चुकायी। जब सरदार सेवा सिंह गए तो आप क्या कर रहे हैं, इतना रुपया इकट्ठा हो गया है, गैस का पैसा दाता श्री तुलमोहन राम ने कहा कि मुझे मद्रास का कम्पनी स रकम मिलने वाला है, मैं मारा पैसा चुका दूँगा —

अध्यक्ष महोदय : अगर पैसा लेने के तो सेवा सिंह नाम अपना क्या रखा अपने?

श्री अटल बिहारी वाजपेयी : मुझ से मिलने आएंगे ता मैं उन से यह सवाल करूँ।

श्री बसन्त साठे (अकोला) : सेवा सिंह रखते।

श्री अटल बिहारी वाजपेयी : जा लीमन नोटिस दिया गया है उसमें सेवा सिंह से लिखा है कि आपने कहा था कि आपको मद्रास का कम्पनी से पैसा मिलने वाला है, अब ता वह पैसा मिल गया होगा, कृपा करके मेरे पैसे लौटावाजिए। पहाड़गज ने पटना तक श्री प्रसाद से लेकर सरीनो तक कांड को गूँज मुनाई दे रही है। मैं पूछना चाहता हूँ कि क्या इस पर परदा डालकर सरकार जनता के सामने

कानून मंडल उद्घाटन कर सकती है? श्री सितम्बर सिंह और सवाल का जवाब यह कहें कर टालने की कोशिश की गई कि सी बी आई जांच कर रही है और जांच जी बहम हो रही है उस में हर सवाल का जवाब यह कह कर टालने की कोशिश की जा रही है कि यह मामला अदालत में है, सी बी आई की जांच के पहले या सी बी आई की जांच के साथ पार्लियामेंटरी कमेटी मामले की जांच कर सकती थी। मैं समझता हूँ कि जानबूझकर उस दबाया गया, बाता पर पड़दा डालने का कायश का गई। यह था तुलसीमोहन राम की बचान का प्रयत्न नहीं है ये साधे प्रयत्न श्री तलिन नारायण मिश्र को बचान के लिए किए जा रहे हैं। इसी तरह मन्त्रों मद्दाय परम्पर विरोधी बयान दे रहे हैं। दोषी न जी न वह था न सी बी आई की जांच से पहले मैं मदन के म मन आऊंगा। गवर्नर मन्त्रा कहते हैं कि मदन के सामने कैम आ सकते हैं, क्रिमिनल प्रोसेजर काइ न बड़ा निवा है? मां वा प्रे को इम उल्टेवा। अदालत में जाना है। यह तो उस समय के गद्द पत्र का क्या मानूँ नहीं थी? अगर तुलसीमोहन से जाने का क्या मतलब है? उस दिन श्याम बाबू न कहें या फिर अगर जांच शाम को साढ़े छ बजे खत्म हो तो श्याम पीने से तब बजे शराला में जाना चाहे इसका क्या मतलब है? अगर छुट्टी के दिन सी बी आई की जांच पूरी हुई तो क्या उसी दिन अदालत खोली जाएगी? शायद नहीं सी बी आई को तुरन्त अदालत में जाना है? क्या अदालत में जाने से पहले गृह मन्त्रालय को सारा सूचना नहीं दी जा सकती था क्या गृह मन्त्री मदन के सामने आ कर सारे स्वीरे नहीं रख सकते थे? लचर दवाले दो जा रहे हैं। विश्व मन्त्रा को ऐसी दवाले देना शोभा नहीं देता। श्री मधु लिमये जी कुछ पढ़ चुके हैं उसको मैं पढ़ना नहीं चाहता हूँ। लेकिन श्री गोखले ने जो कुछ कहा उसका एक प्रश्न मैं पढ़ना चाहता हूँ। उन्होंने यह कहा था

confidence after the investigation report was available. After the results of the investigation are available, we shall take the House into confidence. The whole matter is open to the House to consider at that time".

श्री मधु लिमये : यह 9 तारीख का है। 5 तारीख का पढ़िये।

श्री अटल बिहारी वाजपेयी : मैं ने उस समय कहा था कि जब मामला अदालत में चला जायेगा तब हाऊप बग करेग। और यही बात आज हो गयी है।

अध्यक्ष महोदय : जब आप का ही घर था कि हाऊप कुछ नहीं कर सकेगा ता अब आप क्या गृहगज कर रहे हैं?

श्री अटल बिहारी वाजपेयी : नहीं। मैं यह नहीं था। यह निवेदन का जवाब है। मैं कह था सी बी आई का जांच इस लिए की जा रहा है कमन जावन कर सबे और फिर कहा जायेगा कि सी बी आई का रिपोर्ट आ जाना दा फर गदन इस पर विचार कर सकेगा। सी बी आई को रिपोर्ट आ गदन पर गजर म गले हा अदालत मले गई और तब ही जा रहा है कि मदन इस पर विचार कर सकेगा। यह सब जान बूझ कर किया गया है।

मदन मन्त्री के इसी अज्ञानी मानने के लिए तैयार नहीं हूँ। 5 तारीख का आगखले नकल रखा है? आगखले जांच

"The CBI had been instructed to expedited the enquiry and complete it as early as possible. I also want to mention this. I do not want to say that the Government alone will look at the results of the CBI enquiry. I want to assure the House that when the result of the CBI investigations are known, the Government will take the House into confidence. At that stage it

"Please refer to my remarks. I have said at that time that we shall take the House into

[Shri Atul Bihari Vajpayee] will be proper for the Parliament, for the House to consider as to what proper steps are to be taken for protecting the rights of the hon. Members. Government have said that they are having an enquiry by the CBI and that the matter can be considered after the preliminary facts have been gathered, after the investigation is over."

आज श्री गोखल कहेंगे कि हम ने हाउस को जानकारी दे दी।

एक माननीय सदस्य : क्या जानकारी दे दी ?

श्री अटल बिहारी वाजपेयी : हम लोगों के माग करने के बाद गृह मन्त्री ने उस दिन जो बयान दिया है। अध्यक्ष महोदय, याद रखिये कि 11 तारीख को बयान नहीं दिया गया, हालांकि सदन को बैठक 11 तारीख को शुरू हुई। उन को 7 तारीख को गिरफ्तार किया जा चुका था ? अखबारों में खबर छप गई।

श्री श्यामनन्दन मिश्र : 11 तारीख को केस इ स्टीट्यूट हुआ।

श्री अटल बिहारी वाजपेयी : 11 तारीख को ता.वे.न.पर छान्दा दम गय। उन्होंने 11 तारीख को सदन को इन बारे में जानकारी नहीं दी। वे 12 तारीख का सदन के मामले आये। क्या यह सदन का अवहेलना नहीं है ? क्या गृह मंत्री सदन की अवमानना करने के दोषी नहीं है ?

एक और मन्त्री इन में शामिल हैं—श्री चटोपाध्याय। यह श्री ललित नारायण मिश्र को मोटा गद्दन बचाने के लिए अपनी पतली ग "न फदे में फंसा रहे हैं (स.ब.ब.) मेरी समझ में नहीं आता कि वाणिज्य मन्त्री समझ को गुमराह करने के अपराधो करो बन रहे हैं।

श्री ज्योति बसु : देवोजी का हुक्म है।

श्री अटल बिहारी वाजपेयी : उन्होंने उस दिन कहा :

"I would like to submit here, Sir, that these firms were not

blacklisted, debarred or non-existent. Nothing has been brought to our knowledge to warrant or raise doubts that these licences have been trafficked into."

लेकिन गृह मन्त्री ने जो बयान दिया है, उस में कहा गया है कि लाइसेंस सिज को इम्पाउण्ड कर लिया गया है। अगर कोई अनियमितता नहीं है, अगर ये लाइसेंस वूष की धुली हुई हैं, अगर उन्होंने लाइसेंस के अनुसार सामान मंगवाया और दूसरी फर्मों को ऊंचे दामों पर नहीं बेचा, और लाइसेंसिज नहीं बेचे, तो फिर उन को इम्पाउण्ड करने को क्या जरूरत थी ? अगर उन को बिना कारण इम्पाउण्ड किया गया है, तो उन के साथ अन्याय हुआ है। और वाणिज्य मन्त्री अन्याय सहन नहीं कर सकते ; वह तो जस्टिस के लिए स्टैंड करते हैं ! वह इक्विटी के हामी हैं ! उन के देखते देखते ये लाइसेंसिज इम्पाउण्ड कैसे हो गये। पटले अन्याय हुआ था या अब अन्याय हो रहा है ? पहले अपा दिवाई गई थी और अब पाप पर गर्दा डाला जा रहा है ?

अध्यक्ष महोदय, आप गृह मन्त्री को कहिये कि सा० बा० आइ० का इन्वेस्टिगेशन की पूरा रिपोर्ट और चार्जशीट, का सभा पटल पर रखे। सामचारपत्रों में छपा है :

"Investigations have also shown that not only were these licences granted to benami parties but they had in turn been sold at a premium."

"The CBI has asked the Commerce Ministry to seize goods worth about Rs. 25,000—30,000 which had been imported against licences obtained through Mr. Tul Mohan Ram."

श्री एन० के० सिंह को बचाने के लिए, श्री पित्रेका संरक्षण करने के लिए, वाणिज्य

मन्त्री .. (बयबचान) सी० बी० आई० ने इन भ्रष्टसरो के मामले में क्या किया, इस के बारे में जानकारी सदन को नहीं दी गई। अगर सी० बी० आई० इस परिणाम पर पहुंची है कि इन भ्रष्टसरो का इस कांड में हाथ नहीं है, तो उस का आधार क्या है? श्री एन० के० सिंह उस समय श्री ललित नारायण मिश्र के साथ थे, जब कि वह वाणिज्य मंत्री थे बाद में उत्तराधिकार में वह श्री चट्टोपाध्याय को प्राप्त हुए। और उस का पुरस्कार श्री चट्टोपाध्याय को यह मिल रहा है। सामाचारपत्रों में यह छरा है कि बीम हजार रुपये की बात की गई। क्या यह गलत है? समाचारपत्रों ने सी० बी० आई० के मंत्रों से जानकारी प्राप्त की है।

श्री जयामनन्धन मिश्र : सभी रजिड के बारे में बताया जाये कि उन में क्या पत्र, गया।

श्री अटल बिहारी बाजपेयी : हम पूरी रिपोर्ट चाहते हैं।

लाभम कांड । बाग म बात कराने के लिए इस मदन प कुछ मददसा ता ऐसा करने अपमाना पडा था तिम का हम ने पयन्द नहीं दिया था । लेकिन सरकार को न बताने का बहम त। मोका देना पडा । अ यक्ष महोदय, हम आप का मार्ग दर्शन चाहते हैं कि इस सारे मामले की जाच करवाने न मिले-या तो पार्लियामेन्टरी कमेटी की जाच और या प्रिविलेज कमेटी की जाच-हमें क्या करना चाहिए । क्या सस्वा बल के आधार पर यह निर्णय किया जायेगा ? मैं कहना चाहता हूँ-और मुझे विश्वास है कि मैं सब की आश में कह रहा हूँ-कि अगर इस मामले की पूरी जाच कर के सारे तथ्यों को सामने आने का अवसर नहीं दिया गया, तो हम इस सदन की कार्यवाही नहीं चलने देंगे । लाइसेंस बांड में इस कलक को हम ससद के माथे पर नहा रहने देंगे । एक तुलसीमोहन राम को बलि बा बकरा बना कर सारे कांड पर सीपा पीती नहीं की जा सकती है । बल्लों के नाते श्री ललित नारायण मिश्र के धारण की जाच कौन करेगा,

श्री दीक्षित ने सदन को गुमराह किया है । विधि मंत्री ने सदन के सामने गलत बातें कही हैं । इस सदन को दिये गये आश्वासन पर धमल नहीं किया गया । आज भी गृह मंत्री मारे तथ्यों को सदन के सामने नहीं आने दे रहे हैं ? वाणिज्य मंत्री दोषी हैं । इन सब को कटघरे में खड़ा किया जाना चाहिए । आप उन को सफाई का मौका दें । मगर उन के विरुद्ध जो आरोप हैं, उन की जाच कौन करेगा ?

मैं दोहराना चाहता हूँ कि प्रधान मंत्री कमेटी के लिए प्रस्ताव नहीं लाई-न लाये, मगर आप अपने तर्क, अपने अधिकार से अपनी शक्ति के बल पर यह सारा मामला प्रिविलेज कमेटी को भेज दें । वहां दूध का दूध और पानी का पानी हो जायेगा ।

श्री जयामनन्धन मिश्र : वर्मा हमें अपनी शक्ति का पूरा प्रदर्शन करना पड़ेगा । हमारी शक्ति का प्रयोग होता रहेगा ।

अध्यक्ष महोदय : अगर सब कुछ शक्ति में ही रहता है, तो मैं मानता हूँ कि जाच करना है ? ऐसी बातें नहीं होनी चाहिए । अगर ऐसा नहीं किया गया तो हम यह कर देंगे ।

श्री जयामनन्धन मिश्र : आप आप की शक्ति को बताना है, तो क्या हम यह कहते हैं कि आप तब जांच करायेंगे ?

SHRI JYOTIRMOY BOSU: The Home Minister, the Law Minister and the Commerce Minister—all the three of them are here. If they want, let them say something. We shall sit till midnight if necessary.

श्री अटल बिहारी बाजपेयी : अगर मविषा को कुछ करना है और आप ने फैसला देने से पहले उन को सुनना है तो उन को मौका देना चाहिए ।

अध्यक्ष महोदय : आप कुछ कहना चाहते हैं तो कहिए । अब तो दो बजने वाले हैं, क्या आप सब को ऐसे ही बैठे रहना है ?

SHRI K. BRAHMANANDA REDDY:
I will not take a long time

अध्यक्ष महोदय : अब कल फिर शुरू कर लेगे इस को ।

SHRI K. BRAHMANANDA REDDY:
If you want me to reply now, I will do it. Otherwise, it can be done tomorrow

अध्यक्ष महोदय : या! अभी वै. है ।
कल जे. है व. सुबह दे दाजिम । का
हमा तरह व्यवस्था. अ. आर. पिन. शु. वर
नगे ।

PAPERS LAID ON THE TABLE

MR. SPEAKER We will take up the Calling Attention in the afternoon. Now Papers to be laid on the Table

NOTIFICATION UNDER INDUSTRIES (DEVELOPMENT AND REGULATION) ACT

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND CIVIL SUPPLIES (**SHRI B. P. MAURYA**) On behalf of **Shri T. A. Patel** to lay on the Table a copy of the Registration and Licensing of Industrial Undertakings (Fifth Amendment) Rules, 1974 (Hindi and English versions) published in Notification No. GSR 392(E) in Gazette of India dated the 17th September, 1974 under sub-section (4) of section 30 of the Industries (Development and Regulation) Act, 1951 [Placed in Library See No LT-8506/74]

UNION PUBLIC SERVICE COMMISSIONED (EXEMPTION FROM CONSULTATION) AMENDMENT REGULATIONS, 1974 AND NOTIFICATIONS UNDER ALL INDIA SERVICES ACT

THE DEPUTY MINISTER OF HOME AFFAIRS (**SHRI F. H. MOHSIN**) On behalf of **Shri Om Mehta** I beg to lay on the Table—

(1) A copy of the Union Public Service Commission (Exemption from Consultation) Amendment Regulations, 1974 (Hindi and English versions) published in Notification No. GSR 465(E) in Gazette of India dated the 14th November, 1974, under clause (5) of article 320 of the Constitution together with an explanatory memorandum [Placed in Library See No LT-8506/74]

(2) A copy each of the following Notification (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) Eleventh Amendment Regulations, 1974, published in Notification No. GSR 890 in Gazette of India dated the 24th August 1974
- (ii) The Indian Administrative Service (Fixation of Cadre Strength) Thirteen Amendment Regulations 1974, published in Notification No. GSR 373(E) in Gazette of India dated the 24th August, 1974
- (iii) The Indian Administrative Service (Pay) Eleventh Amendment Rules 1974 published in Notification No. GSR 374(E) in Gazette of India dated the 26th August 1974
- (iv) The Indian Administrative Service (Fixation of Cadre Strength) Twelfth Amendment Regulations, 1974 published in Notification No. GSR 375(E) in Gazette of India dated the 26th August 1974
- (v) The Indian Administrative Service (Pay) Tenth Amendment Rules, 1974, published in Notification No. GSR 376(E) in Gazette of India dated the 26th August, 1974
- (vi) The Indian Administrative Service (Fixation of Cadre