

a sum of Rs. 98,877, as house rent to Government;

(b) if so, the names of the defaulting members; and

(c) the specific steps taken so far by Government to realise the amount and the result thereof?

The Minister of Works and Housing (Shri Mehr Chand Khanna): (a) Yes.

(b) It is a long list. The number is nearly 400.

(c) The amount of arrears is intimated to the Secretariat of the Lok Sabha or Rajya Sabha to effect recovery from the final dues of the ex-Members concerned. If recovery is not possible from the final dues, the ex-Members or their heirs are addressed to make the payment. Where any ex-Member became a Member of a State Legislature, the Secretariat of that Legislature is requested for effecting recovery from the salaries and allowances of the Member. If these efforts fail, legal action is taken to effect recovery to the extent possible.

12.31 hrs.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

(i) Release of convicts in Gandhi Murder case

Shri Shivaji Rao S. Deshmukh (Parbhani): Sir, I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:

"The facts relating to and leading to the release from Tihar Jail of Gandhi Murder assassins."

The Minister of Home Affairs (Shri Nanda): Sir, my attention has been drawn to a news item, which was published in the Press the other day

about a statement said to have been made by the Chief Minister of Maharashtra at a meeting of the State Congress Legislature Party about the release of Gopal Vinayak Godse and Vishnu Karkare. We have asked the Maharashtra Government to send us a copy of the statement said to have been made by the Chief Minister and this is awaited.

2. According to a statutory rule in the Jail Manual, a life-convict should ordinarily be released from prison when he has completed the term of 20 years' imprisonment including remissions. By 31-1-1963, Godse had earned total remission of 8 years, 10 months and 26 days, and Karkare had earned total remission of 8 years, 9 months and 6 days. By the date of their release, namely, 13-10-1964, including remissions, Godse and Karkare had served a term of more than 24 years, 7 months, and 24 years 5 months respectively. In ordering their release in accordance with the 20-year rule, the Government of India had taken into consideration the reports received from the Government of Maharashtra from time to time.

3. A telegram was sent to the Government of Maharashtra and to other States intimating to them 5 days in advance of the date of the release, our decision to release the prisoners. The Home Secretary to the Government of Maharashtra was also informed of our decision on telephone.

4. I might refer in this connection to the concern naturally expressed by many Hon'ble Members on the statement of Ketkar that he had previous information of Godse's intention to murder Gandhiji and that he had conveyed this information to the then Chief Minister, Maharashtra. I had informed the House that this and related aspects of the matter will be enquired into. Government have decided to ask some eminent person well-versed in legal matters to hold this enquiry.

Shri Hem Barua (Gauhati): Sir, I rise to a point of order. Where as the hon. Home Minister says that he had been contacting the Maharashtra Government for that statement made by the Maharashtra Chief Minister to the effect that the Maharashtra Chief Minister advised the Home Minister not to release these people, what happens here in the statement is...

Mr. Speaker: He must have heard this also that the Government is trying to get the facts.

Shri Hem Barua: But there is a lacuna here. In the same breath he says—the hon. Home Minister—that he contacted the Home Secretary of the State five days before the actual release of these persons. But he has not told the House what was the advice given by the Chief Minister of the Maharashtra Government. That would remove all these doubts and difficulties.....

Mr. Speaker: Where is the point of order?

Shri Hem Barua: The point of order is that there is discrepancy even in the statement.

Mr. Speaker: He may resume his seat. Discrepancy is no cause for any point of order.

Shri Shivaji Rao S. Deshmukh: While congratulating the Home Minister for giving an assurance to this House that all facts relating to the declaration of Shri Ketkar will be thoroughly investigated into, I wish to ask the Home Minister whether he is aware of the fact that on the interpretation of a statutory rule in the Jail Manual which he has stated before the House, the Supreme Court has given a specific finding that life imprisonment means imprisonment for life and not for 18 years or 20 years?

Shri Nanda: May I further add, Sir, that after this statement was ready on

the telephone there was some message from the Chief Minister of Maharashtra (*Interruption*).

Mr. Speaker: The hon. Member wants to know whether he is aware of any Supreme Court judgment that life imprisonment does not mean imprisonment for 20 years?

Shri Nanda: This case had come before the Supreme Court and it was said that it is open to the Government to keep a prisoner for a longer period. The normal thing is this as per the statutory rule under the present Act. That is the position.

Shri Shivaji Rao S. Deshmukh: No, no. The question is this. In the interpretation of the same statutory rule, the Supreme Court, at the request of this Government, because Godse's petition was being opposed by the Government of India, on a specific plea taken at the instance of the Government of India, gave the finding that life imprisonment means imprisonment for life. Therefore, I wish to know from the Home Minister...

Mr. Speaker: That he has made clear.

Shri Hem Barua: In this very case a verdict was given by the Supreme Court.

Mr. Speaker: Is there any other signatory who wants to put a question?

श्री तुलशीदास जाधव (नांदेड): अध्यक्ष महोदय, यह उनको छोड़ने का जो आपने सवाल उठाया तो सुप्रीम कोर्ट का जजमेंट मेरे पास है और उस में यह लिखा हुआ है कि लाइफ इम्प्रेजनमेंट के मतलब आजीवन कारावास के हैं...

अध्यक्ष महोदय : अब माननीय सदस्य कोई सवाल भी करेंगे या इतिला ही देते चले जायेंगे ?

श्री तुलशीदास जाधव : महात्मा गांधी जी के खून में भाग लेने वालों का, छूटने के बाद, सार्वजनिक रीति से सत्कार करना और उनको हुतात्मा (माटियर) पद पर विठाने वालों के लिए और अलग-अलग मीठे भुलावादायी संघटनों द्वारा चलने वाली समाज विघातक (ऐंटी सोशल) और साम्प्रदायिक प्रवृत्तियों को नष्ट करने के लिए क्या सरकार ने कोई इन्तजाम सोचा है, यदि हां, तो क्या ? और यह दुष्ट व हिंसक प्रवृत्तियां फिर से देश में न उठें इस के लिए सरकार क्या कोई एक स्थायी उपाय करेगी ?

अध्यक्ष महोदय : मैंने अभी उस दिन भी कहा था कि सप्लीमेंटरीज पढ़े नहीं जाने चाहिये। सप्लीमेंटरी क्वेश्चन तभी तक रह सकता है जब तक कि वे जवानी किये जायं। अगर कोई लिख कर ले आये और यहाँ उसे पढ़ दें तो फिर वह सप्लीमेंटरी नहीं कहला सकता है। अब मिनिस्टर साहब माननीय सदस्य के सप्लीमेंटरी का जवाब दे दें।

श्री तुलशीदास जाधव : हिन्दी में एकदम से बोलना कठिन होता है इसीलिये मैंने यह तरीका अपनाया था।

श्री नन्दा : जो कहा गया है उस में कोई हमारा मतभेद नहीं हो सकता है और उस के लिए हर मुमकिन कोशिश करनी चाहिये और की जायगी।

श्री तुलशीदास जाधव : जिन लोगों ने उन व्यक्तियों का इस तरह से जेल से छूटने के बाद सम्मान किया और सम्मान करके उनको हुतात्मा बनाया उन के बारे में सरकार ने क्या किया ?

अध्यक्ष महोदय : श्री महीदा।

Shri Narendra Singh Mahida (Anand): May I know whether this Godse had entered into any correspondence with the Home Minister and given an undertaking that he will not,

after his release, take any part in any activities?

Shri Nanda: No, Sir.

Shrimati Subhadra Joshi (Balram-pur): As most of the people accused of murder were connected with RSS and Hindu Mahasabha, is the Government thinking of keeping a watch over the activities of these parties and organisations, and is the Government trying to get a report from the Maharashtra Government on the activities of these parties and organisations?

Shri Nanda: I do not want to bring in the organisations. Everybody connected with this and all the ramifications are going to be investigated.

12.40 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF INDUSTRIAL FINANCE CORPORATION

The Minister of Finance (Shri T. T. Krishnamachari): Sir, I beg to lay on the Table a copy of Annual Report of the Board of Directors of the Industrial Finance Corporation of India for the year ended the 30th June, 1964 along with the statement showing the assets and liabilities and profit and loss account of the Corporation under sub-section (3) of section 35 of the Industrial Finance Corporation Act, 1948. [Placed in Library. See No. LT-3529/64.]

AMENDMENTS TO INDIAN POLICE SERVICE (PAY) RULES, 1954.

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): Sir, on behalf of Shri Hathi I beg to lay on the Table a copy of Notification No. GSR 1611, dated the 14th November, 1964, making certain amendments to Schedule III to the Indian Police Service (Pay) Rules, 1954, under sub-section (2) of section 3 of the All India Services Act, 1951. [Placed in Library. See No. LT-3530/64].