

Karni Singhji, Shri
Khadilkar, Shri
Krishnamachari, Shri T. T.
Kureel, Shri B. N.
Lajit Sen, Shri
Lokar, Shri N. R.
Mahadeva Prasad, Dr.
Mahishi, Dr. Sarojani
Malaviya, Shri K. D.
Manaen, Shri
Mandal, Dr. P.
Mandal, Shri J.
Maniyangadan, Shri
Masuriya Din, Shri
Mehdi, Shri S. A.
Mehrotra, Shri Braj Bihari
Mengi, Shri Gopal Datt
Minimata, Shrimati
Mishra, Shri Bibhuti
Misra, Shri Shyam Dhar
More, Shri K. L.
Munzni, Shri David
Naskar, Shri P. S.
Pandey, Shri Vishwa Nath
Pant, Shri K. C.
Patil, Shri S. K.

Pattabbi Raman, Shri C. R.
Pratap Singh, Shri
Rajdeo Singh, Shri
Raju, Shri D. B.
Ram Subhag Singh, Dr.
Ramshekhar Prasad Singh, Shri
Rane, Shri
Rao, Shri Jaganatha
Rao, Shri Muthyal
Rao, Shri Thirumala
Reddi, Dr. B. Gopala
Reddiar, Shri
Roy, Shri Bighwanath
Sadhu Ram, Shri
Saha, Dr. S. K.
Samanta, Shri S. C.
Samnani, Shri
Saraf, Shri Sham Lal
Satyabhama Devi, Shrimati
Sen, Shri P. G.
Shah, Shri Manubhai
Shah, Shrimati Jayaben
Shankaraiya, Shri
Sharma, Shri A. P.
Sharma Shri D. C.
Sheo Narain, Shri

Shree Narayan Das, Shri
Siddananappa, Shri
Siddhanti, Shri Jagdev Singh
Siddiah, Shri
Singh, Shri D. N.
Singh, Shri K. K.
Singhvi, Dr. L. M.
Sinha, Shri Satya Narayan
Sinhasan Singh, Shri
Sivapraghassan, Shri Ku.
Snatak, Shri Nardev
Sonavane, Shri
Soundaram Ramachandran,
Shrimati

Subramaniam, Shri C.
Sumat Prasad, Shri
Tahir, Shri Mohammad
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tiwary, Shri R. S.
Tysgi, Shroj
Uikey, Shri
Ulaka, Shri Ramachandra
Venkatasubbaiah, Shri P.
Virbhadra Singh, Shri
Yadab, Shri B. P.

NOES

Alvares, Shri
Banerjee, Shri S. M.
Brij Raj Singh, Shri
Chatterjee, Shri H. P.
Gopalan, Shri A. K.
Gupta, Shri Indrajit
Gupta, Shri Kashi Ram
Kamath, Shri Hari Vishnu

Kandappan, Shri
Kunhan, Shri P.
Lakhan Das, Shri
Limaye, Shri Madhu
Lohia, Dr. Ram Manohar
Nair, Vagudevan
Nambiar, Shri
Rajaram, Shri

Reddy, Shri Yallamanha
Ray, Dr. Saradish
Swamy, Shri Sivamurthi
Umanath, Shri
Utiya, Shri
Venkaish, Shri Kolla
Vishram Prasad, Shri
Yashpal Singh, Shri

Mr. Speaker: The result of the division is:

Ayes: 121;
Noes: 24;

The motion was adopted.

Mr. Speaker: The question is:

"That Clauses 1 to 3, the Schedule, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 1 to 3, the Schedule, the Enacting Formula and the Title were added to the Bill.

Shri B. R. Bhagat: I beg to move:
"That the Bill be passed."

Mr. Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

13.20 hrs.

JAYANTI SHIPPING COMPANY
(TAKING OVER OF MANAGE-
MENT) BILL.

Mr. Speaker: Shri Biren Dutt is not present I am told.

Shri Hari Vishnu Kamath (Hoshan-gabad): On a point of order with regard to this Bill.

Mr. Speaker: We have not yet taken it up.

Shri Hari Vishnu Kamath: That is why we cannot take it up. I have

no desire whatsoever to delay the passage of this Bill, but I think it is your anxiety as well as the anxiety of the House, to ensure that the Treasury Benches no less than the private Members on this side or that side of the House. . .

Mr. Speaker: There is one appeal I have to make to the hon. House, that when we take so long a time in these miscellaneous discussions, we should sit a little longer so that we can do some legislative business also.

Shri K. N. Tiwary (Bagaha): Sir, you have maintained that when there is no business, there could be no point of order. What is the business before the House on which this point of order is raised?

Mr. Speaker: He says that the House could not proceed with this Bill.

श्री शिवनारायण (बांसी) : अध्यक्ष महोदय, जब क्लकस के सामने कोई बिजनेस ही नहीं है, तो यह पायंट ऑफ़ आर्डर किस बारे में है ?

What is he saying?

Mr. Speaker: He says that this could not be proceeded with.

Shri Hari Vishnu Kamath: I am in possession of the House. I was submitting in all humility that the rules should cover the procedure of this House as long as they are enforced, whether it concerns the Treasury Benches opposite or the private members of the Ruling Party of the Opposition Party, there is equality before the rules just as equality before law. There was the broad hint that was given yesterday by you that the Minister would have the wisdom to comply with the rules and regularise what was irregular. Yesterday, I am sorry, I could not put my finger and spot the rule and so I quoted from memory but then you perhaps thought that it was not enough and so you over-ruled the objection. May

I, therefore, invite your attention to rule 68:

"The order of the President granting or withholding the sanction or recommendation to the introduction or consideration of a Bill shall be communicated to the Secretary by the Minister concerned in writing."

Mark these words, Sir; they are so comprehensive—granting or withholding the sanction or recommendation to the introduction or consideration—and then it shall be in 'writing'. You were pleased to allow a letter written by somebody—I do not know—and the Minister read it. We did not see the letter ourselves. It is established in the procedure of the House that every Member should have it; it is there in all the money Bills and Financial Bills; we get it printed or cyclostyled if there is no time—the copy of the letter from the President sanctioning it and communicated by the Minister to the Secretary; we get it every time. Here, you only saw it. I have full confidence in you; there is no question on that point; we have the fullest confidence possible on this earth in you. But still we have not seen that letter of the President. At first it was said they would need no money, then they said ten lakhs but afterwards they said one lakh. What the President was apprized of, God only knows and he only knows. In these circumstances, unless there is a formal communication from the Minister to the Secretary that the President had recommended consideration of this Bill, I am afraid we cannot consider it unless of course, you allow it; you are supreme here enconced in that high chair below the limpid, mellow light, you can do whatever you like, but still I submit that unless you waive or suspend this rule, it is not possible. There is no loophole as in regard to the other matter, as you said the other day; there is no escape for you; there is no loophole. You have got to uphold this rule.

Mr. Speaker: This question was raised yesterday.

Shri Hari Vishnu Kamath: This rule was not quoted.

Mr. Speaker: It is not necessary. After a decision has been taken, it cannot be raised again. It has already been decided. The Minister placed it before the House.

Shri Hari Vishnu Kamath: I do not know; it is not before the House; I have not seen it myself.

Mr. Speaker: If he did not quote one rule, it is not necessary it should be done again. Because he had not had the advantage of having that rule before him at that time, I cannot reopen it. . . . (*Interruptions.*)

Shri Hari Vishnu Kamath: May I take it that the House can take it in future . . .

Mr. Speaker: The hon. Member raised a question; it was decided. He cannot come up again saying that he had not had the benefit of that rule at that time.

Now, three hours were allotted but we exceeded that time and we have taken three hours and 55 minutes.

Shri Hari Vishnu Kamath: I have not spoken; it is very unfair.

Mr. Speaker: I can extend the time for a Bill only by one hour (*Interruptions.*) The one hour that I had in my hand had already been taken; I cannot extend the time. The House only can do so.

Shri Hari Vishnu Kamath: You will recall that on the Delhi Administration Bill, only two hours were allotted but we sat the whole day and took much time beyond the allotted time.

Mr. Speaker: It is the privilege of the House.

Shri Hari Vishnu Kamath: You always guide the House.

All the sections of the House want the time to be extended.

The Minister of Parliamentary Affairs and Communications (Shri Satya Narayan Sinha): Sir, in the Business Advisory Committee you preside and the Committee allotted this time. The report comes before the House and the House approved it. It is always your prerogative to give one hour more. We have all agreed in that Committee that if you find that the discussion on some Bill is not adequate, you can extend the time by one hour. But beyond one hour, I submit, you have also no authority to extend unless the House itself wants. Beyond that time, it is not the prerogative of the Speaker.

Mr. Speaker: That is what I have said; it could not be extended. The one hour that I had, that also had been exhausted.

Shri Hari Vishnu Kamath: Yesterday, we began at five minutes past two.

Mr. Speaker: We have taken three hours and 55 minutes.

Shri Hari Vishnu Kamath: You cannot count the time taken on points of order. Another one hour should be given. . . . (*Interruptions.*)

Mr. Speaker: Three hours had been allotted and 3 hours 55 minutes had been taken. I can only put it to the House; I cannot extend the time myself.

Shri Hari Vishnu Kamath: It is only gagging the Members; I am sorry to say so.

Shri Satya Narayan Sinha: If the time is extended by half an hour, we have no objection.

Shri Vasudevan Nair (Ambalapuzha): But it will be taken by the Minister; he has to reply to the main points raised.

Mr. Speaker: Is the House agreeable to have half an hour to the pri-

vate Members and then to have the Minister's reply? Is it agreed?

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय, मैं एक व्यवस्था का प्रश्न उठाना चाहता हूँ। मैं विवाद स्थगन का, एडजर्नमेंट का मोशन रख रहा हूँ। आप जरा उस को सुन लीजिए।

अध्यक्ष महोदय : एजर्नमेंट कैसा ?

श्री मधु लिमये : इस विधेयक पर जो बहस चल रही है, मैं चाहता हूँ कि उस को मुलतवी रखा जाये। आप उस के कारण सुन लीजिए और फिर इस बारे में अपना फैसला दीजिए।

मैं आप का ध्यान नियम संख्या 340 की ओर दिलाना चाहता हूँ, जो इस प्रकार है :

"At any time after a motion has been made a member may move that the debate on the motion be adjourned."

रूल 109 इस प्रकार है :

"At any stage of a Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker."

मैं आप की इजाजत मांग रहा हूँ, उसका कारण यह है कि कल मैं ने शिपिंग कारपोरेशन आफ इंडिया, जो जयन्ती शिपिंग कम्पनी के मैनेजिंग एजेण्ट है,.....

अध्यक्ष महोदय : अगर माननीय सदस्य इस बहस को मुलतवी करना चाहते हैं, तो वह अपना मोशन मूव करें।

श्री मधु लिमये : मैं प्रस्ताव रख रहा हूँ, मोशन पर बोल रहा हूँ।

अध्यक्ष महोदय : आप बहस न लीजिए।

श्री मधु लिमये : मैं कारण बता रहा हूँ कि क्यों इस बहस को मुलतवी किया जाये। कल मैं ने शिपिंग कारपोरेशन आफ इंडिया का एक बहुमूल्य दस्तावेज सदन के सामने रखा था।

मैं चाहता हूँ कि इस दस्तावेज को, मैंने प्रमाणित भी किया है, हमारा जो सचिवालय है वह उस को छापे या साइक्लो-स्टाइल करे और सदस्यों के बीच में बाटे। और दूसरी बात मुझको यह कहनी है कि कल प्रधान मंत्री जी ने निम्न वाक्य कहे थे कि "बाहर से डाक्टर तेजा को गिरफ्तार करवाना हमारे हाथ में नहीं है। हम उन को गिरफ्तार करने के खिलाफ नहीं हैं मगर मुश्किल यह है," यहाँ बाद में कुछ व्यवधान है, आगे वह कहती हैं :

"There have to be extradition orders if Dr. Toja is in France. We have no such treaty with France."

कल, अध्यक्ष महोदय, आप यह नहीं थे, मैंने यह अर्ज किया था कि जब डाक्टर तेजा इस देश में मौजूद थे तो एन्फोर्समेंट ब्रांच ने सुझाव दिया था उन को गिरफ्तार करने के लिए..... (व्यवधान)

अध्यक्ष महोदय : अब इस सब की मैं इजाजत नहीं दे सकता ...

श्री मधु लिमये : अध्यक्ष महोदय, मैं खत्म कर रहा हूँ।

अध्यक्ष महोदय : जो चीज रेलीवेंट नहीं है कह आप उठा रहे हैं....

श्री मधु लिमये : रेलीवेंट कैसे नहीं है? (व्यवधान)।

The Minister of Transport, Aviation, Shipping and Tourism (Shri Sanjiva Beddy) : He does not give us a chance to reply. He makes some wild allegations. (Interruptions).

श्री मधु लिमये : इसमें निरर्गल आरोप क्या है ? यह जो मैंने कहा है इसका खुलासा किया जाय गिरफ्तारी के सुझाव क्यों ठुकराये ? और मेरा ऐडजर्नमेंट मोशन लिया जाय ।

Mr. Speaker: The motion is:

"That further discussion on this Bill be adjourned."

Shri Tyagi (Dehradun): I have an objection. It is in contradistinction to the decision we have taken. We have taken a decision that we discuss it half an hour more and then the reply should be given. This motion goes immediately against the decision which we have taken just now.

Mr. Speaker: At any time a motion can be moved. The rule says that at any stage it can be moved; what shall I do?

Shri Shivaji Rao S. Deshmukh (Parbhani): Before you put it to the House, I want to request you to see that you have got your discretion to refuse to put a motion if it is an abuse of the power to move for closure.

Mr. Speaker: I am putting it to the House. The question is:

"That further discussion on the Bill be adjourned."

The Lok Sabha divided:

Division No. 17]

AYES

[13.35 hrs

Banerjee, Shri S. M.
Chatterjee, Shri H. P.
Gupta, Shri Indrajit
Gupta, Shri Kashi Ram
Kandappan, Shri
Kapur Singh, Shri
Limaye, Shri Madhu

Lobia, Dr. Ram Manohar
Nair, Shri Vasudevan
Rajaram, Shri
Roy, Dr. Saradish
Shinkre, Shri
Swamy, Shri Sivamurthi

Umanath, Shri
Utiya, Shri
Venkaiah, Shri Kolla
Vishram Prasad, Shri
Warior, Shri
Yashpal Singh, Shri

NOES

Abdul Rashid, Bakhshi
Alva, Shri Joachim
Bal Krishna Singh, Shri
Balmiki, Shri
Basappa, Shri
Bhakt Darshan, Shri
Bhanu Prakash Singh, Shri
Bhattacharyya, Shri C. K.
Birendra Bahadur Singh, Shri
Borooah, Shri P. C.
Brij Raj Singh, Shri
Chakraverti, Shri P. R.
Chanda, Shrimati Jyotsna
Chaudhuri, Shri D. S.
Chuni Lal, Shri
Daljit Singh, Shri
Das, Shri B. K.
Dass, Shri C.
Deshmukh, Shri Shivaji Rao S.
Elayaperumal, Shri
Ganapati Ram, Shri
Gandhi, Shri V. B.
Hem Raj, Shri
Himatsingka, Shri
Jedhe, Shri
Jena, Shri

Karni Singhji, Shri
Khanna, Shri Mehr Chand
Krishna, Shri M. R.
Lalit Sen, Shri
Laskar, Shri N. R.
Mahadeva Prasad, Dr.
Manan, Shri
Mandal, Dr. P.
Mandal, Shri J.
Maniyangadan, Shri
Maruthiah, Shri
Mehdi, Shri S. A.
Mehrotra, Shri Braj Bihari
Minimata, Shrimati
Mukerjee, Shrimati Sharda
Munzni, Shri David
Pandey, Shri Vishwa Nath
Panna Lal, Shri
Parashar, Shri
Pratap Singh, Shri
Raju, Shri D. B.
Rane, Shri
Rao, Shri Jaganatha
Reddy, Shrimati Yashoda
Sadhu Ram, Shri
Saha, Dr. S. K.

Samanta, Shri S. C.
Sen, Shri P. G.
Shah, Shrimati Jayaben
Shankaraiya, Shri
Sheo Narain, Shri
Shree Narayan Das, Shri
Shukla, Shri Vidya Charan
Siddananappa, Shri
Siddheshwar Prasad, Shri
Singh, Shri D. N.
Singh, Shri K. K.
Sinha, Shrimati Ramdulari
Sinha, Shri
Sivappragghassan, Shri Ku.
Snatak, Shri Nardeo
Sonavane, Shri
Sumat Prasad, Shri
Swamy, Shri Sivamurthi
Tahir, Shri Mohammad
Tiwary, Shri K. N.
Tyagi, Shri
Uikey, Shri
Ulaka, Shri Ramachandra
Venkatasubbiah, Shri P.
Virbhadra Singh, Shri
Yadava, Shri B. P.

Mr. Speaker: The result of the division is: Ayes 19; Noes 78

The motion was negatived.

***Shri Thirumala Rao:** My vote is not registered at all.

Mr. Speaker: Shri Kamath.

Shri Hari Vishnu Kamath: Mr. Speaker, Sir, the Bill before the House is one of those Bills which seldom come before the Parliament.

13.34 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

The Bill casts a sadly revealing, lurid and almost agonizing light on the reckless manner in which the Government and its predecessors enjoying a moribund conscience for public money have played ducks and drakes with the poor Indian tax-payers' money. The Statement of Objects and Reasons itself is adequate to convict the Government of profound negligence or a near criminal collusion with a buccanner in the grand style. The statement reads as follows:

"For sometime past, complaints had been made, both in the Parliament and outside, against the management of this company . . .

Now, a series of crimes follow—

"alleging mismanagement, misuse of company's funds, leakage of foreign exchange, non-deposit of Provident Fund and income-tax deductions, non-payment of bills for supplies and services, non-payment of salaries and family allotments, non-payment of premia for insurance of ships and so on."

It is not complete. It is so on and so forth. I do not know what the full list will contain.

"An Enquiry Committee was appointed to go into these complaints, but they could not make much headway due to the non-co-operation of the company." The committee was appointed very late in the day. It was suggested by the Board of Control at that time—lend me both your ears if you can—that the committee should be assisted by a CBI expert and also, I believe, by a nominee or a representative of the Comptroller and Auditor-General. This was not heeded.

Long before that, I believe it was sometime in April—I wrote to the Prime Minister, and sent her some photostat copies, documents, which showed the underhand dealings between a Japanese firm and this shipping adventurer, Dr. Dharma Teja of the Jayanti Shipping Company. I sent a letter in April, but I am sorry to say that unlike her father who used to acknowledge the receipt of the letters immediately, within 24 hours or 48 hours, I did not get even an acknowledgment for nearly three weeks or more. I sent her a reminder, and then she expressed regret for the delay. This is what she wrote on the 19th May:

"Your letter of the 16th May—

I wrote reminding her again on the 16th May—

"and I have received the documents you sent."

Then she gave a plausible reason for the delay . . .

"I should have acknowledged your letter immediately but the delay was because I wanted to find out more about the case before replying . . ."

She could have acknowledged the letter and then she could have sent her reply later on. She said:

"I understand that the Transport Ministry . . ."

That is, Mr. Reddy's Ministry—

"is examining the matter—

*Shri Thirumala Rao wanted to vote for 'NOES'.

[Shri Hari Vishnu Kamath]

that was about the photostat documents sent to her—

“with the assistance of the appropriate police agencies of the Home Ministry.”

Shri Sanjiva Reddy: That was in July?

Shri Hari Vishnu Kamath: On the 19th May. I wrote to her on the 16th May reminding her of what I had sent in April. She wrote a reply saying it was being investigated into. I would like to know whether the investigation has been completed and with what result. Now, a demand has come from all sides of the House, that because that committee was not a Commission of Inquiry, Dr. Dharma Teja and others could go scot-free and they could even defy the summons of the committee and then go away to a foreign country. In the other place—I do not mention the Rajya Sabha by name—there was a demand made by a Member that his passport should be impounded. We have done it before, I believe in the case of Sheikh Abdullah in a different context. Why was it not done, when there were so many complaints and charges on the files of Government?

Shri Sham Lal Saraf (Jammu and Kashmir): It is said, he is a French national.

Shri Hari Vishnu Kamath: He holds an Indian passport also, I am told—multiple nationality, perhaps! The member of the Rajya Sabha did make that demand, but nothing was done. I am sorry to say the planned plunder of the public exchequer through a conspiratorial alliance between this grand adventurer of the shipping company and certain high-ups in the administration stinks to high heaven. It has sky-rocketed and reached colossal proportions.

Yesterday Gen. Kaul's name was mentioned. He used to get a salary of Rs. 8,000 a month—Rs. 4,000 net after tax deductions. He used to stay here in Ambassador Hotel, all bills paid. The poor Indian tax-payer had to pay all these things. When Gen. B. M.

Kaul—I think his initials are B.M.—was appointed, I have reasons to believe at the request of the then Prime Minister Mr. Nehru himself made to Dr. Teja, Gen. Kaul was as ignorant of shipping as he was of war when he was appointed General Commander of NEFA. I remember when a question was put in this House in November, 1962 about his active field experience the Prime Minister scratched his head—perhaps he was trying to recollect his thoughts—and said, “Yes; he was a Military Attache in our Embassy in Washington and somewhere in Rangoon also before that.” But he had no war experience as such. That is why the debacle took place. He lost a big battle but won a fat job. He was equally ignorant of shipping, when he was appointed as personal adviser to Dr. Teja, but all his salaries were paid out of the funds of the company.

It is not only one Kaul that has been connected with this company, but there is another high-placed Kaul. I am sorry to say this, but in the public interest, in the highest national interest I wish to bring it before the House. Before that, it strikes me—the great man he was, our former Prime Minister, Jawaharlal Nehru; he was great in India and all over the world—if we read his autobiography, we find that he was also ancestrally a Kaul. Because there was a *nehar*—a canal—by the side of his ancestral house in Kashmir, his ancestor was called Nehru.

Shri Sham Lal Saraf: That canal was dug out in Agra, where the House was.

Shri Hari Vishnu Kamath: Wherever it was. I do not want to forge any links in the chain, but his ancestors were Kauls. It is strange that our Embassy in Moscow should place orders for anything they want not with the Government, but with this private shipping company. I have a photostat copy of a letter written by Ranjit Teja—Mrs. Dharma Teja—to

Captain Kothawala, the representative of the Jayanti Shipping Company in Tokyo. It is not very long; I will read it in full. This is dated 4th November, 1963. If you so direct me, Sir, I will lay it on the Table. It says:

"Dear Captain Kothawala,

Could you kindly buy the following two items and parcel them by air to our Indian Ambassador at Moscow at the following address:

His Excellency Ambassador
T. N. Kaul, Indian Embassy,
Moscow, USSR."

(Interruptions). Ambassadors are all Excellencies, whether our ambassadors or foreign; I am sorry if the hon. member does not know it.

What are the two items, Sir?
They are:

"1. A portable loudspeaker microphone for 220 volts and 127 volts (adjustable voltage if possible). This is needed for concerts and variety shows the Indian Embassy put up. Try to get one that will reproduce human voice well.

2. A movie projector of 8 mm.

Please buy them as soon as you can and airmail them to him.

Dr. Teja and I will be in Moscow from 7th November to 17th November and spend another 3 days in Europe. Then Dr. Teja will be back in New York.

With best wishes to you and your wife", etc.

There is an acknowledgment indirectly by Mr. T. N. Kaul, our former Ambassador in Moscow. Now he is very close, almost a confidant of the Prime Minister herself. I do not know what position he occupies in the Ministry, but I believe he is almost a confidant of the Prime Minister. On the 27th April 1964, some six months after the above letter was written, Mr. T. N. Kaul wrote a letter to Cap-

tain Kothawala, which reads as follows:

"Dear Captain Kothawala,

Thank you for your letter of 17th April and the English instruction book for the Elmo projector. I am afraid it is not working properly and I do not know what is wrong with it.

I have not been able to use the amplifier for want of instructions. Actually it is not the thing I wanted, but I shall discuss it with Dr. Teja when he comes here."

Just imagine, Sir, the Ambassador discussing with Dr. Teja what he wanted for the Embassy or for himself, I do not know. It can be checked up by the CBI or by somebody.

An hon. Member: He must have paid for it.

Shri Hari Vishnu Kamath: Even then, why should our Embassy arrange with a private company to supply what it wants?

Mr. Deputy-Speaker: What has this to do with the Bill?

Shri Hari Vishnu Kamath: This Bill has thrown lurid light on the high level conspiracy between Jayanti Shipping Company and the high-ups in the administration of the Government. Mr. Thirumala Rao yesterday said—you were here, Sir, perhaps in the Chair or below, I do not remember—that Dr. Teja was a good man to start with, but he fell in bad company. He became friendly with the Prime Minister and other Ministers and since then something happened, I do not want to go into details. When he became friendly with the Prime Minister and other Ministers, what planned plunder of the public exchequer has taken place, I would like to tell you. There is another very revealing letter.

An Hon. Member: How did you get it?

Shri Hari Vishnu Kamath: Just as I got the CBI report, so did I get this also.

Sir, Gen. Kaul's name was mentioned yesterday. The other Kaul may not be in the company, but this Kaul is in the company. It is very wrong that our Embassy should deal with a private company for small things. A check should be made where the amplifier and movie projector are today, whether they are with the Embassy or with Shri Kaul. Why should he get it from Dr. Teja and not from the Government itself? The External Affairs Ministry is here; he could have referred to it whatever he wanted.

Shri Kapur Singh (Ludhiana): He wanted it from Mrs. Teja, not from Dr. Teja.

Shri Sanjiva Reddy: For a bachelor it is worse.

Shri Hari Vishnu Kamath: Now, Sir, J. Dharma Teja has written on November 18, 1963, from Ashoka Hotel here like this:

"Dear Capt. Maneck:

Give the enclosed letter to Mr. Matsushita or Mr. Sato...."

—not the Prime Minister but somebody else, because the Japanese Prime Minister is also Mr. Sato—

"...and see to it that they give you One Million Yen."

For what? He writes:

"...Give these Yen to Gen. Kaul. I do not want Gen. Kaul to ask for this from Matsushita himself."

I do not know what the exchange rate is. Then he has thanked him for the good work—this good work of getting the Yen and passing them on to Gen. Kaul, the very good work he was doing.

Now, Sir, that is the grand conspiracy that has worked to the detri-

ment, to the planned plunder of the public exchequer over these years.

What has the Government done, during these years? During the last few months, when it came to their notice, what they did was to have a committee, but without any powers under the Commission of Inquiry Act. The Committee could not do anything. I learn from reliable sources that they did not have the powers of summoning him, and without let or hindrance....

Mr. Deputy-Speaker: The hon. Member should try to conclude now.

Shri Hari Vishnu Kamath: Sir, you may go on ringing the Bell, but I will take three or four minutes more.

I am sorry to say this. The Shipping Corporation of India, the managing agents, they have listed this. It is a lurid document. I do not know how after this anybody who has had anything to do with this company, the grand adventurer himself and those who were in collusion with him, can go about without hanging his head in shame. It is only in our country that this kind of thing can happen. Some heads should have rolled by now, but they do not roll, they roll on the red carpet. I am sure, if a Commission of Inquiry is appointed with the fullest powers, with the assistance of CBI, Interpol and other agencies, many more facts will come to light. The Shipping Corporation itself—it is our own Corporation—has said in its report:

"Further inquiries by the Managing Agents are continuing and more facts may come to light."

It is their own wording. So far what facts have come to light? Then they say:

"However, the data already collected reveal that the funds involved in the misappropriations etc. add up to a substantial

amount of the order of Rs. 294.31 lakhs....."

That is, nearly Rs. 3 crores.....

Mr. Deputy-Speaker: The hon. Member should conclude now.

Shri Hari Vishnu Kamath: Sir, this is a very important issue. Once in a generation, so to say . . .

Mr. Deputy-Speaker: The time is limited. You must close now.

Shri Sanjiva Reddy: It is all repetition. This was said by Shri Madhu Limaye and it was placed on the Table.

Shri Hari Vishnu Kamath: It was not read out at all. Why are you afraid of this being read out?

Shri Sanjiva Reddy: Some of these things I placed on the Table myself? They have come to light. I agree. I have only said, please do not repeat.

Shri Hari Vishnu Kamath: I am not repeating at all. Nobody has said it in this House before. I have been in the House all the time; you have not been.

Mr. Deputy-Speaker: Order, order.

Shri Hari Vishnu Kamath: Sir, why don't you call him to order? Are you afraid of calling him to order?

Shri Sanjiva Reddy: I am not ordering at all.

Shri Hari Vishnu Kamath: You interrupted me. Sir, when the CBI report was here, the Speaker permitted me to go beyond the time limit and I hope you will emulate his example. Here is a cesspool of corruption, and you want to call me to order.....(Interruptions).

Shri J. B. Kripalani (Amroha): Sir, if this document has been placed on the Table, it should be distributed to all of us so that we may be able to read it and see what is contained in it. It is very strange that such a very important document has not been

given to us. The documents are not before us and we are discussing this.

Mr. Deputy-Speaker: The Government must demand, otherwise I cannot.....

Shri Hari Vishnu Kamath: If it is going to be circulated to Members I do not want to take the time of the House. These are very important things.

Mr. Deputy-Speaker: Please finish.

Shri Hari Vishnu Kamath: I am going to finish, sometime I must finish. If you do not allow me now, I will speak on my amendments. I have tabled a number of amendments.

Shri J. B. Kripalani: Why are the Government not distributing documents given by their own agency?

Shri Hari Vishnu Kamath: If that is going to be circulated.....

Mr. Deputy-Speaker: Unless it is demanded by the Government I cannot allow.

Shri J. B. Kripalani: What has the Government to do with it?

श्री मधु लिमये : सरकार तो छिपाना चाहती थी ।

Shri Hari Vishnu Kamath: May I recall, Sir, what happened on the 3rd March, 1965. The Government objected to the CBI report being placed on the Table. Shri Swaran Singh made a rigmarole of a speech opposing the placing of the CBI Report on the Table. In spite of the Government's opposition, the House wanted it. Even my colleague, Shri Sinhasan Singh of the Congress Party demanded it. That is why it was placed on the Table.

Mr. Deputy-Speaker: I will see the rules.

Shri Hari Vishnu Kamath: You have been so long Deputy Chairman in the other place and Deputy Speaker here, and you do not know the rules?

Shri Rajaram (Krishnagiri): He collected it through FBI.

Shri Hari Vishnu Kamath: I plead guilty to the charge. I collected with the help of CBI, FBI, Interpol and all these agencies....

Shri J. B. Kripalani: They are more patriotic than the Government.

Shri Hari Vishnu Kamath: The Government has lost the sense of shame. Here things happen, here is a cesspool of corruption and they sit on the Treasury Benches without batting an eyelid. Here it is said that these things add up to a substantial amount of the order of Rs. 294.91 lakhs—nearly Rs. 3 crores—interest on this account being extra—interest is not included—and most of it in foreign currency. Look how much we have been cheated in foreign currency. How much of this is deposited in foreign banks, in the number accounts in Swiss banks, we do not know. The Finance Minister told us before, earlier in this House, that the number accounts in Swiss banks, in which Hitler and the Nazis too dealt, can never be unearthed. I do not know how much has been deposited in this way, how much our poor country has been deprived of, cheated of, robbed and plundered. These facts are brought to light by the Shipping Corporation. They say that more will come to light later on and inquiries will reveal them. These are the few facts that they have garnered. Sir, as you have decided not to circulate this to the Members of the House, I am constrained to read these few lines. Here it is said:

- (1) Borrowing of dollars 1.2 million from Mitsubishi International Corporation in 1964 in the name of the company, but misappropriated by Dr. Teja as his personal money.....
(*Interruption.*)

I am not saying this, this is said by the Shipping Corporation.

Mr. Deputy-Speaker: Yesterday it was referred to by Dr. Lohia.

Shri Hari Vishnu Kamath: The next one is:

- (2) 1 Sh. per DWT charter hire of "Chandragupta Jayanti" taken by Dr. Teja personally for 19 months.
- (3) Amount of Dollars 486906 stated by Am-Indo, New York, as paid to Mitsubishi Heavy Industries, but not received by Mitsubishi.
- (4) Amount of Dollars 95126 stated by Am-Indo, New York, as paid to Mitsubishi Shoji Kaisha of Tokyo, but not received by Mitsubishi Shoji."

Then, £ 110,000 claimed by Dr. Teja to have been paid as part payment for purchase of *Adi Jayanti* to the sellers, but not actually paid by him. Then, secret commissions received by Dr. Teja from Mitsubishi Heavy Industries personally or through nominees.....

An hon. Member: It was all mentioned yesterday.

Shri Hari Vishnu Kamath: If some one has mentioned, I will not read it.

Mr. Deputy-Speaker: He should conclude now.

Shri Hari Vishnu Kamath: I will wind up in three minutes.

Yesterday, there was a reference by my hon. friend, Dr. Lohia, to Dr. Teja's presence in Tashkent and there was a clarification by Shri Swaran Singh. Perhaps, there was a slight lapse of memory somewhere. But it is a fact that ten days before—this can be checked from the records of the Company at Delhi, at their Jorbag office, Dr. Teja was in Moscow; not when Shastriji was there, but a few days before. He had gone to Moscow and from there he wrote to his office

here, of course a few days before the Tashkent Agreement. There was a slight error, there was a slight mistake of which much was made by Shri Swaran Singh.

I will now come to the end and wind up my speech. I will take up other matters when I move the amendments. I would demand, therefore, that the Prime Minister give up her shilly-shallying and, may I say dilly-dallying also, and ensure—yesterday the reference to want of extradition treaty with France was an eye-wash; did we not carry out negotiations with other governments for the extradition of Walcott, who is now standing trial in Madras?—I do not know, but I do hope that President De Gaulle will not stand in our way that we get hold of that person whom even Shri Thirumala Rao, a former Director, describes as a near criminal, who is a plunderer of the exchequer. Therefore, I demand, first, that the Government appoint a Commission of Inquiry under the Commissions of Inquiry Act consisting of the highest personnel who will inspire confidence, assisted by the CBI and Interpol in this matter, and nobody who has been associated with Dr. Teja himself should be allowed to go scotfree. Even the provident fund trustees—I am sorry to see that our colleague, Shri Thirumala Rao was also a provident fund trustee—must be asked to explain why the provident fund has not been utilized for the purpose for which it was intended. That is the information I have got. We must get a clear account from him and his colleagues. Knowing him as I do, I am sure he will do it, sooner or later. I, therefore, demand that these transactions dating from 1961 should be properly accounted for.

I am given to understand that Dr. Subbarayan, who was the Minister of Transport then, was opposed to these transactions. Yet, it went through.

Lastly, a person who was working on the secret files of Shri Jawaharlal 1502(Ai)LSD—7.

Nehru during his time and after his death,—He was dealing with secret letters, arranging them, and collecting them for historical purposes—a man called Rajan, was suddenly drafted by the shipping company and employed there; he is still employed there. He was doing a good job in the Museum. I do not know whether he carried any letters with him when he went. Formerly, he was only a stenographer, but today he is in that company, working on a salary of Rs. 2,000 a month. These facts are lurid facts. And I would not be surprised if the letters, correspondence between Dr. Teja and Shri Jawaharlal Nehru have been spirited away or have disappeared; I do not know what has happened.

It is a very sad story, lurid story, one of the worst brought to light after the CBI episode, and yet the Government still continues to sit in the treasury benches. I demand that they should resign as a token of atonement. Let the party re-elect them and let them come to power again. But, let them come to power again. But, let them resign, in the first place, as a token of atonement for the criminal conspiracy, with a buccaneer in the grand style.

Mr. Deputy-Speaker: Shri Sanjiva Reddy.

Shri Shinkre (Marmagoa): Since for no fault of ours, our Group was not permitted to take part in this debate, I would request you to permit us to ask one or two questions.

Mr. Deputy-Speaker: He may ask one question.

Shri Shinkre: I want only a clarification. Yesterday, while Shri Harish Chandra Mathur and some other members asked the question repeatedly why the Government did not take over the company, why they restricted the take-over to only management, the Minister, if I heard him correctly, said something to the effect....

Shri Sanjiva Reddy: I will tell you again. Why do you depend on memory? I will answer that point.

Shri Shinkre: In this connection, I would like to point out that the Metal Corporation of India was taken over for more or less the same reasons. At that time, the Government did not feel any hesitation in taking over the whole company, nationalising it.

Then, in clause (4), sub-clause (1) (d) it is stated:

“as from the date of the notified order, all the properties, assets and effects of the company shall be deemed to be in the custody of the Board of Control....”

I want to know why the word “liabilities” has not been mentioned here. Does that mean that Government only want to take over the assets of the company and do not want to take over the liabilities? Because, all the liabilities of the company are the moral responsibility of this Government. I am saying this because Dr. Teja was shrewd enough in projecting the impression all over the country, and abroad too, that this is practically a Government of India enterprise. This standing guarantee of the order of Rs. 20.25 crores was an easy weapon to convince everybody at large that this is really a Government of India concern. So, Government cannot shirk its responsibility regarding these liabilities. I think the Minister must make it clear in his reply that the Government will stand by every liability of this company, which is a *bona fide* liability.

The third and final point is that the Minister should also enlighten the House as to who is morally responsible or the creation or existence of this situation. Unfortunately, some of them belong to this House also. Are they not morally responsible for the growth of tycoons like Dr. Teja? This point should also be clarified.

Shri Sanjiva Reddy: I think the history of this company was an unfortunate history. It was started with a very great ideal, the development

of shipping in this country. We were short of tonnage and we were depending on foreign ships. India had to develop shipping and great efforts were being made in that direction. I am really happy to say that Pandit Jawaharlal Nehru himself took some initiative in the matter. He was very anxious to build up the tonnage of shipping in this country so that articles could be carried to India and from India under Indian flag. So, offers or inducements were given to shipping companies to build up tonnage. Some companies wanted concessions like interest-free loans and other facilities. Here was a company which came forward with a new offer.

Shri J. B. Kripalani: At that time, the Prime Minister as warned against giving such large sums to one company which had no standing at all.

Shri Sanjiva Reddy: If the hon. Member will bear with me for a few minutes, I will explain everything. The same point was made by some Members yesterday also. In fact, Shri Mathur referred to the proceedings of the House a few years ago and the questions and answers. If hon. Members think that Dr. Teja was given a loan when the company was started, they are making a mistake. All the precautions were taken at the time of grant of loan. The grant of 10 per cent of the price was on delivery when the ship was handed over to the representative of the SDFC. He went there on behalf of the Government and took charge of the ship. It is only then that a guarantee of paying 90 per cent was given to the company by the S.D.F.C.

Shri J. B. Kripalani: Let me again inform you that the Prime Minister considered this Teja as a great genius in shipping.

Shri Sanjiva Reddy: May be so.

Sir, when a great, elderly leader gets up I do not want to stand; I will certainly yield to him any number of times that he gets up, but I will only

appeal to him to wait for a few minutes and hear me. I have been hearing all the speeches. Of course, when an elder leader like him gets up, I cannot be standing and blocking him

It may be a matter of opinion and whether who had high opinion about whom. At times I have a wrong opinion about some people and I discover that they are crooks. We do make mistakes about the assessment of people. It is quite possible that Dharma Teja as assessed in a wrong way and today we have discovered that he is a crook. Nobody is anxious to protect him and say that he is a great man. He gave a fresh and a new idea which caught the imagination of Panditji. He wanted to develop shipping. His only interest was that shipping in India should be developed so that we may not be dependent on foreign flags coming to India carrying our goods in and out of India. That was the noble attitude that Panditji took. Unfortunately, this man did things which were wrong. He is a bad man. The mistakes he committed and the part he played was not known even to the directors, let alone Pandit Jawaharlal Nehru. The directors of the company did not know that this man had some secret dealing with so many different companies in different countries. He did all this.

Shri Madhu Limaye placed on the Table a report of the Shipping Corporation. It is no secret document.

श्री मधु लिमये : तो उसको टेबल पर क्यों नहीं रखा ?

Shri Sanjiva Reddy: I placed on the Table some things which came to my notice earlier. There is absolutely no secret document.

Shri A. V. Raghavan (Badagara): Why did you not place it on the Table?

Shri Sanjiva Reddy: I am not yielding, Sir. If I yielded to Kripalaniji, it was a different thing. All the Memb-

ers had the privilege of speaking. I would appeal to them to hear me.

The serious instances were brought to my notice. For instance, he took a loan from the Mitsubishi Finance Corporation in America of Rs. 90 lakhs.

Shri Indrajit Gupta (Calcutta South West): Japan, not America.

Shri Sanjiva Reddy: But just imagine, they did not know that he forged a resolution of the Company, gave it to the company in America and took Rs. 90 lakhs on the basis of a resolution of the company to the effect that the money must be handed over to Dr. Teja—not to the Chairman of the Company, not to the Company but to Dr. Teja. In his personal name he took the money and put it in the State Bank of India in London. Rs. 20 lakhs were withdrawn and Rs. 70 lakhs are still there. He wanted to withdraw that. At that stage we took it over, went to the court and got a stay order in a matter of hours. We knew pretty well that immediately after the company was taken over he would withdraw that Rs. 70 lakhs also; so, we went to the court and got a stay order. It is a civil case.

About the commission of chartering to foreign firm and 15 shillings to be credited to the company and one shilling to be credited to his personal account which means a few lakhs of rupees, it is also discovered and I placed some time ago that information also on the Table of the House. A criminal case has already been instituted against him. Wherever possible criminal cases have been instituted.

All these defects came to our notice and these defects were not known even to the directors. He was dealing separately, behind the back of the directors and everybody, with foreign companies in different countries about chartering in different countries, about Mitsubishi, commission for purchasing the ships. All these things were done

[Shri Sanjiva Reddy]

by him and Rs. 3 crores were collected by him in this manner without the company knowing about it.

All these things came to light only after the company was taken over. They were not known because, after all, there was only one Government representative on the company and he was dealing with everything. Everybody thought that the whole money, the share capital, belonged to him and Mr. Kulukundis. Therefore the other directors who had absolutely no interest in the company did not rather know the nefarious activities of this Dr. Teja.

Shrimati Yashoda Reddy (Kurnool): Why are you calling him Dr.?

Shri Sanjiva Reddy: I do not know whether he is a doctor, but he calls himself a doctor and we lose nothing by saying that..

Anyway, these things came to light. Are we keeping quiet? Apart from the whole history of Kaul being appointed or somebody purchasing a transistor... (Interruption)

Shri Hari Vishnu Kamath: In collusion, conspiracy.

Shri Sanjiva Reddy: These things will be answered by other people, about the Indian Embassy and all that; the Transport Ministry cannot answer them.

श्री मधु लिमये : जवाब देने वाले कहां हैं सदन में ।

Shri Sanjiva Reddy: Perhaps I will not be able to answer those small things of something being purchased and all that. Perhaps the other ministries will answer them at the appropriate time.

Shri Hari Vishnu Kamath: You know that Shri Venkataraman was sacked for taking bush-shirts etc.

Shri Sanjiva Reddy: Did the Government take any action or not the moment we came to know of it? The moment there was suspicion we took over this company. Within eight days we took action, I would remind this House, with the permission of the Prime Minister. It is not as though the Minister concerned or the Transport Department took action by itself, independently. No. Specifically I with the permission of the Prime Minister action was taken and a committee was appointed within eight days.

श्री मधु लिमये : जब एन्कोर्समेंट बांच ने सरकार को कहा था, तो फिर तेजा को गिरफ्तार क्यों नहीं किया गया ? मंत्री महोदय इस का जवाब दें ।

Shri Sanjiva Reddy: I am not prepared to yield. I have heard enough from Shri Madhu Limaye. I am not prepared to yield to him. I have heard enough of these charges from him. He has been repeating the slogans and the same scandals. All that is being repeated on the floor of this House. I am not prepared to hear any more; I have heard enough.

श्री मधु लिमये : मंत्री महोदय को गुस्ता क्यों आ रहा है ।

Mr. Deputy-speaker: Please sit down. Hear him now.

श्री मधु लिमये : मंत्री महोदय ने कहा है कि मैं "स्कडल" फैला रहा हूँ । मैंने कौन सा स्केंडल फैलाया है ?

Shri Sanjiva Reddy: This action was taken within eight days with the specific permission of the Prime Minister. I took the file to her and requested her that I am taking this action. She said, "Go ahead now". The Committee must say what is wrong with the company if I have to come and say it on the floor of this House. Who am I to do that? What do I know? At least, what do many Members know? So,

let Shri Sukhtankar and a representative of the Auditor-General go into it. It was only then that Teja came. Once he saw me and I said, "No, Mr. Teja, I cannot say anything hand off whatever proposal you have, I am prepared to have it examined."

Shri Indrajit Gupta: Why did you not arrest him?

Shri Sanjiva Reddy: There was no question of arresting him. There was absolutely nothing before us then except the papers given. You cannot arrest a person without establishing something. I was trying to collect information to arrest him. It is only after collecting information that he can be arrested.

श्री मधु लिमये : एन्क्वैस्टमेंट ने कहा था कि उस को गिरफ्तार कर लिया जाये ।

Shri Raghunath Singh: (Varanasi): It is a peculiar procedure adopted by him. He has got a chance to ask any question in the end, not now.

Shri Sanjiva Reddy: I had been hearing what all they said. They must patiently hear me also. It is not as though anybody had any soft corner for him. We can arrest him, but we must first gather the material. Of course, the anonymous petitions are there.

डा० राम मनोहर लोहिया : (फर्रुखाबाद)
अब तो यह मैटीरियल आ गया है ।

Shri Sanjiva Reddy: Hear the please.

Shri Narayan, supposed to be the General Manager of this firm, his nephew or somebody, had given some papers in the office of late Lal Bahadurji Shastri. But would you believe it that the same Shri Narayan writes to us again saying that he never gave any paper in anybody's office? It is in writing. While those petitions or allegations are unsigned, the papers supposed to be given to Lal Bahadurji's

office, which were handed over to the Transport Ministry after Lal Bahadurji died, the same man writes officially again under signature that he never gave any paper to anybody, not even to Lal Bahadurji's office. Here is the man who makes the allegations. But still we wanted to make use of the allegations and inquire into them. That is why we appointed a committee of Shri Sukhtankar and a representative of the Auditor-General. But this Dr. Teja and his office did not co-operate with them. They did not give the necessary material and the papers. Therefore we said that the best way of getting the information was to take it over. The preliminary information the Government had was that there was something suspicious, but unless you took over and had the full information, you will not be able to prosecute him, civil or criminal. Therefore, we had a conference. The Cabinet appointed a committee.

Shri Hari Vishnu Kamath: Why not appoint a Commission of Inquiry straightaway?

Shri Sanjiva Reddy: The Cabinet considered this. We had a meeting—the Finance Minister, the Law Minister and the Transport Minister. The officials also met. We took a decision that before we did anything we must immediately take it over without giving him any time so that we might get at the truth. You cannot get at the truth without looking into the things and getting these things. We would not have known this that he had secret dealings outside India but for our snatching these papers and all that. Therefore we took this decision.

One friend has asked: Why is it that we have taken five years; why is it that it was not nationalised? It was discussed in the sub-committee. The Law Minister was there. We made a mistake in that case and then it was stayed in the court. I was in charge of that also, the Metal Corporation case. Therefore if you wanted to get hold of it immediately, without any

[Shri Sanjiva Reddy]

waste of time, and discover the mistake that he had committed, the best way was to take it over for a short period so that no court will interfere and no stay order will be given. After taking over the Company, if you want to nationalise, you may do that. The Company has to be taken over so that we know what is the liability, how much he has swindled and where are the ships. If, suppose, he had gone to the court and if there was a stay order, all the ships of this Company numbering about 22 would have been stayed in different ports; they would not have come under our control. We were anxious to see that the accounts and the ships were taken over by Government first, so that we can get at the truth and also get the ships running, earning money. The annual income of the Company is Rs. 3,50,00,000 and you cannot allow the ships to be impounded in different ports because of litigation. Therefore, we had to take over for a limited period to begin with. When there is a civil case pending, the ownership is not decided and any foreign company wanting money—there are a number of liabilities by this man purchasing ships, particularly servicing in different ports—could impound them. It was impounded twice before we took over because he had not paid money to different foreign companies. Therefore, it was decided that we should take over the Company for five years initially to be extended by another five years, within which time we can easily find out the position. This is very simple and I do not know why my hon. friends do not understand this fact. Rs. 3 crores have been swindled by him. We have discovered that and that money has to be recovered from him. How are you going to recover that from him? He is in a foreign country; he does not have property here.

Shri Hari Vishnu Kamath: No benami property even?

Shri Sanjiva Reddy: The only way by which we can recover the money

from him is by attaching his shares in this Company; he is supposed to have Rs. 2.12 crores here. In addition we have attached about Rs. 70 lakhs in the courts. Therefore, if we attach his shares through courts, he will have absolutely no interest in the Company in future; then it will be in the public sector automatically without your asking for it. Company had lost about Rs. 3 crores and we have to recover that money. He has no other property in India. We can only attach the shares in the company which are standing in his name and also in the name of Kulkundis, which are supposed to be Rs. 2.12 crores and Rs. 70 lakhs respectively. Then automatically the Company will be ours.

He may have swindled the money; he may be a cheat, but I may tell this hon. House that the Company is there and the ships for which we have given loans—11 ships—are there; they are running; they are good ships. He may have taken 2 per cent commission on each ship, about Rs. 20 or 30 lakhs, but the ships are there flying the Indian flag. They are bulk carriers. For the first time the Company took this adventure of building bulk carriers so quickly and so well. The man may be bad; you prosecute him; you put him in jail. I will assure Mr. Lohia and other friends (*Interruptions*) that a meeting was held in the Home Minister's house—I was unfortunately not there—and nobody stood in the way of this man being arrested. Before we took over this Company, the Police was doubtful because there was no point or any specific charge against him. (*Interruptions*)

Shri Nambiar (Tiruchirapalli): Why did you not detain him under D.I.R.?

Shri Sanjiva Reddy: That is a different thing—detaining a person and all that.

डा० राम मनोहर लोहिया : अब अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है।

... (व्यवधान) : मैं व्यवस्था का प्रश्न रख रहा हूँ। मंत्री महोदय दो बातों को मिला रहे हैं। एक बात तो यह है कि कंपनी लेने के पहले जो उन के पास इत्तिला थी और एक कंपनी के लेने के बाद जो इत्तिलायें हो गईं। अब उन को पता है कि यह धोखेबाज है, चोर है, इस ने तरह तरह की बदमाशी की है, इसने दस्तावेज जाली बनाये हैं, इस ने कमोशन लिया है, चेयर-मैन रहते हुए इसने अमानत में खयानत की है, मैंने ताजोराल हिन्द की चार पांच दफ्तय बताया है, तो इस के बाद इसको गिरफ्तार करने में एक मिनट की भी देर क्यों लग रही है और एक इस के साथ साथ मैं कह दूँ कि जब यह कहते हैं कि फ्रांस के साथ हमारा कोई एक्सट्रैडिशन ट्रीटी नहीं है इसलिये उस को बुला नहीं सकते वहाँ से तो मैं आपको लारेंस के हैंड बुक आफ पब्लिक इन्टरनेशनल ला का एक वाक्य सुना ते देता हूँ, वह अंग्रेजी में है :

“The best authorities hold that in the absence of special treaty stipulations, such surrender cannot be demanded as a right, though it may be granted as a matter of comity.”

हर एक आदमी आपने हाइन से लेकर के जितने भी बड़े बड़े कानून के वंता हैं वह कहते हैं कि साधारण अपराध के मामलों में अपराधी को चाहे दो देशों की आपस में संधि हो या न हो, वह दूसरे देश दे दिया करते हैं, सौप दिया करते हैं। इसलिये श्री रेड्डी को अब यह साफ जवाब देना चाहिए कि क्यों नहीं गिरफ्तार कर रहे हैं। गिरफ्तार नहीं करते हैं, तो पूरा शक इन लोगों के ऊपर जाता है।

Shri Raghunath Singh: Is it a speech or a point of order? What is the point of order in that?

Mr. Deputy-Speaker: There is no point of order. He may please sit down.

डा० राम मनोहर लोहिया : दो चीजों को मिला रहे हैं। मैं आपसे अपील करता हूँ कि इस का अच्छी तरह से जवाब दिलाइए।

Shri Sanjiva Reddy: When it is accepted that criminal cases have been registered against him, then he has to be arrested. The only point is how he can be arrested. Dr. Lohia has suggested a way of doing it. If it can be done, we shall be very happy. We shall examine that with the Home Ministry.

डा० राम मनोहर लोहिया : मुझे कहें तो मैं एक मिनट में उस को गिरफ्तार करके दिखाता हूँ।

Mr. Deputy-Speaker: He cannot go no like this. He may resume his seat.

Shri Sanjiva Reddy: Dr. Lohia has suggested a way of doing it. I have got it before me. We attach a great value for his opinion. We shall see if it is legally possible.

Shri Nambiar: It is a genuine question.

Shri Sanjiva Reddy: What is genuine question, after all these explanations? He has not come to India after we took over this Company. (Interruptions). He only came to negotiate about selling ships. He wanted loan first. I shall tell you. Mr. Mehrotra or somebody who was mentioned as Vice Chairman came only for a few weeks; he came for an assistance of Rs. 3 crores. But Government refused saying, “We have already given; nothing more will be given”. Then came Dr. Teja with a new offer that he may be permitted to sell the ships in India and outside India. It was then that he came here last with some representatives of some English company and he was here for a week or so.

श्री मधु लिमये : उसी वक्त एन्फोर्समेंट
ब्रांच ने कहा था कि गिरफ्तार कीजिए ।
आप न नहीं किया ।

Shri Sanjiva Reddy: That is totally wrong. I do not know how my hon. friend gets such ideas. He gets only such ideas. Nobody said that he should not be arrested. He must accept the information that is before me. They never said that he is going to be arrested and nobody said, "Do not arrest". It was discussed in the Home Minister's house and it was decided that we may get better information and more material. It was the Enforcement people who gave this information and said, "wait for some time, now gather more material and evidence and information; and then we shall pick him up". At that stage he was in India to seek the permission of the Government to sell his ships.

Shri Hari Vishnu Kamath: I am sorry to interrupt. I will take only half a minute. Is it a fact that Mr. Sukhthankar, the Chairman of the Committee, suggested to the Government that the Committee should be empowered under the Commission of Inquiry Act so as to enforce attendance of persons and all that, and the Government decided not to invest it with such powers?

Shri Sanjiva Reddy: He came to me and he discussed. Thereupon we decided on the extreme step of taking over the Company.

Any delay would have been dangerous because the ships were impounded in different ports and he would be swindling further money. Why do you want a Commission to take over every thing? We took the extreme step of taking over the Company; my friend may not agree with me, but it was necessary. If somebody was to look into it first or if we were to appoint a Commission, the Commission would quote the rules and then he would go on dodging. Therefore, we thought that, instead of resorting to this, we

should take over the whole Company; instead of trying to find out the mistakes so that we might take over the Company, we took the final step of taking over the Company. Mr. Kamath wants me to take the first step, the second step and so on, by appointing a Commission. (Interruptions)

Shri Hari Vishnu Kamath rose—

Shri Sanjiva Reddy: I am not yielding. As I said, instead of finding out the mistakes and then taking over the Company, Government took the decision that taking over the Company would be the first and the last step, so that we seize the Company. If we had appointed a Commission, what would have happened? They would have said, "Condemn the man he has swindled so much of money; he has done this and he has done that; therefore, the Company should be taken over." But then we would have had to wait for six months for the report to come. . . .

Shri Hari Vishnu Kamath: Why did you appoint the committee first?

Shri Sanjiva Reddy: . . . and during that period, more of these things might have happened, and then we would have taken over the Company.

Shri Hari Vishnu Kamath: Why did you appoint the committee first?

Shri Sanjiva Reddy: I am not prepared to yield. Shri Kamath has had his say for two days.

Shri Hari Vishnu Kamath: I have not spoken for two days. I spoke only today.

Shri Sanjiva Reddy: Then, the charge has been made that everybody is trying to be soft to this man. Why should anybody be soft to this man? After all, the defects in the company have been found out and we are still probing and finding out what action

should be taken. We have sent, or rather the corporation has sent its representatives to other countries also, such as Japan, America etc. Civil suits are being filed. Criminal suits are filed against Dr. Teja, and if any possibility is there either for extradition or for some other thing under some other provision, Government will not shirk their duty in bringing him to India. How best it can be done is a point which the Home Ministry will examine.

Therefore, I may assure this House that there is absolutely no softness to him at all. He is a cheat, but he has cheated not the Government and the people, because the people's money is safe and the ships are there; even the loan amount which we gave was not to Dr. Teja, but it is only a guarantee to the ship-building company. Everybody has been saying that Rs. 20 crores has been given. It is only Rs. 5 crores odd that has been given and that too is there in the ships and the ships are with us. They are plying. All the captains and seamen and everybody who is manning the ships are giving their total co-operation. The other companies also are co-operating with us. Mitsubishis who gave all this commission and all this money to this man has given us all papers including the letters written by Dr. Teja asking them to pay the commission and all that. They have given the originals also, apart from these things.

Shri Indrajit Gupta: Why did they give him ante-dated receipts?

Shri Sanjiva Reddy: That is exactly the point. Therefore, we are getting all co-operation. Criminal cases also have been registered against this man. I can, therefore, assure the House that he is not going to be spared and he has to face the consequences of the law, both civil and criminal.

My friend Dr. Teja, I am sorry, my friend Shri Kamath

Shri Hari Vishnu Kamath: Truth comes out first.

Shri Sanjiva Reddy: Shri Kamath had said something about our Ambassador getting the articles that were given to the Embassy, or the articles that were supposed to be given to the Embassy. I am told that they are gifts by Mrs. Teja to the Embassy. It is not personal gifts to the Ambassador. That is what I am told. That is the information that I have. None of them is here to defend himself. Mr. Kaul is not here. I am told that those things were gifts to the Embassy from Mr. and Mrs. Teja.

Shri Nambiar: Mrs. Teja too? Is Mrs. Teja in France or in India?

An hon. Member: Why is Shri Nambiar interested in that?

Shri Sanjiva Reddy: I think she must be with her husband.

Shri Hari Vishnu Kamath: The hon. Minister says that they were things for the Embassy. May I know whether it was proper or in order for an Embassy to place orders for its requirements with a private shipping company or to accept things from a private shipping company?

Shri Sanjiva Reddy: The Ambassador is not here to defend himself

Shri Hari Vishnu Kamath: Was it proper for the Embassy to place orders with the private shipping company for an 8 mm. projector or a 16 mm. projector and so on?

Shri Nambiar: My humble request to the hon. Minister is this. In order to apprehend Dr. Teja, it is necessary to know where Mrs. Teja is. Is she in India or in France? I am asking this question in all seriousness.

Shri Sanjiva Reddy: I think the police will take care of it. If Shri Nambiar has any information, he can pass it on to the police, and they will be very very happy to know it, because I am told

Mr. Deputy-Speaker: It is a matter for the husband and wife and not for us.

Shri Sanjiva Reddy: One hon. Member had suggested that Shri Narayana was removed because he had given information. Between the uncle and the nephew I do not know what happened. Shri Narayana was an employee of the Khadi Board somewhere in Hyderabad, and all of a sudden he came and became general manager on a salary of a few thousands of rupees a month. Then, he left him again. Why he came in and why they quarrelled is a family affair between the uncle and the nephew. Anyway, the information that Shri Narayana gave was very useful.

ड।० राम मनोहर लोहिया : उगाध्यक्ष महोदय, फायड साहब का नाम आने जरूर सूना होगा, इन के मन के अन्दर वह बात है। बहुत अच्छा हुआ अब आगे कहने की आवश्यकता नहीं है।

Shri Sanjiva Reddy: It led us to discover some things, though later on he wrote to us officially saying that he never gave any paper to anybody. But the papers were luckily with us, and those papers led us to find out the criminal acts committed by this gentleman.

ड।० राम मनोहर लोहिया : लक्ष्मी लड़ाई करता है, रेड्डी साहब। मंत्रियों में भी लड़ाई हो जाती है, लक्ष्मी को लेकर।

Shri Sanjiva Reddy: Shri Harish Chandra Mathur is unfortunately not present here in the House. He had made some very good suggestions. One was that he had asked whether when the loan was given a proper scrutiny had been made. I think it was before the Cabinet more than once, and it was discussed by the whole Cabinet; the Finance Ministry had examined it; the Finance Ministry had cleared it, and they had laid down so many conditions that the money should

not be given to them until a certain stage and that the money should be given to the ship building company when the ship was handed over to a Government representative, not to Dr. Teja. Therefore, to that extent, we have taken precautions. 11 ships are good, and they are there. Then the loan money that was given to this company is also safe; it was only a loan given to them, and by instalments it will be repaid. Therefore, we had taken a lot of precautions. So, it is not as though people's money has been squandered away. What Dr. Teja as chairman did was that he swindled the company. The Government money is itself safe; the public money is safe; but he swindled the company. Over 90 per cent is supposed to be his own and Mr. Kulakundis's share money; there is there involved in the share money at least, which is about Rs. 2 crores odd. He says that it is Rs. 2.8 crores, but the Transport Ministry and the S.D.F.C. accept that it is only Rs. 2.02 crores. Except Rs. 1 or 2 lakhs, the rest is supposed to be his money and that of Mr. Kulakundis. It is true that the company lost Rs. 3 crores odd. But I have got all those things here before me. I do not know why Dr. Ram Manohar Lohia has not got that paper from the Shipping Corporation; somehow, he managed to get one paper and lay it on the Table of the House, but he has not got this paper. There, they have worked out the whole thing. It is not a secret document. They have worked out that in five years we shall be able to wipe off part of the deficit, and that in ten years we shall be able to bring it up as a public concern. But, meanwhile, it is not as though this company is going to be handed over, after it is brought to that level, again to Dr. Teja. He will not have one rupee, because I am sure the courts are going to give a decree in our favour, and then we shall take Dr. Teja's share money and take it over completely that way, legally and constitutionally, through a court. Ultimately it is going to be a very good company. It is going to be a public sector company. Whether the corpo-

ration is going to manage it or it will be a separate company is a different matter. There is ample time for us to decide on that. When we take over this company, the question whether it should be built up as a separate company can also be considered and that also can be done. But I am glad that the ships are there; the Indian flag is not dishonoured; the ships are plying and they are carrying goods and they are earning foreign exchange, every year at the rate of about Rs. 3.7 cores. If there are mistakes, my hon. friends may help the Ministry to correct those mistakes.

If, as Dr. Ram Manohar Lohia says, we can arrest him under some other section, that can be examined; in the absence of an extradition treaty, if he suggests some other method, if it is possible, we shall adopt that; I shall pass it on to the Home Ministry and ask them to take all possible action. We are anxious to bring him back to India so that he may answer all these charges not only before Government but because it is a public company now before the people at large and before the shareholders of the company, whoever they may be, we are anxious to do that.

Already, criminal cases have been registered against him. It is not a thing that we are going to do tomorrow. Even before this debate began, the moment we came to know about all these activities, criminal cases had been registered; civil suits also have been registered, and our representatives have gone to different countries like America, Japan etc. so that we may contact some lawyers in those countries and institute cases there also. What better thing could have been done? We are as anxious as any other Member here to recover the money and to see that the criminal is prosecuted and punished. Therefore, at least in this matter, let my hon. friends give the credit that is due to this Government and help us to save this company so that the ships may ply gloriously.

Mr. Deputy-Speaker: I shall now put the consideration motion to vote.

Shri Indrajit Gupta: May I put one question to the hon. Minister?

Shri S. C. Samanta (Tamluk): I want to ask only one question. I was not allowed to speak. Therefore, may I put only one question?

Mr. Deputy-Speaker: I am sorry. There is no time for it now. There is an amendment seeking to circulate the Bill for eliciting opinion thereon. Is Shri Vishwanath Pandey pressing it?

Shri Vishwanath Pandey (Salem-pur): I beg leave of the House to withdraw my amendment.

Mr. Deputy-Speaker: Has the hon. Member leave of the House to withdraw his amendment?

Several hon. Members: Yes.

Amendment No. 1 was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the taking over of the management of the undertaking of the Jayanti Shipping Company Limited for a limited period in order to secure the proper management of the same be taken into consideration".

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up the clauses.

There are no amendments to clause 2. So, I shall put clause 2 to vote.

The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 3—Board of Control to take over the management of the undertaking of the Company)

Shri S. C. Samanta: I beg to move:

Page 3, line 5, for 'ten' substitute 'fifteen'. (6).

Shri V. B. Gandhi (Bombay Central South): I beg to move:

(i) Page 2, after line 21, insert:
three of the members of the Board
"Provided that not less than
three of the members of the Board
of Control shall be non-officials
having commercial experience and,
for experience of shipping busi-
ness." (2)

(ii) Page 2, line 22, for 'may' substi-
tute 'shall'. (3)

Mr. Deputy-Speaker: Any other
amendment to be moved?

Shri Hari Vishnu Kamath: I won't
take time again and again. I move
all the amendments standing in my
name.

Mr. Deputy-Speaker: No please give
the numbers.

Shri Hari Vishnu Kamath: You are
hurrying. We can't keep pace with
you. The difficulty is that when we
give notice of amendments to clauses,
unfortunately the new system adopt-
ed by the Notice Office is only to give
the page number.....

Mr. Deputy-Speaker: His amend-
ments Nos. are 5, 11 and 12.

Shri Hari Vishnu Kamath: I move:

(i) Page 2,—after line 21, add—

"Provided that in the Board
there shall be one member of Lok
Sabha, one member of Rajya
Sabha, one member of the National
Shipping Board, one member of
the Federation of Chambers of
Commerce and Industry, and one
member of the National Union of
Seamen of India.

Provided further that one of
the two members of Parliament
specified in the foregoing proviso
shall be chosen from among the
opposition groups in Parliament." (5).

(ii) Page 2, line 16—omit "of the
company". (11)

(iii) Page 42, line 37—omit "of the
company". (12)

Mr. Deputy-Speaker: Clause 3 as
well as amendments Nos. 2, 3, 5, 6, 11
and 12 are before the House.

Shri V. B. Gandhi: In support of my
amendment No. 2 I only want Govern-
ment to give an assurance to this
House that they will accept the prin-
ciple underlying it, that is, that on
the board of control, there should be
an element of non-official representa-
tion, non-officials who possess com-
mercial and/or shipping business ex-
perience. As regards the other amend-
ment, the clause says that Government
may appoint whole-time directors.
My amendment seeks to say that Govern-
ment shall specify that there be
whole-time directors. If we had these
whole-time directors in the old com-
pany, I am sure things would have
come to light much earlier. If Govern-
ment could give the House an assu-
rance that they will accept the prin-
ciple underlying these two amend-
ments, I shall be glad to withdraw
them.

Shri S. C. Samanta: I have propos-
ed that instead of 10 years it should
be 15. There will be no difficulty in
the way of Government accepting it
because with that anything can be
done.

Shri Hari Vishnu Kamath: I have
moved amendments Nos. 5 as well as
11 and 12. Amendments Nos. 11 and
12 being more or less verbal, I shall
dispose of them first. It is obvious to
the meanest intelligence that under
clause 2,—the definitions clause—
please see clause 2, because with your
assistance I can dispose of it sooner
and quicker—"undertaking" has been
defined as:

"undertaking" means the pro-
perty and assets of the company".

This is strange. Whoever has drafted
it, God bless him. Everywhere,
throughout the Bill, wherever the

word 'undertaking' occurs it is followed by 'of the company'. See how ridiculous it is. Where is clause 3?

"The Central Government...."

Eureka! You remember Archimedes jumped out of the bath-tub in his birthday suit; here, I could not even jump over the desk....

An hon. Member: Into the Treasury Benches!

Shri Himatsingka (Godda): Line 16.

Shri Hari Vishnu Kamath: Thank you, Himatsingkaji. These words 'undertaking of the company' occur about a dozen times. It will mean 'property and assets of the company of the company'. This is ridiculous, preposterous.

Shri Alvares (Panjim): Who is the draftsman?

Shri Hari Vishnu Kamath: I leave it to the Minister with his as well as his colleagues' knowledge of English. My knowledge is very meagre.

Shri Nambiar: If it is bad English, the amendment can be accepted and the correction added.

Shri Hari Vishnu Kamath: I am no match for his prowess, wisdom and knowledge of English. He may do as he likes.

But to me the vital amendment is No. 5. As I was about to say, clauses 3 and 17 together form, in my humble judgement, the linchpin....

Shri Shinkre: Please see clause 2(a). There 'company' is defined; here 'company' is not the same as in 2(a).

Shri Hari Vishnu Kamath: I leave it to them.

As I said, No. 5 is the most crucial amendment. I appeal to my hon. colleagues in the House to pay close attention to what I am about to say, and I will crave your indulgence—please relax and have patience.

Now they are appointing a Board of Control with all sort of miscellaneous

people in it. But in addition to that, I seek to make this proviso:

"Provided that in the Board there shall be one member of Lok Sabha.."

We had one formerly, Shri Thirumala Rao.

Shri Thirumala Rao (Kakinada): You can take my place.

Shri Hari Vishnu Kamath: God save me from that.

Shri Thirumala Rao: You are well advised to be there.

Shri Hari Vishnu Kamath:

"...one member of Rajya Sabha, one member of the National Shipping Board, one member of the Federation of Chambers of Commerce and Industry, and one member of the National Union of Seamen of India.."

Shri Nambiar: Very good.

Shri Hari Vishnu Kamath: There is a further proviso:

"Provided further that one of the two members of Parliament specified in the foregoing proviso shall be chosen from among the opposition groups in Parliament".

Shri M. R. Krishna (Peddapalli): Why opposition only?

Shri Nambiar: So that we can keep a check on these *mala fide* activities.

Shri Hari Vishnu Kamath: One of the two. May I briefly explain the purport of the amendment, and the need for accepting it? May I urge briefly that it is the highest national interest that I have moved this amendment? With all the earnestness at my command, may I appeal to members on both sides of the House to accept this amendment? Why do I want it? On the board of directors, formerly there were many worthy men, including aristocrats, or some other 'rats', to which my hon. friend, Shri Indrajit Gupta referred yester-

[Shri Hari Vishnu Kamath]

day. But let us have a truly national Board of Control representing every cross-section of our national life. Already in the Bill itself, they have a Board of control. I do not know whom they have appointed. So far they have appointed five persons, I hear. There is a provision for ten members.

Shri Warior (Trichur): Who are they?

Shri Hari Vishnu Kamath: I do not know. The Minister may throw some light on that when he replies, about those who have been appointed. Five are yet to be appointed.

Now breathes there a Member with soul so dead that he will vote against this amendment?

Shri Alvares: Congress Benches.

An hon. Member: Dead or dull?

Shri Hari Vishnu Kamath: Did I say 'dead'? Then the next is 'dull'. Breathes there a Member with soul so dull that he cannot appreciate the spirit of this amendment. What do I want, what do I ask for? Two Members of Parliament to be on the Board. They would stultify themselves if they vote against it. Each Member who takes it into his head to oppose this, has the temerity to oppose this, will stultify himself, stultify Parliament itself.

The Minister of Railways (Shri S. K. Patil): Oh, yes.

Shri Hari Vishnu Kamath: I hope you say yes for once.

Shri S. K. Patil: Not for voting.

Shri M. R. Krishna: Shri Kamath does not smile.

Mr. Deputy-Speaker: Order, order.

Shri Hari Vishnu Kamath: You are ordering me or ordering him?

Mr. Deputy-Speaker: Ordering those who interrupt.

Shri Hari Vishnu Kamath: I am grateful to you for the very kind assistance you are rendering.

Two Members of Parliament, one Member....

Mr. Deputy-Speaker: It is self-explanatory.

Shri Hari Vishnu Kamath: It is not so self-explanatory. I will take two minutes and a half.

Why do I want the National Union of Seamen of India? Because this company by its criminal misdeeds, with which our Government has been in collusion, some of the high-placed in the administration have been in collusion, has forfeited public confidence in more ways than one, and the National Seamen represents a vast organisation, of the sea-going men, seamen of India; it is upto us as the highest legislature in the country to so act as to inspire confidence in the seamen of India also.

Shri A. P. Sharma (Buxar): Bombay or Calcutta?

Shri Hari Vishnu Kamath: You have no sea, otherwise you could have it. I remember a former Minister said he would send the Navy to Kashmir; I do not know, a former Defence Minister, not the present, is reported to have said that.

I therefore think that this amendment is very important, a vital amendment, so that the Board of Control may be truly representative, and I commend this amendment for the acceptance of the house.

श्री मधु लिमये : यह जो धारा 3 है इसके छठवें हिस्से का विरोध करने के लिए मैं खड़ा हुआ हूँ ---

श्री अ० प्र० शर्मा : किसी चीज का समर्थन भी करेंगे ?

श्री मधु लिमये : जब अच्छा काम करोगे तब करुंगा ।

इस में यह सुझाव है कि पांच साल के लिए, एक सीमित अवधि के लिए इस कम्पनी का इंतजाम हम अपने हाथ में ले रहे हैं और इंडस्ट्रियल डिवलेपमेंट कानून के मातहत हर दो दो साल के लिए इस मियाद को बढ़ाने का और दस साल तक अपने हाथ में रखने का सरकार को अधिकार है । कई बार इस सदन में मैं अर्ज कर चुका हूँ कि जब तक संविधान की धारा 31 में परिवर्तन नहीं किया जाता है तब तक यह खतरा बना रहेगा कि जिन निजी क्षेत्र की कम्पनियों को आप अपने हाथ में लेंगे, जब वे अच्छी स्थिति में आ जाएंगी, उनको आप अच्छी स्थिति में ला देंगे तो फिर आप उन्हीं लोगों को उन्हें वापिस दे देंगे । सूती मिलों के बारे में ऐसा हो चुका है । अभी रेड्डी साहब ने आश्वासन दिया है कि उनको पूरा विश्वास है कि अदालतों के द्वारा ऐसा हुकम जारी होगा कि जिस के मातहत उनके जो हिस्से हैं वे सरकार को मिल जायेंगे । लेकिन इसके लिए यह जरूरी होगा कि इन के खिलाफ जितने मुकदमें हैं वे अच्छी तरह से चलाये जायें । इसलिये फिर मैं इस बात पर जोर दूंगा कि उनकी गिरफ्तारी होना निहायत जरूरी है । इसलिए श्री रेड्डी की जानकारी के लिए मैं अंग्रेजी में प्रश्न पूछना चाहता हूँ । मेरी और कोई इच्छा नहीं है, केवल मात्र यह इच्छा है कि मामला साफ हो जाए, नहीं तो बाद में जब मैं कोई विशेषाधिकार का प्रस्ताव देता हूँ तो आप कहते हैं कि मैं प्रक्रिया का दुरुपयोग करता हूँ । इस वास्ते मैं चाहता हूँ कि मेरे प्रश्न का उत्तर वह सोच समझ कर दें । उनकी जानकारी के लिए मैं अंग्रेजी में सवाल उनके सामने रख देता हूँ :

(a) When was Dr. Teja in India last; and....

उपाध्यक्ष महोदय : इसका इसके साथ कैसे सम्बन्ध जुड़ता है ?

श्री मधु लिमये : जुड़ता है । मैं बताता हूँ । मेरा प्रश्न आप मुन लें ।

(b) whether the Enforcement Directorate suggested his arrest before his departure from India last and....

Shri Sanjiva Reddy: He raised it, and I answered it.

Shri Madhu Limaye:..whether the Government turned it down.

मैं यह रखना चाहता हूँ कि उनको गिरफ्तार करके उनको सजा दिलाने और मुकदमों को अच्छी तरह से चलाने का काम ठीक ढंग से नहीं हुआ तो जो आप बात कर रहे हैं कि उनके हिस्से हमें मिल जायेंगे और यह कम्पनी फिर सार्वजनिक क्षेत्र में आ जाएगी, यह काम नहीं होने वाला है । इसलिये मैं चाहता हूँ कि आप इसकी सफ ई कर दें ।

Mr. Deputy-Speaker: Are you accepting any of the amendments?

Shri Sanjiva Reddy: I would assure my hon. friend Shri Gandhi that he need not press his amendments. We have got 5 seats vacant on the Board just only to take in later on; we want to associate non-official element, therefore he need not press. I am not accepting. Therefore I would request him to withdraw.

As for withdrawal of that word "undertaking", after all, he is an ex-ICS officer, and a very great scholar in English; when he corrects, naturally our present ICS officers have to accept it because he is an ex-ICS; therefore I am prepared to bow to him and accept it.

Shri Warrior: Only because he is an ex-ICS you accept.

Shri Nambiar: That is the first victory from the opposition side.

Shri Sanjiva Reddy: But I would request him not to press this one

[Shri Sanjiva Reddy]

Member Lok Sabha, Rajya Sabha etc. After all, the House is much bigger than asking for one seat in a corporation. After all, if anybody is given, the others will say. Leave it to the Government to take in the non-official element, it may be one Member or somebody, but the non-official element must be associated, I accept to that extent. I would request him not to press that.

Shri Nambiar: Will you agree to one Member from the opposition?

Shri Sanjiva Reddy: No, I am not accepting, I am not prepared to accept it.

Shri Warrior: We want to know who are the members at present.

Shri Sanjiva Reddy: The amendment of Mr. Samantha, No. 6. I accept that also.

Mr. Deputy-Speaker: Mr. Gandhi, do you press them?

Shri V. B. Gandhi: I withdraw.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw?

Hon. Members: Yes.

Amendments Nos. 2 and 3 were withdrawn by leave.

Mr. Deputy-Speaker: The question is:

(i) Page 2, line 16,—

omit "of the company". (11).

(ii) Page 2, line 37,—

omit "of the company". (12).

The motion was adopted.

Mr. Deputy-Speaker: The question is:

Page 3, line 5,—

for "ten" substitute—

"fifteen". (6).

The motion was adopted.

Mr. Deputy-Speaker: No. 5. Do you press?

Shri Hari Vishnu Kamath: Of course.

Mr. Deputy-Speaker: The question is:

Page 2,—

after line 21, add—

"Provided that in the Board there shall be one member of Lok Sabha, one member of Rajya Sabha, one member of the National Shipping Board, one member of the Federation of Chambers of Commerce and Industry, and one member of the National Union of Seamen of India.

Provided further that one of the two members of Parliament specified in the foregoing proviso shall be chosen from among the opposition groups in Parliament." (5)

The Lok Sabha divided:

Division No. 18]

Alvares, Shri
Gupta, Shri Indrajit
Kamath, Shri Hari Vishnu
Kandappan, Shri

Koya, Shri Mohammed
Munzani, Shri David
Nambiar, Shri
Rajaram, Shri

AYES

[15.02 hrs.

Shinkre, Shri
Swamy, Shri Sivamurthi
Umanath, Shri
Warior Shri

NOES

Alva, Shri Joachim
Azad, Shri Bhagwat Jha
Bal Krishna Singh, Shri
Balmiki, Shri
Basappa, Shri
Bhanu Prakash Singh, Shri
Bhatkar, Shri

Bhaskarappa, Shri C. K.
Chanda Shrimati Jyotsna
Chandruha Singh, Shri
Chaudhuri, Shri D. S.
Chaudhuri, Shrimati Kamale
Chavda, Shrimati Joraben
Chuni Lal, Shri

Das, Shri B. K.
Das, Shri Sudhansu
Dass, Shri C.
Elayaperumal, Shri
Ganapati Ram, Shri
Gandhi, Shri V. B.
Gupta, Shri Badshah

Hanada, Shri Subodh
Heda, Shri
Himatsingka, Shri
Jamunadevi, Shrimati
Jedhe, Shri
Jena, Shri
Kedaria, Shri C. M.
Koujalgi, Shri H.
Lalit Sen, Shri
Mahadeo Prasad, Shri
Malaichami, Shri
Mandal, Dr. P.
Mehrotra, Shri Braj Bihari
Mehta, Shri J. R.
Mengi, Shri Gopal Datt
Minimata, Shrimati
Mirza, Shri Bakar Ali
Mishra, Shri Bibhuti
Muthiah, Shri
Pandey, Shri Vishwa Nath

Panna Lal, Shri
Patil, Shri D. S.
Patil, Shri S. B.
Patil, Shri S. K.
Prabhakar, Shri Naval
Pratap Singh, Shri
Rajdeo Singh, Shri
Raju, Shri D. B.
Ram, Shri T.
Ram Subbhag Singh, Dr.
Ramsbekhar Prasad Singh, Shri
Rane, Shri
Rao, Shri Jaganatha
Rao, Shri Rameshwar
Rao, Shri Thirumala
Reddy, Shri Surendra
Reddy, Shrimati Yashoda
Roy, Shri Biswanath
Sadhu Ram, Shri

Saha, Dr. S. K.
Samanta, Shri S. C.
Satyabhama Devi, Shrimati
Sham Nath, Shri
Shankaraiya, Shri
Sharma, Shri A. P.
Sharma, Shri K. C.
Shree Narayan Das, Shri
Sidbehwar Prasad, Shri
Singh, Shri K. K.
Sinha, Shrimati Ramdulari
Sinhagan Singh, Shri
Sivapraghassan, Shri K.
Sonavane, Shri
Sumat Prasad, Shri
Tiwari, Shri D. N.
Tiwari, Shri K. N.
Upadhyaya, Shri Shiva Dutt
Varma, Shri Ravindra

15.00 hrs.

Mr. Deputy-Speaker: The result of the division is:

Ayes : 12; Noes : 78.

The motion was negatived.

***Shri Joachim Alva** (Kanara): Instead of sitting there, I sat here. My friend who sits here usually—Shri M. L. Dwivedi—may get into trouble. I regret the mistake.

Mr. Deputy-Speaker: It will be corrected. The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clause 4—(Effect of notified order issued under section 3.)

Mr. Deputy-Speaker: We take up clause 4. Are you accepting amendment No. 13 to clause 4?

Shri Sanjiva Reddy: Yes, Sir.

Amendment made:

Page 3, line 10,—

omit "of the company". (13).

(Shri Hari Vishnu Kamath)

Mr. Deputy-Speaker: The question is:

"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clause 5—(Power of Board of Control to appoint managing agents)

Shri Sanjiva Reddy: I accept amendments 14, 15 and 16 to clause 5.

Amendments made:

(i) Page 4, line 5,—

omit "of the company". (14).

(ii) Page 4, line 20,—

omit "of the company". (15).

(iii) Page 4, line 25,—

omit "of the company". (16).

(Shri Hari Vishnu Kamath)

Mr. Deputy-Speaker: The question is:

"That clause 5, as amended, stand part of the Bill."

The motion was adopted.

*The name of Shri Joachim Alva has been substituted for that of Shri M. L. Dwivedi in Division No. 18.

Clause 5—as amended, was added to the Bill.

Clauses 6 to 8 were added to the Bill.

Clause 9—(Power of Central Government to cancel order notified under section 3).

Shri Sinhasan Singh (Gorakhpur): I have an amendment to clause 9.

Mr. Deputy-Speaker: It is the same, I think, as 17 of Mr. Kamath.

Shri Sanjiva Reddy: I accept that amendment.

Amendment made:

Page 5, line 37,—

omit “of the company”. (17).

(*Shri Hari Vishnu Kamath*)

Mr. Deputy-Speaker: The question is:

“That clause 9, as amended, stand part of the Bill.”

The motion was adopted.

Clause 9, as amended, was added to the Bill.

Clause 10—(Duty to deliver possession of property and documents relating thereto.)

Mr. Deputy-Speaker: We go to clause 10. Shri Gandhi is not here; so amendment No. 4 is not moved. There are Government amendments Nos. 9 and 10. Mr. Kamath's amendment is No. 18.

Shri Sanjiva Reddy: I accept that amendment. Government amendments are Nos. 9 and 10.

Amendments made:

(i) Page 6, line 5,—

after “any property” insert—
“of the company”. (9).

(ii) Page 6, lines 11 and 12,—

for “company shall be liable to account for the said books, documents and papers”

substitute—

“company, including any letters, memoranda, notes or other communications between him and the company shall, notwithstanding anything contained in any law for the time being in force, be liable to account for the said books, documents and other papers (including such letters, memoranda, notes or other communications)”. (10).

(*Shri Sanjiva Reddy*)

Amendment made:

Page 6, line 11,—

omit “of the company”. (18).

(*Shri Hari Vishnu Kamath*)

Mr. Deputy-Speaker: The question is:

“That Clause 10, as amended, stand part of the Bill.”

The motion was adopted.

Clauses 10, as amended, was added to the Bill.

Clauses 11 and 12 were added to the Bill.

Clause 13—(Penalty for false statements.)

Shri Hari Vishnu Kamath: Sir, I have some amendments to clause 13. I beg to move:

(i) Page 7, line 17,—

for “two years” substitute “five years”. (19).

(ii) Page 7, line 17,—

for “two thousand” substitute “five thousand”. (20).

(iii) Page 7, line 31,—

for "two years", substitute
"five years". (21).

(iv) Page 7, line 31,—

for "two thousand" substitute
"five thousand". (22).

You will be pleased to see, so will the House I am sure, that this clause relates to penalties to be imposed in certain circumstances.

"If any person, (a) when required by this Act or by any order made under this Act to make any statement or furnish any information which is false in any material particular and which he knows or believes to be false or does not believe to be true; or (b) makes any such statement as aforesaid in any book, account, record, return or other document which he is required by any order made under this Act to submit, he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both."

The Government has always had a soft corner for these criminals in many sectors of activity, whether it is adulteration or hoarding or profiteering. When we had moved the amendments in the Joint Committees and Select Committees of Parliament—I have had the honour of serving on Select Committees—when we decided on more drastic punishment, the Ministers came saying: no, two years maximum is sufficient. I remember an occasion in this Parliament; you were also in the Chair, I believe, I remember very well, some years ago, before the Kamraj plan came into operation, when the Finance Minister Shri Morarji Desai was still in his seat, I suggested that for offences like corruption, hoarding, profiteering, black marketing, adulteration there should be public flogging or hanging. Some-

body said that I was like Judge Jeffries of the Bloody Assizes; I did not mind. But we have reached a stage, we have reached such a sorry pass due to the mis-government of this clique here, we have come to such a sorry pass, there is no way-out except to adopt drastic methods for desperate diseases.

Nanyah Pantha vidhyate ayanaya.

When I suggested this, the Finance Minister, Mr. Morarji Desai, all honour to him; peace be with him; he got up and said that he appreciated the spirit of it. (*Interruptions.*) I said peace be with him.

Mr. Deputy-Speaker: Do not be diverted.

Shri Hari Vishnu Kamath: It is no diversion. It is of vital consequence here. There should be no softness on the part of the Government to some of these undesirable elements, anti-social elements. I remember last time, a year and a half ago, I said, I repeat it, that on the Treasury Benches are some—I do not say all—**

Shri S. K. Patil: Sir, I rise on a point of order; this should be withdrawn or expunged.

Shri Hari Vishnu Kamath: I said, some, not all.

Shri Sanjiva Reddy: Even that word 'some' must be withdrawn... (*Interruptions.*)

Shri Hari Vishnu Kamath: It is on record; it has not been expunged. I know what I am saying; I will point out to you that it had not been expunged.

Shri S. K. Patil: It has got to be expunged.

Shri Hari Vishnu Kamath: I said that once before in December 1964; I remember the date, 9th December, 1964. It was not expunged.

**Expunged as ordered by the Chair.

Mr. Deputy-Speaker: Please withdraw that word.

Shri Hari Vishnu Kamath: Under what rule?

Shri Joachim Alva: It is dishonouring your fellow Members.

Mr. Deputy-Speaker: Order, order. Such words should not be used. Please withdraw those words.

Shri Hari Vishnu Kamath: You may do what you like. I am not withdrawing it.

Shri Raghunath Singh: It should be expunged.

Shri Hari Vishnu Kamath: I do not mind. It is already on record. You may expunge if you want. I will use any word I like.

Mr. Deputy-Speaker: They are expunged.

Shri Hari Vishnu Kamath: I know a little of the English language; I know the British Parliament. If you expunge, you are at liberty to do so; the powers are with you.

Shri A. P. Sharma: Sir, I want to raise a point of order. (*Interruption*).

Mr. Deputy-Speaker: There is no point of order. Those words are expunged. Please sit down.

Shri A. P. Sharma: Shri Kamath has said just now that "I will use any word I like".

Shri Nambiar: How is it wrong? Why should they call us traitors? We, hon. Members of Parliament, are called traitors.

Shri Umanath: We were called so in our absence. (*Interruption*).

Several hon. Members rose—

Mr. Deputy-Speaker: I have expunged those words.

Shri Nambiar: "Traitor" must also be expunged.

Mr. Deputy-Speaker: If anybody is called, I will expunge it.

Shri Hari Vishnu Kamath: Now, Sir—(*Laughter*)-you may laugh now but I will have the last laugh. I was saying that when I made a suggestion here in the House, when Shri Morarji Desai, the then Finance Minister, was sitting there, he said "I appreciate Shri Kamath's suggestion." He however said that flogging is barbarous and added that "I do not mind hanging." This is what he said. I asked "Is it your view or is it the Government's view?" He fumbled a little and then said, "I cannot say that, but this is the view I hold. I hold that view." He is no longer in the Treasury Benches, and others have taken his place. This is the attitude that the Government of the people, for the people, by the people, have taken. (*Laughter*) Do not laugh. I will come to you now. An attitude of stricter punishment should be adopted in democracy if they want to ensure that our public life or administration become honest and clean.

May I point out one historic example in favour of public flogging? Mustafa Kamal Atatürk, when he became President of Turkey, issued an ordinance. Some of the habits of the Turkish people were perhaps as good or as bad as some of our habits here. He issued an ordinance that whoever is caught spitting in the streets will be flogged. His biography has it that in the whole of Turkey some twelve people were flogged and that put an end to the habit of public spitting in the whole of Turkey.

An hon. Member: Even now there is flogging in Saudi Arabia.

Shri Hari Vishnu Kamath: Only yesterday, we heard of the lurid, sordid story of corruption and misappropriation that was being practised by this company in collusion with high circles in our country. I have read from the photostat documents today to show in what way it was all connected with high circles. I do not know what the enquiry will

do, what the terms of reference will be, but I hope that in all this, whether they are officials or whether they are private persons who had anything to do with Dr. Teja in collusion, direct or indirect, they should be flogged. First of all, they should all be brought, summoned before the enquiry committee and once their guilt is proved—I know they will go to court, and let them go in appeal to the highest court, the Supreme Court—(Interruption) have patience—once their guilt is proved, I demand and it is my firm conviction, that considering the pass that this government, this mis-government has brought us to, there is no other way than to inflict the highest penalty, even capital punishment, on some guilty people, but I am not going that far in this amendment. Here are these soft people, soft towards corruption but they are hard on political opponents and soft towards criminals, anti-national elements, hearers, black-marketers and profiteers.

There was a question put here the other day about pressure being brought to bear on Shri Dharma Vira, Governor of the Punjab, and the answer was, "Nothing new was done; we have been doing that in every State." Have you come across such instances in your State of Mysore, where the hoarders and profiteers are taken through the streets? Not to my knowledge. If you know better, please enlighten us. Therefore, what I have suggested—

Mr. Deputy-Speaker: You must conclude now.

Shri Hari Vishnu Kamath: You cannot hustle us like this. It is an important amendment. Parliament would be reduced to naught if you start hustling like this. I would appeal to all hon. Members to consider this matter, this very important matter, in a proper spirit.

Shri P. Venkatasubbaiah: Why are you touchy?

Shri Hari Vishnu Kamath: I am not; I have got a thick skin, almost hide. It is you who are touchy. I am fond of interruptions. I like them. I want more of them so that I can speak longer.

Shri Sham Lal Saraf: Do you listen to them?

Shri Hari Vishnu Kamath: Yes; if they are worth listening to. So, Sir, I would appeal to hon. Members on both sides of the House, earnestly, sincerely that if they mean to do well by the common citizen of India, they must ensure that criminals of this type are not treated lightly. Therefore, I suggested that instead of two years, the period of imprisonment should be five years. (Interruption). I do not want flogging or hanging, but I have suggested that instead of Rs. 2,000, it should be Rs. 5,000 in respect of the fine. If they do not accept this, God help them and God help our country!

Shri Sanjiva Reddy: I am extremely sorry that I cannot accept these amendments. If a man is not afraid of two years imprisonment in this country, he will not be afraid of five years imprisonment. I am not prepared to accept these amendments.

Shri Nambiar: It is easier to make it five years. It should be a deterrent punishment.

Mr. Deputy-Speaker: I shall now put the amendments to the vote.

Shri Hari Vishnu Kamath: Please put them separately.

Mr. Deputy-Speaker: I will put amendments 19 and 21 together. He wants the imprisonment to be increased from 2 to 5 years.

The question is:

- (i) Page 7, line 17, for "two years" substitute "five years" (19)
- (ii) Page 7, line 31, for "two years" substitute "five years" (21).

The Lok Sabha divided:

Division No. 19]

AYES

[15.22 hrs.

Alvares, Shri
Gupta Shri Indrajit
Kamath, Shri Hari Vishnu
Kandappan, Shri
Kapoor Singh, Shri
Koya, Shri Mohammed

Krishnapal Singh, Shri
Kunhan, Shri P.
Nair, Shri Vasudevan
Nambiar, Shri
Rajaram, Shri
Reddy, Shri Yallamanda

Roy, Dr. Saradsh
Singhvi, Dr. L. M.
Umanath, Shri
Venkaiah, Shri Kolla
Warior, Shri

NOES

Alva, Shri Joachim
Babunath Singh, Shri
Bal Krishna Singh, Shri
Balmiki, Shri
Battacharyya, Shri C. K.
Brij Basi Lal, Shri
Chanda, Shrimati Jyotana
Chandrabhan Singh, Shri
Chaudhuri, Shri D. S.
Chaudhuri, Shrimati Kamala
Chavda, Shrimati Joraben
Dag, Shri B. K.
Das, Shri Sudhansu
Dass, Shri C.
Deshmukh, Shrimati Vimalabai P.
Elayaperumal, Shri
Gandhi, Shri V. B.
Guota, Shri Badabab
Heda, Shri
Himatsingka, Shri
Jamunadevi, Shrimati
Jedhe, Shri
Jena, Shri
Kadaria, Shri C. M.
Khanna, Shri P. K.

Kindar Lal, Shri
Koujalgi, Shri H. V.
Lalit, Sen, Shri
Laskar, Shri N. R.
Mahadeo Prasad, Shri
Malaichami, Shri
Mandal, Dr. P.
Maniyangadan, Shri
Mehrotra, Shri Braj Bihari
Minimata, Shrimati
Mirza, Shri Bakar Ali
More, Shri K. L.
Munzni, Shri David
Pandey, Shri Vishwa Nath
Patil, Shri D. S.
Patil, Shri S. B.
Patil, Shri S. K.
Pattabhiraman Shri C. R.
Prabhakar, Shri Naval
Pratap Singh, Shri
Raghunath Singh, Shri
Rajdeo Singh, Shri
Raju, Shri D. B.
Ram Subhag Singh, Dr.
Ramshekhar Prasad Singh, Shri

Ranen, Shri
Rao, Shri Jaganatha
Rao, Shri Thirumala
Reddy, Shri Surendra
Roy, Shri Bishwanath
Saha, Dr. S. K.
Samanta, Shri S. C.
Sarf, Shri Sham Lal
Satyabhama Devi, Shrimati
Sen, Shri P. G.
Shakuntala Devi, Shrimati
Sharma, Shri A. P.
Shree Narayan Das, Shri
Singh, Shri D. N.
Singh, Shri K. K.
Sinha, Shrimati Ramdulari
Sinhasan Singh, Shri
Sivapraghassan, Shri Ku.
Sonavare, Shri
Sumat Prasad, Shri
Tiwary, Shri K. N.
Upadhyaya, Shri Shiva Dutta
Venkatasubbaiah, Shri P.

Mr. Deputy-Speaker: The result of the division is:

Ayes : 17; Noes : 73.

The motion was negatived.

Shri A. V. Raghavan (Badagara):
One more may be added to the 'Ayes'.

Mr. Deputy-Speaker: That will be noted.

I will now put amendments 20 and 22 together. He wants the fine to be

increased from Rs. 2000 to Rs. 5000.

The question is:

(i) Page 7, line 17, for "two thousand" substitute "five thousand". (20).

(ii) Page 7, line 31, for "two thousand" substitute "five thousand". (22).

The Lok Sabha divided:

Division No. 20]

AYES

[15.23 hrs.

Alvares, Shri
Gupta, Shri Indrajit
Heda, Shri
Kamath, Shri Hari Vishnu
Kapoor Singh, Shri
Kandappan, Shri
Koya, Shri

Kunhan, Shri P.
More, Shri K. L.
Nair, Shri Vasudevan
Nambiar, Shri
Raghavan, Shri A. V.
Rajaram, Shri K.
Reddy, Shri Yallamanda

Reddy, Shrimati Yashoda
Roy, Dr. Saradish
Sinhasan Singh, Shri
Singhvi, Dr. L. M.
Umanath, Shri
Venkaiah, Shri Kolla
Warior, Shri

NOES

Alva, Shri Joachim
 Babanath Singh, Shri
 Bal Krishna Singh, Shri
 Balmiki, Shri
 Battacharyya, Shri C. K.
 Brij Basi Lal, Shri
 Chandrabhan Singh, Shri
 Chaudhuri, Shri D. S.
 Chatterji, Shri N. K. Malala
 Chavda, Shrimati Joarben
 Das, Shri B. K.
 Das, Shri S. Jhansu
 Dass, Shri C.
 Elayaperumal, Shri
 Gandhi, Shri V. B.
 Gupta, Shri B. Jhahab
 Hinasingka, Shri
 Janaki Devi, Shrimati
 Jedhe, Shri
 Jena, Shri
 Karia, Shri C. M.
 Krishna, Shri P. K.
 Kintar Lal, Shri

Koujalgi, Shri H. V.
 Lalit Sen, Shri
 Laskar, Shri N. R.
 Mahadeo Prasad, Shri
 Malaichami, Shri
 Mandal, Dr. P.
 Maniyangadan, Shri
 Mehrotra, Shri Braj Bihari
 Minimata, Shrimati
 Mirza, Shri Bakar Ali
 Munzani, Shri David
 Pandey, Shri Viahwa Nath
 Patil, Shri D. S.
 Patil, Shri S. B.
 Patil, Shri S. K.
 Pattabhi Raman, Shri C. R.
 Prabhakar, Shri Naval
 Pratap Singh, Shri
 Raghunath Singh, Shri
 Rajdeo Singh, Shri
 Raju, Shri D. B.
 Ram Subhag Singh, Dr.
 Ramshankar Prasad Singh, Shri

Rane, Shri
 Rao, Shri Jaganatha
 Rao, Shri Thirumala
 Reddy, Shri Surendra
 Saha, Dr. S. K.
 Samanta, Shri S. C.
 Saraf, Shri Sham Lal
 Satyabhama Devi, Shrimati
 Sen, Shri P. G.
 Shakuntala Devi, Shrimati
 Sham Nath, Shri
 Sharma, Shri A. P.
 Shree Narayan Das, Shri
 Singh, Shri D. N.
 Singh, Shri K. K.
 Sinha, Shrimati Ramdulari
 Sivapraghassan, Shri Ku.
 Sonavane, Shri
 Sumat Prasad, Shri
 Tiwary, Shri K. N.
 Upadhyaya, Shri Shiva Dutt
 Venkatasubbaiah, Shri P.

Mr. Deputy-Speaker: The result of the division is: Ayes 21; Noes 68.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 13 stand part of the Bill".

The motion was adopted.

Clause 13 was added to the Bill.

Clauses 14 to 16 were added to the Bill.

Clause 17—(Payment of remuneration and expenses out of the funds of the company)

Shri Sinhasan Singh: I beg to move:

(1) Page 8, line 15,—

for "shall be paid out of the funds of the company"

substitute—

"may initially be withdrawn, if need be from the Consolidated Fund of India, to be reimbursed later out of the funds of the company". (7)

(ii) Page 8,—
after line 15, add—

"Provided that the Central Government may if necessary meet any initial expenditure from the Consolidated Fund of India which shall later be re-imbursed from the funds of the company." (8)

Shri Hari Vishnu Kamath: I beg to move:

Page 8, for clause 17 substitute—

"17. The expenditure incurred to meet the salaries, allowances and other remuneration paid to the Chairman and other members of the Board of Control, the managing agent or any other person who may be appointed or employed in connection with the affairs of the management of the company, and all other expenses duly incurred in connection with such management shall initially be paid out of the Consolidated Fund of India, but the amount shall be recovered from Jayanti Shipping Company within one year from the date of such drawal." (28)

Shri Sinhasan Singh: Clause 17 does not provide for withdrawal from the Consolidated Fund of India. There

(Shri Sinhasan Singh)

should be some provision for that to bring it in accordance with the sanction given by the President and the Financial Memorandum. My amendment says that provisionally, for the time being, some amount may be withdrawn from the Consolidated Fund, which later on can be recouped from the company's funds. If the Government accepts my amendment, that difficulty would be removed.

Shri Hari Vishnu Kamath: Sir, by this amendment hangs a tale. Members shall bear with some repetition, because, may be, not all, but some Members have very short memories and I would refresh them briefly with some background material. You were in the Chair on Tuesday last week and you will remember.....

Shri Himatsingka: Be brief.

Shri Hari Vishnu Kamath: No question of hustling me. The Chair is conducting the business, not you. I like solid, substantial interruptions, not of this kind.

When the Financial Memorandum was called into question at that time, you in your wisdom upheld my point of order and then came a revised memorandum. It admitted that the Government and their advisers were in the wrong. We were told that the initial expenditure would be incurred from the Consolidated Fund and they gave a larger sum of 10 lakhs. Sir, you must have read Alice in Wonderland—it became curiöser and curiöser. The very next day, within less than 24 hours, came a re-revised memorandum where it was said, for "Ten" read "one"; it did not say for "10" read "1"—which could have been a human error—but it said, for "Ten" read "one".

Mr. Deputy-Speaker: Who go into that?

Shri Hari Vishnu Kamath: That is very relevant—the manner in which they are malfunctioning. Mr. Tyagi rightly said the other day, "Whoever

committed such mistakes, they should be punished. We are ashamed of it". He is an ex-minister and when he said "we" I believe he spoke for more Congress members than he did as a Minister.

Clause 17 deals with "All salaries, allowances and other remuneration"—we are in the dark; we do not know what other remuneration means; it is very vague. We should not be asked to vote on it till we are told what it means, because there are all kinds of under hand, under the table dealings—not under the Table of the House, but under the table outside—night by night, rather than day by day.

Shri Kapur Singh: Is it parliamentary to say "night by night"?

Shri Hari Vishnu Kamath: Sardar Vallabhai Patel used that phrase once. When a question was asked, "Is it a fact that the Nizam is getting stronger day by day", in his own characteristic way, with out a smile, he said, "It is truer to say 'night by night', not 'day by day'".

Then the clause goes on to say:

"...paid to the Chairman and other members of the Board of Control, the managing agent or any other person who may be appointed or employed...."

See how vague and indefinite it is.

"in connection with the affairs of the management of the company and all other expenses duly incurred in connection with such management shall be paid out of the funds of the company."

Look at that. It is said: "all other expenses". Is this the way to treat Parliament? Is this not a cavalier way of treating Parliament? Would you, Sir, if you were a Minister, do such a thing?

Sir, Shri Sinhasan Singh, yesterday, raised an important issue. The Speaker ruled it out in his wisdom, that is another matter. He said that the revised financial memorandum is incon-

sistent with the provisions of the Bill. The Speaker assured us that he would let us bring up the issue later on when the Bill is discussed. That is why, Sir, there are two or three counts on which I want to flay the Government.

One is, they sent it to some underling in the Ministry, they prepared a revised memorandum, changed it from 'ten' to 'one' and they did not bother to see what the relevant clause in the Bill is. They did not bother to change it in clause 17. Now, Sir, is it not a mockery of the legislative process, is it not almost a mockery of parliamentary procedure, to suggest that the clause says something, the Financial Memorandum says quite a different thing and we are asked to consider the Bill? This is wonderful. I do not know how to make head or tail of it.

Shri Joachim Alva: The hon. Member must know that the President has given his approval (*Interruptions*)

Shri Hari Vishnu Kamath: We have not got even the President's letter. We have not seen it so far.

Mr. Deputy-Speaker: He may speak on the amendments now.

Shri Hari Vishnu Kamath: This is the kingpin of the whole Bill. I have a right to speak on my amendments.

Mr. Deputy-Speaker: He has already spoken.

Shri Hari Vishnu Kamath: I have not spoken on the clause at all. I reserved it when I spoke during the general discussion of the Bill. If you want me to sit down, Sir, I will walk out, I will withdraw in protest against the way you treat us. I do not want criminals to go scotfree like this.

Now, look at the Statement of Objects and Reasons. They have made a bigger mess of this Bill than what Dr. Teja made of the company.

Mr. Deputy-Speaker: You come to the present memorandum,

Shri Hari Vishnu Kamath: I cannot do it in a vacuum. Sir, you understand things very well, I do not understand why you do not follow me.

Mr. Deputy-Speaker: I am not as clever as you, but to the best of my ability I am trying to follow you.

Shri Hari Vishnu Kamath: I am trying to say those things to the best of my ability. Look at the Statement of Objects and Reasons. It says:

"Meanwhile, the pressure of the creditors on the company became so great that it was on the verge of being dragged into insolvency proceedings. Accordingly, to pay off its creditors the company applied to Government for permission to sell four of its ships—two to three abroad and one or two in India."

It is admitted by Government that the pressure felt was so great that it was reduced to the verge of bankruptcy, insolvency. The Financial Memorandum says that Rs. 10 lakhs is going to be the expenditure incurred. Sir, they are misleading the House, they are telling a lie to the House almost bordering on breach of privilege; it is in the border land, twilight land of privilege. I would like to know, therefore, first, on what basis—I know they have a bull-dozer behind them and they would not answer our points—they arrived at this figure of Rs. 1 lakh to be initially drawn out of the Consolidated Fund of India, when not merely salaries and allowances—I do not know how much that would be running to—but, apart from them, there are so many creditors whom they have to pay and other things to do. I do not want to tire you and the House with the details of the debts they have which have brought them to the verge of insolvency, as they themselves admit. But is it not a case of misleading the House when in the Memorandum they say that only one lakh will be needed? I think they are trying to fool the House. This is not the way to treat the House. Therefore, I would suggest, in the first place, if you are agreeable, that they

(Shri Hari Vishnu Kamath)

should give further consideration to this, I almost said but I would not say, stupid memorandum—I would not say that—and then come to the House with a proper, precise, memorandum. Otherwise, let them explain today on what basis they have come to one lakh—ten lakhs let them pay. Only one lakh you pay from the Consolidated Fund of India for these initial salaries, allowances and all other expenses of persons—we do not know who all those persons are and what expenses are incurred.

Now, Sir, the Minister while replying to the debate earlier said that because expenses have been incurred in various ways that will be enquired into by a Commission of Inquiry, which is going to be set up I hope, and he said we need not bother about minor things,—little drops make the ocean—

palavum palla samudravai

hara hara sree Channa Someshwara

You know, Sir, the very classic case of Shri Venkatraman, former Secretary in the Ministry of Industry, who was sacked because he had accepted a bush shirts etc.,.....

Mr. Deputy-Speaker: All those things are not relevant.

Shri Hari Vishnu Kamath: Certainly, it pinpoints the whole issue. The Minister said that something has been supplied to the Ambassador of USSR by Dr. Teja and Mrs. Teja. Now, Sir, I did not read the other photostat copies of letters which I have got. Dr. Teja and Mrs. Teja gave him some personal gifts. That is why I want to enquire now whether those personal gifts were from the funds of the company, whether funds of the company have been used for those gifts. That is the main point. Even Gen. Kaul's personal expenses have been paid from the funds of the company. Here is a letter from the Secretary, Dinah Micholson, from 12, Park Street, Lon-

don, dated 20th November, 1963, to Captain Kothawala. It reads:

"Dear Captain Kothawala,

I have been instructed by Mrs. Teja to write and acknowledge your cable of the 17th November. Mrs. Teja wishes that you air parcel the two items to Ambassador Kaul in Moscow, and when you have done so would you cable him to that effect and also write to Mrs. Teja informing her."

Is it proper for an Ambassador, a high-placed officer, to accept presents from Mrs. Teja, from a private shipping company? There are many such matters. They are legion, galore, and these ought to be enquired into, and what will have to be paid from the Consolidated Fund of India because of these things. These will have to be gone into very very closely. I, therefore, recommend that my amendment, which reads as follows, be accepted.

Mr. Deputy-Speaker: You need not read. Every Member has got it.

Shri Hari Vishnu Kamath: It is my right. Under the rules I am entitled to read it. My amendment reads like this:

"The expenditure incurred to meet the salaries, allowances and other remuneration paid to the Chairman and other members of the Board of Control, the managing agent....."

I am using their own phraseology.

".....or any other person who may be appointed or employed in connection with the affairs of the management of the company, and all other expenses duly incurred....."

Then comes the difference. It reads:

"shall initially be paid out of the Consolidated Fund of India....."

Otherwise they will have the feeling that the revised Financial Memorandum says that.

"initially be paid out of the Consolidated Fund of India, but the amount shall be recovered from Jayanti Shipping Company within one year from the date of such drawal."

The word is "drawal". I am using the very phraseology they have used in the Revised Memorandum. Please see the Revised Financial Memorandum; I have used the very same words. If they refuse to accept this amendment, they stultify themselves. Let them stew in their own juice.

Mr. Deputy-Speaker: Are Government accepting any of the amendments of Shri Kamath?

Shri Sanjiva Reddy: I am not accepting any of those amendments.

Mr. Deputy-Speaker: What about the amendments of Shri Sinhasan Singh?

Shri Sanjiva Reddy: No, I am not accepting them.

Shri Jaipal Singh (Ranchi West): Sir, I rose earlier on, not today but when this thing first came up, over the question of the first Financial Memorandum. It is very unfortunate that the House should be treated like this.

Mr. Deputy-Speaker: We are not concerned with the Memorandum at this stage.

Shri Jaipal Singh: It is a vital point.

Mr. Deputy-Speaker: If you want to speak on the clause, you may do so, but not on the Financial Memorandum.

Shri Jaipal Singh: I am speaking on clause 17. What I am saying is, having a Financial Memorandum, it is amusing that the Government should not know what is expected of it, when things like this are presented to Parliament. Even when there is a revised Memorandum, we are still confronted with the same problem. It is too late for us to stall this Bill. It has gone too far, and it has to go through, I hope. All that I have to say at this stage is that such things are not repeated.

They are playing with the words "initially incurred". I do not know what exactly they mean by initially incurred. "incurred" should have been enough. "initially" is not going to cover what their liabilities are. In any case, I am not standing in the way, let it go through. But, all that I retireate is, after the warning Shri Kamath has given over other Bills, that this should have come again, to me is a great surprise. I hope it is not repeated.

Mr. Deputy-Speaker: I will now put it to the vote.

Shri Shinkre: Sir, I want to speak on it. I do not care whether Government accept the amendments or not. But how can the Government touch any money out of the Consolidated Fund?

Shri Sanjiva Reddy: We do not want to.

Shri Shinkre: Sir, you should bear with me for one minute. If they are not going to touch the Consolidated Fund of India, then this does not become a Money Bill. So, there is no need for a Financial Memorandum.

Mr. Deputy-Speaker: I will have to put the amendments to the vote. Is Shri Sinhasan Singh pressing his amendments?

Shri Sinhasan Singh: No, Sir.

Mr. Deputy-Speaker: Has the hon. Member the leave of the House to withdraw his amendments?

Some hon. Members: Yes.

Amendments nos. 7 and 8 were, by leave, withdrawn.

Mr. Deputy-Speaker: I will now put amendment No. 26, by Shri Kamath, to the vote of the House. The question is:

"Page 8,—

for clause 17 substitute—

"17. The expenditure incurred to meet the salaries, allowances

[Mr. Deputy-Speaker]

and other remuneration paid to the Chairman and other members of the Board of Control, the managing agent or any other person who may be appointed or employed in connection with the affairs of the management of the company, and all other expenses duly

incurred in connection with such management shall initially be paid out of the Consolidated Fund of India. but the amount shall be recovered from Jayanti Shipping Company within one year from the date of such drawal." (26)

The Lok Sabha divided:

Division No. 21]

AYES

[15.47 hrs.

Gulshan, Shri
Gupta, Shri Indrajit
Kamath, Shri Hari Vishnu
Kandappan, Shri
Kapoor Singh, Shri
Koya, Shri

Kunhan, Shri P.
Nair, Shri Vasudevan
Nambiar, Shri
Raghavan, Shri A.V.
Rajaram, Shri K.
Reddy, Shri Yallamanda

Roy, Dr. Saradish
Umanath, Shri
Utiya, Shri
Venkaiah, Shri Kolla
Warior, Shri K.K.

NOES

Alva, Shri Jochim
Bal Krishna Singh, Shri
Bhattacharyya, Shri C. K.
Brij Basi Lal, Shri
Chandrabhan Singh Shri
Chaudhuri, Shri D. S.
Chaudhuri, Shrimati Kamala
Das, Shri B.K.
Dass, Shri C.
Gamhari, Shri
Gajraj Singh Rao, Shri
Gandhi, Shri V. B.
Himatsingka, Shri
Jamunadevi Shrimati
Jedhe, Shri
Jena, Shri
Jyotishi, Shri J. P.
Ke.Jaria, Shri C. M.
Khadilkar, Shri
Kindar Lal, Shri
Laskar, Shri N. R.
Mahadeo Prasad, Shri
Mahadeva Prasad, Dr
Malasichami, Shri
Malaviya, Shri K. D.

Mandal, Dr. P.
Mandal, Shri J.
Maniyangadan, Shri
Mathur, Shri Hariash Chandra
Methrottra, Shri Braj Bihari
Minimata, Shrimati
Mirza, Shri Bakar Ali
Mishra, Shri Bibhuul
Misra, Shri Mahesh Dutta
More, Shri K.L.
Munzni, Shri David
Niranjan Lal, Shri
Pandey, Shri Vishwa Nath
Pant, Shri K.C.
Patel, Shri Chhotubhai
Patil, Shri S. K.
Pattabhi Raman, Shri C. R.
Prabhakar, Shri Naval
Pratap Singh Shri
Puri, Shri D.D.
Raghunath, Singh, Shri
Rajdeo Singh, Shri
Raju, Shri D. B.
Ram Subhag Singh Dr.
Ramahekhar Prasad Sinng, Shri
Rane, Shri

Rao, Shri Jaganatha
Rao, Shri Thirumala
Reddi, Dr. B. Gopala
Reddy, Shri Linga
Reddy, Shri Surendra
Saha, Shri Bishwanath
Saha, Dr. S. K.
Samanta, Shri S. C.
Saraf, Shri Sham Lal
Sen, Shri P. G.
Shah, Shrimati Jayaben
Shakuntala Devi, Shrimati
Sham Nath, Shri
Sharma, Shri A.P.
Sheo Narain, Shri
Shree Narayan Das, Shri
Sidheswar Prasad, Shri
Singh, Shri D.N.
Singh Shri K. K.
Sinha, Shrimati Ramdulari
Sumat Prasad, Shri
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Upadhyaya, Shri Shiva Dutt
Venkatasubbaiah, Shri P.

Mr. Deputy-Speaker: The result of the division is: Ayes 16; Noes 76.

The motion was negated.

Mr. Deputy-Speaker: The question is:

"That clause 17 stand part of the Bill"

The motion was adopted.

Clause 17 was added to the Bill.

Clause 18- Power of Central Government to give directions

Mr. Deputy-Speaker: There is one amendment, No. 24, by Shri Kamath.

Shri Sanjiva Reddy: I accept it.

Amendment made:

Page 8, line 19,—

omit "of the company" (24)

(Shri Hari Vishnu Kamath)

Mr. Deputy-Speaker: The question is:

"That clause 18, as amended, stand part of the Bill"

The motion was adopted.

Clause 18, as amended, was added to the Bill.

Clause 19.—Power to make rules.

Mr. Deputy-Speaker: There is an amendment, No. 25, by Shri Kamath. Are you accepting it?

Shri Sanjiva Reddy: No, Sir.

Shri Raghunath Singh: Since Government have accepted one amendment, he should withdraw his other amendment.

Shri Hari Vishnu Kamath: I am not asking for your favours.

ख़रात देदो बहार जिसको चाहो ।

I beg to move:

Page 8, line 26,—

for "Every rule" substitute—

"Every order, notified order, rule and direction". (25)

The relevant clause, clause 19 refers to every rule made by the Central Government under this Act shall be laid before Parliament. If you survey this Bill carefully, you will find not merely rules, but there are orders, notified orders (separate categories) and directions. Therefore, I seek by my amendment to ensure the supremacy of Parliament. Such as this amendment has been accepted and passed in almost every piece of legislation that has come before the House—order, or rule or direction. This only seeks to ensure that Parliament, which is the final authority, supervises every act of the executive. If this is not accepted by the Government, I shudder to think what a hash they want to make of parliamentary democracy, because in the big volume

of Rulings by the Speaker which I have read, there are certain rulings given by the Speaker, right from Shri Mavalankar to the present day, to the effect that Parliament must scrutinise, scan every order, every rule, every direction made by the executive under the Act. It is empowered to do so. They are given powers to do it, but once they do it they must come back to the House with that. We do not want to deny them the power; let them have the powers to make rules, orders etc.

My colleague, Shri Mathur, will agree completely with me in this respect and all understanding and sensible Members, irrespective of party, will agree with me. Those who are cussed and who stand on false prestige may not agree. May I appeal to all Members, therefore, to give a thought to these things, to the supremacy of Parliament in a parliamentary democracy, and accept this amendment because it seeks nothing else but that every order, rule, direction etc. made by the executive must be laid before Parliament and subjected to modification and if the Parliament does not want to modify it the Government can go ahead as before?

Also, there is protection given to Government under the Act. Whatever is done by the Government under these rules, directions or amendments, shall be without prejudice to the validity of anything previously done under that. When all that protection and immunity is there, I do not see any reason why Government should not accept it, except sheer cussedness, stupidity and false prestige.

Mr. Deputy-Speaker: It has provided for rules to be laid on the Table of the House.

Shri Hari Vishnu Kamath: But orders are not there. You will make a distinction. If you scan the Bill, it says "prescribed" means "prescribed by rules made under the Act" and this clause refers to rules only, but in

[Shri Hari Vishnu Kamath]

the body of the Bill there are references to orders, notified orders, directions passed by Government. I want to promote parliamentary democracy in the country as best as I can. I am a very humble Member of this House. I hope, other Members too will share my desire and aspiration to serve the cause of parliamentary democracy to the best of our ability.

Shri Sanjiva Reddy: I am not able to accept it. Rules are to be placed here. If directions and everything

were to be placed, the company will not be able to function.

Mr. Deputy-Speaker: The question is:

Page 8, line 26,—

for "every rule" substitute—

"Every order, notified order, rule and direction". (25)

The Lok Sabha divided:

Division No. 22]

AYES

[15.56 hrs.

Alvares, Shri
Kamath, Shri Hari Vishnu
Kandappan, Shri
Nambiar, Shri

Reddy, Shri Yallamanda
Roy, Dr. Saradish
Singhvi, Dr. L. M.
Tyagi, Shri

Umanath, Shri
Utiya, Shri
Warior, Shri
Yashpal Singh, Shri

NOES

Alva, Shri Joachim
Bal Krihna Singh, Shri
Bhattacharyya, Shri C. K.
Brij Basi Lal, Shri
Chandrabhan Singh Shri
Chaudhwari, Shrimati Kamala
Das, Shri B. K.
Dass Shri C.
Gahmari, Shri
Gajraj Singh, Rosa, Shri
Himatsingka, Shri
Jaipal Singh, Shri
Jadhe, Shri
Jena, Shri
Jyotishi, Shri J. P.
Kedaria, Shri C. M.
Khadilkar, Shri
Kindar Lal, Shri
Laskar, Shri N. R.
Mahadeo Prasad, Shri
Malaichami, Shri
Malaviya, Shri K. D.
Mandal, Dr. P.

Mandal Shri, J.
Maniyangadan, Shri
Mathur, Shri Shiv Charan
Minimata, Shrimati
Mishra, Shri Bibhuti
Misra, Shri Mahesh Dutta
More, Shri K. L.
Niranjan Lal, Shri
Pandey, Shri Vishwa Nath
Pant, Shri K. C.
Parashar, Shri
Patil, Shri S. K.
Prabhakar, Shri Naval
Pratap Singh Shri
Raghunath Singh, Shri
Rai, Shrimati Sahodra Bai
Rajdeo Singh, Shri
Raju, Shri D. B.
Ram Subhag Singh, Dr.
Ram Shekhar Prasad Singh, Shri
Rane, Shri
Rao, Shri Jaganatha
Rao, Shri Thirumala

Reddi, Dr. B. Gopala
Reddiar, Shri
Reddy, Shri Linga
Reddy, Shri Surendra
Roy, Shri Bishwanath
Saha, Dr. S. K.
Samanta, Shri S. C.
Sen, Shri P. G.
Shah Shrimati Jayaben
Shakuntala Devi, Shrimati
Sham Nath, Shri
Sharma, Shri A. P.
Sheo, Narsin, Shri
Shree Narayan Das, Shri
Sidheshwar Prasad, Shri
Singh, Shri K. K.
Sinha, Shrimati Ramdulari
Sinhasan Singh, Shri
Sumat Prasad, Shri
Tiwary, Shri K. N.
Valvi, Shri
Venkatesubbaiah, Shri P.

Mr. Deputy Speaker: The result of the division is:

Mr. Deputy-Speaker: The question is:

Ayes 11
Noes 68

"That clause 19 stand part of the Bill."

The motion was adopted.

The motion was negatived.

Clause 19 was added to the Bill.

Clauses 20 and 21 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Sanjiva Reddy: Sir, I move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill, as amended, be passed."

Shri Hari Vishnu Kamath: On a point of order, Sir. I invite your attention to rule 93, sub-rule (2), which says:—

"Where a Bill has undergone amendments the motion that the Bill as amended be passed shall not be moved on the same day on which the consideration of the Bill is concluded, unless the Speaker allows the motion to be made."

Mr. Deputy-Speaker: I have allowed it.

Shri Nambiar: You have to announce that.

Shri Hari Vishnu Kamath: You have to announce that the motion be so made.

Mr. Deputy-Speaker: I have allowed the motion to be made.

The question is:

Shri S. C. Samanta: Sir,....

Shri Hari Vishnu Kamath: One minute only.

Shri S. C. Samanta: Sir..

Mr. Deputy-Speaker: I am sorry.

Shri Hari Vishnu Kamath: How can you bar speeches?

Mr. Deputy-Speaker: We have taken two hours extra. I am not allowing. I am sorry.

Shri Hari Vishnu Kamath: Under the rules, how can you?

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

Shri Hari Vishnu Kamath: The whole thing is out of order. I withdraw from the House.

Shri Hari Vishnu Kamath then left the House.

Shri Jaipal Singh: It is not right.

Shri Nambiar: How is it possible that the third reading is completely ruled out? Third reading cannot be completely denied. There must be an opportunity given.

Mr. Deputy-Speaker: We have taken two hours extra and I said that I am not allowing any speech on the third reading. I am sorry. If you want to take any action against me, you can.

Shri Nambiar: No action.

Shri S. C. Samanta: Let it be recorded that we wanted to speak on the third reading and we were not allowed. Let it be recorded.

Shri Jaipal Singh: It is not a question of time. It may be two hours, three hours or five hours. It is the first time that any Bill is going through without any speeches in the third reading.

Mr. Deputy-Speaker: It is not the first time.

Shri Jaipal Singh: I protest.

Shri Alvares: That may be with the consent of the Members of the House, but an opportunity should be provided for the third reading though it may be a brief one.