

Disapproval of Special Court Ordinance and Special Court Bill

boy. They said that there was no problem for them in crossing the river, but the problem was how the boy would cross. At this, one engineer proposed that he should measure the depth of the river.,

MR. SPEAKER: Please, there are many Bills to be passed, there is not time for stories.

SHRI TEJ NARAYAN SINGH: I will finish it in one minute. The engineer measured the depth of the river on different points and drew out the average depth and comparing it to the tallness of the boy and then the boy was asked to cross the river and he was drowned.

I would, therefore, want to mention that in spite of all the rules and regulations a sum of rupees 35000 crore was drained out and on one was arrested.

Mr. Speaker, Sir, I extend my support to this law, but the people of the country will support this law only when the persons responsible for the scandle are exposed before the people and punished. Only then this law can be meaningful. With these words, I support this law.

SHRI SATYNARAYAN JATIYA (Ujjain): Mr. Speaker, Sir, this Bill has been introduced to include the special provisions made through the ordinance. Nobody has any objection to the objects and Reasons of the Bill but it is unfortunate for us that despite all the rules and laws such a situation has emerged. Under Clause 10 (1) it has been stated that all the appellate powers are vested in the Supreme Court, therefore, I do not think that there will be any short-coming or anything will be left out in the provisions that we are making. But it is because of that very clause, which has been termed to be benevolent, that we are suffering. We never expressed lack of confidence in anybody so far but the reward for confiding in them has

revealed today that the entire system is managed by man and yet the inclusion of this separate clause is beyond our understand.

MR. SPEAKER: These provisions are made to provide protection to those who are bound by them and not for those who have been involved in the scandal.

17.00 hrs.

SHRI SATYNARAYAN JATIYA: If its objective is to provide protection, it is all right. There is nothing wrong if changes are made with good intentions. Yet if we are assured that everything will run smoothly nobody will object to it.

MR. SPEAKER: It has been done, so that there is no fear.

SHRI SATYNARAYAN JATIYA: It is very good, that Government has made such a provision. The law which would be passed would empower us with special powers. I am of the opinion that the measures which we are taking to achieve our objectives, would be adequate. I believe that these changes are being made so that facts are revealed before people as early as possible. I believe that this will serve our objectives.

17.01 hrs.

STATEMENT BY PRIME MINISTER

Enhancement in the Pension of Freedom Fighters

[English]

THE PRIME MINISTER (SHRI P.V. NARASIMHA RAO): Freedom fighters under the Swatantrata Sainik Samman Pension Scheme are at present, getting a pension of Rs. 750 per month. Ex Andaman and

[Sh. P.V. Narasimha Rao]

Nicobar Islands freedom fighters receive a pension of Rs. 1000 per month. In addition to this pension, freedom fighters are also eligible for certain other facilities including Railway passes and free medical facilities. I may add here that some additional telephone facilities have also been made available to them just two days back.

In this Golden Jubilee Year of the Quit India Movement, the Government have decided to increase the monthly pension of freedom fighters by two hundred and fifty rupees. This would mean:

- (a) In the case of freedom fighters under the Swatantrata Sainik Samman Pension Scheme from Rs. 750/- to Rs. 1000 per month.
- (b) In the case of Ex-Andaman and Nicobar Islands freedom fighters, from Rs. 1000 to Rs. 1250 per month.
- (c) In the case of widows of freedom fighters (in both categories) from Rs. 750 to Rs. 1000 per month.

It is proposed that this increase be effected immediately. By this small token, the nation renews its gratitude and respect to those who dedicated and consecrated their lives to the cause of achieving India's freedom.

[Translation]

*SHRI R. JEEVARATHINAM (Arakonam): Hon. Speaker, Sir, I heartily thank the hon. Prime Minister for having enhanced by Rs. 250/- the pension for freedom fighters at a time when we celebrate the Golden Jubilee of the Quit India Movement.

On behalf of the freedom fighters I wholeheartedly thank the Government for this kind gesture. Our great Tamil nationalist poet Subramania Bharati wrote:

Thanner Vitta Valarthom sarvesa ipayirai kanneeral kaththom karugath thiruvulamo

"We have provided not water to rear up this plant of freedom, but with our tears we have nurtured; Oh Lord! Will you allow it to perish?"

Freedom fighters ensured freedom for this country undergoing several hardships shedding tears and valiantly their blood too. After winning freedom many of the freedom fighters took keen interest in ushering in a people's Government to preserve the freedom of the country.

I am reminded of those days when I took part in the freedom struggle courting arrest several times. In 1944 I was a prisoner in Tanjore jail. Shrimati Sarojini Naidu was released from prison just then. The whole nation was in a stunned silence. No movement was active then. She chose 26th of January 1944 to be celebrated as Independence Day. This helped rejuvenating the freedom movement then. On that day we, the freedom fighters in Tanjore jail, took early morning bath and went on a procession like enthused soldiers within the jail. We were beaten up severely for the same. Our former President, Shri R. Venkataraman, was also beaten up that day along with the fellow freedom fighters.

Thus we, the freedom fighters, toiled and milled to usher in freedom to the country. Freedom fighters like Jawaharlal Nehru took up the reins to begin with. In their footpath great leaders like Shrimati India Gandhi, Shri Kamaraj, and Shri Rajiv Gandhi

provided us with good Government. And now Shri P.V. Narasimha Rao ably guides and administers the country. On behalf of the freedom fighters I would like to thank the Government again. Thank you.

[English]

SHRI CHITTA BASU (Barasat): May I just draw his attention. Sir, there are many complaints about the delay in sanctioning person. Even those cases have been recommended by the State Advisory Committee. Would the Prime Minister take up the matter and look into it?

MR. SPEAKER: This is deflecting the attention.

SHRI A. ASOKARAJ (Perambalur): Our Tamil Nadu Chief Minister has done it.

17.06 hrs.

STATUTORY RESOLUTION RE: DISAPPROVAL OF THE SPECIAL COURT (TRIAL OF OFFENCES RELATION TO TRANSACTIONS IN SECURITIES ORDINANCE) - *CONTD*
AND
SPECIAL COURT (TRIAL OF OFFENCES RELATING TO TRANSACTIONS IN SECURITIES) BILL - *CONTD.*

[English]

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): Mr. Speaker, Sir, thank you very much for giving me an opportunity to speak. The Special Courts Bill moved by the hon. Finance Minister has to deal with the extraordinary situations to punish the guilty people. In this context, I would like to know from the hon. Finance Minister - apart from the brokers, the bank officials, some of whom have directly helped the brokers in the sense

without their signatures or security, hundreds of crores of rupees were passed on to the people - what is he going to do here.

MR. SPEAKER: You shall have to speak on the Bill.

SHRI SOBHANADREESWARA RAO VADDE: These officials, either directly or indirectly helped those people. What about the action that is going to be taken under this Bill? The Governor of the Reserve Bank of India has given certain guidelines to the banks, but it is his responsibility to bring the premier institution - it looks after the banking institution - to protect the interests of the Government, the people and the vast sums of money that is placed at the disposal of the banks. I would like the hon. Minister to clarify that aspect. You see Section 9, it says that: "The Special Court may pass upon any person convicted by it any sentence authorised by law for the punishment of the offence of which such persons is convicted." In this, I find the provision that is placed before the Parliament is most inadequate. I will cite one example. When tobacco was being exported to China some time back and when it was found far below the quality, the Chinese Government hangd the people who was responsible for colluding with the business magnates here, who had supplied tobacco. The quality of the tobacco was so worst that such type of tobacco was never supplied to China.

Here hundreds of crores of public money was being looted. What is the Government doing? Here, the mere 'Sentence' is sufficient. Even that mere sentence, you have not prescribed here. What will be the nature of sentence and so on? My suggestion to the hon. Minister is that he should accept the Amendment proposed by Shri Pawan Kumar Bansal which is just now circulated to us wherein, the man who is found responsible for swindling away the money or who has colluded with the broker or some other per-