

में भी हर राज की कार्यसूची आनी चाहिए अगर अंग्रेजी में आती है तो । (व्यवधान)

श्री संयद सिन्हा रक्षवी (उत्तर प्रदेश)
यह मातृभाषा कैसे कह सकते हैं (व्यवधान)

उपसभापति : राष्ट्रभाषा उन्होंने मातृ-भाषा कहा (व्यवधान) अच्छा भाई राष्ट्र-भाषा अबस पर भी विवाद शुरू हो गया । इ मेरी मातृभाषा हिन्दी है । मैंने इसलिए कह दिया । चलिए, राष्ट्रभाषा कहते हैं ।

All right? Satisfied now? . . . (Interruptions)..
It is all right, please. Now I am not allowing any more discussion. Yes, Mr. Ghulam Nabi Azad.

SHRI V. GOPALSAMY (Tamil Nadu):
We are very much concerned about the zingoistic attitude of the MPs from North India. Every day they are saying like this, that the statements should be in Hindi.

THE DEPUTY CHAIRMAN: Okay, please.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): Should I first move the Motion or reply to what the hon. Members have said? . . . (Interruptions)...

DR. JINENDRA KUMAR JAIN
(Madhya Pradesh): You may first say "sorry" and then move the Motion. . . .
(Interruptions) . . .

THE DEPUTY CHAIRMAN:
You first reply and then move the motion.

SHRI GHULAM NABI AZAD: Let me move the Motion first and then reply. . . .
(Interruptions) . . .

THE DEPUTY CHAIRMAN: Order, please.

श्री जयदीप प्रसाद माथुर : इस सदन के किसी व्यक्ति से सलाह क्यों नहीं ली गई ?

उपसभापति : वह भी बता देंगे ।

MOTION RE. APPOINTMENT OF A JOINT PARLIAMENTARY COMMITTEE

THE MINISTER OF PARLIAMENTARY
AFFAIRS (SHRI GHULAM NABI AZAD):
Madam, I move the following Motion :

"That this House concurs in the recommendation of the Lok Sabha that a Joint Committee of the Houses consisting of 30 Members, 20 from Lok Sabha and 10 Members of the Rajya Sabha, be constituted to go into the irregularities and fraudulent manipulations in all its aspects and ramifications in transactions relating to securities, shares, bonds and other financial instruments and the role of the banks, stock exchanges, financial institutions and public sector undertakings in transactions relating thereto, which have or may come to light, made in the motion adopted by the Lok Sabha on the 6th August, 1992 and communicated to this House on the 6th August, 1992 and resolves that this House do join in the said Committee and do appoint 10 Members from among the Members of this HOUPG, namely:

1. Shri S. S. Ahluwalia
2. Shri T. N. Chaturvedi
3. Shri Jagesh Desai
4. Shri Dipen Ghosh
5. Shri Gurudas Das Gupta
6. Shri H. Hanumanthappa
7. Shri Murasoli Maran
8. Shri S. Jaipal Reddy
9. Shri Yash want Sinha
10. Shri Ram Naresh Yadav

to serve on the said Committee." The question was proposed. 1.00 P.M.

THE DEPUTY CHAIRMAN: Prof. Saurin Bhattacharya.

श्री प्रमोद महाजन (मध्य प्रदेश) :
महोदया, मैं आपका ध्यान आकर्षित करना चाहता हूँ . . . (व्यवधान)

SHRI MENTAY PADMANABHAM (Andhra Pradesh): Madam, I would like to6.(Interruptions)

THE DEPUTY CHAIRMAN: Prof. Saurin Bhattacharya has given it to me in writing before you all got up. I will give first chance to Prof. Saurin Bhattacharya who gave notice, to raise some points. I will allow him first, and then I will allow j'ou also

SHRI MENTAY PADMANABHAM: Madam... (Interruptions)

[The Deputy Chairman] Pease. I think I spoke in English. If you like, I can speak in rashimbhasha also... (Interruptions)

बोलिए ... (व्यवधान) नहीं कुछ नहीं... (व्यवधान)

Don't ask that We have to finish this work.

PROF. SAURIN BHATTACHARYA (West Bengal): I am thankful to you for giving me an opportunity. As you are aware, we have all demanded that a Joint Parliamentary Committee should be constituted in order to explore all the aspects of the secvirity scam or scandal or whatever term is used. We are happy that a Joint Parliamentary Committee is about to be constituted in the sense that this motion is still before the House to be adopted by it.

Regarding the composition of the Committee, certain issues, from the Press reports I could understand, were raised in the other Kousa, Lok Sabha, also—they have been raised here also —on the question of representation on the Committee, of smaller parties. I think, in that House three or four small parties were kept together for representation on the Joint Parliamentary Committee. In this House it is perhaps all confined to comparatively bigger parties.

We know that in all matters in the House, while bigger parties have their own time, smaller parties also have their own time. In matters of commi-

tees and other things, proportional representation is generally allowed. But, in this case, it seems to me, Madam, that in nominating ten Members from Rajya Sabha to the Joint Parliamentary Committee, the accepted, if I don't call "principle", parliamentary practice has been definitely violated. In this House there is a group of disparate parties and individuals, and smaller parties consisting of less than five Members.

So, I appeal to you, Madam, and through you to the House that this salutary practice obtaining in the parliamentary field, should not be ignored in this case also as it involves very serious issues concerning the country and country's economy.

Thank you, Madam.

SHRI MENTAY PADMANABHAM: I will, just make one...

श्री प्रमोद महाजन : मैंने पूछा था ।

उपसभापति : वे नहीं बोल रहे हैं ।
उनके बदले में वे बोल रहे हैं ... (व्यवधान)
अच्छा आप बोल दीजिए ।

श्री प्रमोद महाजन : इसमें मेरी बेसिक आपत्ति है कि कल लोक सभा से जो मैसेज यहां आया, उसमें लोक सभा में जो मोशन पास हुई, उसमें जो टर्म्स आफ रेफरेंस दिए हैं और राज्य सभा में जो मोशन लिखकर आई है, उसमें जो टर्म्स आफ रेफरेंस हैं, इन दोनों टर्म्स आफ रेफरेंस में अंतर है । लोक सभा के पारित मोशन में जो टर्म्स आफ रेफरेंस हैं उसमें 5 बिन्दु हैं । उनमें से केवल एक बिन्दु इस टर्म्स आफ रेफरेंस में आया है और 4 बिन्दु राज्य सभा के मोशन में नहीं हैं । मैं उसका उल्लेख करना चाहूंगा राज्य सभा में निम्नलिखित चीजें नहीं हैं :

"to fix responsibilities of the persons, institutions or authorities in respect of such transactions."

यह यहां लिखा नहीं है ।

(in the above context, to identify the misuse, if any, of and the

failures/inadequacies in the control mechanism and the supervisory mechanism."

यह यहां लिखा नहीं है ।

To make recommendations for safeguards and improvements in the system for elimination of such failures and occurrences in future.'

यह यहां लिखा नहीं है ।

'To make appropriate recommendations regarding policies and regulations to be followed in future.'

यह भी यहां लिखा नहीं है । तो जो हमारे सामने मोशन आई है, यह आधी घड़ी है अगर इस मोशन को हम पास कर दें, तो इतनी ही पास हो जाएगी ।

इसका अर्थ यह हो गया कि लोक सभा में बीस सदस्यों की टर्म्स आफ रेफरेंस पांच बिन्दुओं की है और राज्य सभा की एक है । तो मुझे लगता है कि यह उचित नहीं होगा ।

इसलिए मैं आपके द्वारा संसदीय मंत्रालय में प्रार्थना करूंगा कि यह अभी अपनी दी हुई मोशन में खुद अमेंडमेंट करें और यह सारी टर्म्स आफ रेफरेंस पूरी जोड़ दें और उसके बाद राज्य सभा से उसकी कनकरेंस लें, आधी कनकरेंस न लें ।

SHRI GHULAM NABI AZAD: As far as my letter to the Secretariat is concerned it contained the full text. But, I am told, the system is like that. So, if the Chair permits me, I don't have any objection.

SHRI PRAMOD MAHAJAN: I am not aware of any system.

SHRI GHULAM NABI AZAD: No. This is the practice.

SHRI PRAMOD MAHAJAN: But, are must have all terms of reference in this House.

SHRI GHULAM NABI AZAD: n what I have written to the Secre-ariat, I have written all. I have not left anything.

SHRI PRAMOD MAHAJAN: I don't know what has gone wrong and where, but it must be corrected now.

SHRI DIPEN GHOSH (West Bengal): Madam, what is the system? If the first sentence is taken as the subject of the Motion which has been passed by the Lok Sabha, it would have been written accordingly. Otherwise when we start with the sentence "...concurs with the recommendation of the Lok Sabha," then concurrence must be given to the whole text of the Motion that has been passed by the Lok Sabha.

SHRI P. UPENDRA (Andhra Pradesh): It need' not be the entire motion . . . (Interruption*.)

SHRI PRAMOD MAHAJAN: In that case they should have mentioned that way that regarding... (Interruptions') English should have been like that.

श्री विष्णु कान्त शास्त्री (उत्तर प्रदेश):
माननीय उपसभापति जी, कनकर शब्द
के बारे में पूरे का पूरा टर्म्स आफ रेफरेंस
आना चाहिए ।

SHRI DIPEN GHOSH: He should have said: 'As passed in the Lok Sabha'. That way they should have written in English.

SHRI PRAMOD MAHAJAN: But you cannot make a reference to only one.

SHRI P. UPENDRA: Generally the procedure is, when you concur with the Motion of the other House, only the subject is mentioned briefly because the Motion is already passed! in the Lok Sabha. (Interruptions)

SHRI JAGDISH PRASAD MATHUR (Uttar Pradesh): How do we know what was said in the other House? That should have been circulated.

THE DEPUTY CHAIRMAN: I have been informed that the full text came from the Lok Sabha to the Parliamentary Affairs Minister, but as the Secretary-General informs me

[The Deputy Chairman] they thought that the operative part should be there. So, they put the operative part, I would ask the Parliamentary Affairs Minister to read out the entire terms of reference as it was passed in the Lok Sabha so that our Members in the Rajya Sabha are also satisfied that it is the same. Let him read¹ the terms of reference.

SHRI S. JAIPAL REDDY (Andhra Pradesh): Before he reads, I would like to say one thing. Mr. Pramod Mahajan has, of course, drawn our attention to the terms of reference, but the Motion from the Lok Sabha consists of references to the procedures to be adopted by the Committee. So, I suggest that part of the Motion should also be read out by the Minister.

THE DEPUTY CHAIRMAN: He will read the entire Motion.

SHRI S. JAIPAL REDDY: For example : "That the Speaker shall nominate one of the Members of the Committee to be its Chairman."

THE DEPUTY CHAIRMAN: That I have read¹ out before anybody else could read.

SHRI S. JAIPAL REDDY: No. "That the Committee shall start functioning from the day it was duly constituted ..."

THE DEPUTY CHAIRMAN: Sure. Yes. Everything.

SHRI DIPEN GHOSH: The entire Motion has to be read here.

SHRI GHULAM NABI AZAD: That it would start functioning after it was duly constituted was for this. Now, once it is duly constituted, it is already over.

SHRI PRAMOD MAHAJAN: After it is passed¹, then it is duly constituted.

SHRI JAGDISH PRASAD MATHUR: What I suggest is that he should withdraw the first Motion. The House may permit it. Then he should move another Motion. I am saying this be-

cause he has already moved it. Either it should be taken as an amendment or the first motion be withdrawn officially and then he should read out another substitute motion.

THE DEPUTY CHAIRMAN: In my opinion—whatever wisdom, I have—the hon. Parliamentary Affairs Minister did read part of it. Now, he is reading the entire motion. It is not amended. The entire text is going to be read, I think due to constraint of time he did¹ not want to read the whole thing.

SHRI PRAMOD MAHAJAN: Madam, he has agreed to cooperate with you. You don't issue an unnecessary certificate.

SHRI GHULAM NABI AZAD: Again I would like to make it clear, don't pass on this buck to me.

THE DEPUTY CHAIRMAN: Let the hon. Minister for Parliamentary Affairs read out the entire contents of the motion and then it will be reproduced by the Secretariat again

श्री जगदीश प्रसाद माथुर : मैडम, मुझे कोई एतराज नहीं है। ... (व्यवधान) मैडम, वह पढ़ें, लेकिन इससे पद्धति का बिगाड़ हो रहा है। एक बार प्रस्ताव आ गया

It becomes a property of the House.

श्री गुलाम नबी आज़ाद : अभी It has not yet been adopted. किया

श्री जगदीश प्रसाद माथुर : उसमें तो अमेंडमेंट हो या फिर उसकी जगह दूसरा प्रस्ताव करें। ... (व्यवधान) आओ कर रहे हैं वह जो प्रोसीजर है उस उलट है।

SHRI GHULAM NABI AZA It has not been adopted.

श्री जगदीश प्रसाद माथुर : एक ठा रेजोल्यूशन पढ़ने के बाद

It becomes a property of the House

मैं परेशान नहीं करना चाहता हूँ, लेकिन मैं यह प्वाइंट आउट कर रहा हूँ, कि यह प्रासीजर बिल्कुल गलत है। एक बार प्रस्ताव आ गया।

It becomes a property of the House.

SHRI GHULAM NABI AZAD: Unless it is adopted, it does not become a property of the House.

SHRI JAGDISH PRASAD MATHUR: Once you read it out, it becomes a property of the House.

आप उसको वैसे नहीं ले जा सकते।
Either you withdraw it or amend it.

आप बिदड़ा करिए, हाउस कह दे कि हाँ और या उसमें अमेंडमेंट करिए। बीच का यह रास्ता गलत है।... (अवधान)

श्री प्रमोद महाजन उपजभाषित महोदया, हम यह जानें कि यह बैंक स्कैम से संबंधित जे.पी.सी. है इसमें कानूनी दाव-पेंच, जिन्होंने इसमें पैसा खाया है वह हर तरीके से लगाने वाले हैं और इसको देखते हुए मुझे लगता है कि सदन कोई ऐसी गलती न करे जिसके कारण कल हमारा ही वहस का सारा रेकार्ड कोर्ट में किसी आरोपी के पक्ष में उपयोग में लायें। इसलिए मुझे लगता है कि अगर हम पहले बिदड़ा करके फेश करें... (अवधान)

श्री जगदीश प्रसाद माथुर : वह अच्छा है .

श्री प्रमोद महाजन : हम इसका विरोध नहीं कर रहे हैं, हम इसको समर्थन दे रहे हैं... (अवधान)

लेकिन कहीं हमारी गलती आगे आने वाले समय में कहीं हमारे ही गले में अटक न जाए।

श्री जगदीश प्रसाद माथुर : हाउस सहमति देगा, इसमें कोई आपत्ति नहीं, आप वापस कर लीजिए।

SHRI H. HANUMANTHAPPA (Karnataka): Madam, I have a problem. If the Minister reads the text of the motion that will only be epitomised in

415 RS—15.

the records ... (Interruptions) ... Now you have also permitted the Minister to lay it on the Table so that it can be included in the record. If the House approves it, if the House agrees with it. (Interruptions).

SHRI PRAMOD MAHAJAN: We are not objecting to it. But it will create problems afterwards.

श्री जगदीश प्रसाद माथुर : जो मेरे मित्र कह रहे हैं वह बात अशुभ है। इस लिए या तो उस में अमेंडमेंट करिए... (अवधान)

Either you amend it or withdraw it.

SHRI H. HANUMANTHAPPA: Whatever deficiency you have pointed out, it has been taken care of.

श्री जगदीश प्रसाद माथुर : मैडम, मेरे मित्र श्री हेच० हनुमन्तप्पा को इस बात से क्या आपत्ति है कि वह बिदड़ा हो जाए और हमारा पदनाश हो जाए? (अवधान) why should the Government make it a point of prestige?

यह प्रस्टिज का सवाल नहीं है... (अवधान) या तो आप अमेंडमेंट सूब करिए

Either you withdraw it or move as amendment.

DR. JINENDRA KUMAR JAIN (Madhya Pradesh): Madam, may I suggest a way out? ... (Interruptions)

THE DEPUTY CHAIRMAN: I have sent...

श्री जगदीश प्रसाद माथुर : या पहले प्रस्ताव बिदड़ा कर लीजिए।

THE DEPUTY CHAIRMAN: In fact, if we go through the text of the motion of Mr. Ghulam Nabi Azad it, says: "In all irregularities and fraudulent manipulations and all aspects and ramifications..." Now the word "ramifications" covers quite a lot.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF

HOME AFFAIRS (SHRI M. M. JACOB):
Madam, if you permit the Minister, he can read the whole motion.

SHRI GHULAM NABI AZAD: Madam, I can just substitute it for what I have already read: I can just say that I substitute' it for the motion which I have already moved.

SHRI JAGDISH PRASAD MATHUR:
Madam You should say: Is it the will of the House to allow the Minister to withdraw his motion?

THE DEPUTY CHAIRMAN:
Yts, is it the will of the House to allow the Minister to substitute his motion?

SHRI MENTAY PADMANABHAM:
Madsinv, are we adopting the motion as passed by the- Lok Sabha or not?
This is a different verison here.....
(Interruptions) . . .

THE ' DEPUTY CHAIRMAN: Okay, has Mr. Ghulam Nabi Azad the leavi of the entire House to substitute, to withdraw the first one and move the second motion which is a complete motion so that there is no blockade ftnywhere?

HONOURABLE MEMBERS: Yes.

SHRI PRAMOD MAHAJAN:
Thank you, Madam.

SHRI GHULAM NABI AZAD: Madam, I move the following motion:

That this House concurs in the recommendations of the Lok Sabha that a Joint Committee of the Houses consisting of 30 Members, 20 from Lok Sabha, and 10 Members of the Rajya Sabha, be constituted:

(b) To go into the irregularities and fraudulent manipulations in > all its aspects and ramifications in transactions relating to securities, shares, bonds and other financial instruments and the role of the banks,...

" stoek exchanges, finan
cial institutions and public
sector undertakings in trans
actions relating thereto, which
have or may come to light;

(ii) to fix responsibilities of the persons, institutions or authorities in respect of such transactions;

(iii) in the above context, to identify the misuse, if any, of and the failures/inadequacies in the control mechanism and the supervisory mechanism;

(iv) to make recommendations for safeguards and improvements in the system for elimination of such failures and occurences in future;

(v) to make appropriate recom-
mendations regarding policies and regulations to be followed in future;

made in the motion and adopted by the Lok Sabha on the 6th August 1992 and communicated to this Hous_e on the 6th August 1992 and resolves that thi_s House do join in the said Committee and do appoint 10 Members from among the Members of this House, namely,

- (1) Shri S. S. Ahluwalia
- (2) Shri T. N. Chaturvedi
- (3) Shri Jagesh Desai
- (4) Shri Dipen Ghosh
- (5) Shri Gurudas Das Gupta
- (6) Shri H. Hanumanthappa
- (7) Shri Murasoli Maran
- (8) Shri S. Jaipal Reddy
- (9) Shri Yashwant Sinha;
- (10) Shri Ram Naresh Yadav

to serve on the said Committee;"

The question was proposed.

SHRI S. JAIPAL REDDY: Will you please read the remaining part of it also?

THE DEPUTY CHAIRMAN: No. 3. "That the Speaker shall nominate one of the Members of the Committee to be its Chairman." All that, you have to read.

SHRI S. JAIPAL REDDY: Hon. Minister, you may kindly read the remaining part at its from paragraph starting with "That the Speaker..." It is part of the motion. (*Interruptions*).

SHRI GHULAM NABI AZAD: That is not in the motion.

SHRI M. M. JACOB: As said in the beginning itself, it is a concurrence with the Lok Sabha. That is the practice in the House, Madam.

SHRI GHULAM NABI AZAD: What we have done is actually what was done earlier. You are making it so complicated.

SHRI M. M. JACOB: The Lok Sabha initiated the Committee. That is why it comes to this House.

SHRI GHULAM NABI AZAD: We cannot make a mention of the Lok Sabha. It is not in the motion. That was meant for the Lok Sabha. This is meant for this House.

THE DEPUTY CHAIRMAN: Now, I think it is in order. (*Interruptions*). What is the 'disorder' part of it?

SHRI S. JAIPAL REDDY: Madam, we welcome the constitution of a JPC. Let me state that clearly, unambiguously. But, having said that, let me also reiterate our demand that a Member from the Opposition be made the Chairman of the JPC. I have no doubt in my mind about the earnestness of the Government in trying to And out the truth behind (his biggest scandal in world history. (*Interruptions*).

SHRI P. UPENDRA: Can the Government dictate to the Speaker? The Speaker is authorised to name the Chairman.

SHRI S. JAIPAL REDDY: I am making a request to the Government

I do not know why Upendraji
(*Interruptions*).

SHRI P. UPENDRA: Mr. Jaipal Reddy should know the rules. The Government cannot dictate who should be the Chairman.

SHRI S. JAIPAL REDDY: If the Government was earnest about--letting the chairmanship--of the Committee go to the Opposition, the name of the Chairman would have been, mentioned in the motion.

SHRI M. M. JACOB: It is not like that.

SHRI GHULAM NABI AZAD: Let it go on record that it is never done.

श्री प्रमोद महाजन : इसी लिए तो हमको पता है कि अभी जगह है ।

SHRI S. JAIPAL REDDY: There is scope. Let me, therefore, give expression to my sentiments. The credibility of this Committee will be enhanced if a Member from the Opposition is made the Chairman. I know, only a Member who has credibility will be chosen. It cannot be anybody's case that there is not a single Member of the Opposition who can be trusted with this task. I don't think even the Government can pick up such courage and say that nobody from the Opposition, has the necessary objectivity or ability to head this Committee. Madam, I have something to say about the composition of the Committee. The TDP is a recognised official party in the country. It has been recognised by the Election Commission. I don't find any name from the TDP. I don't want to refer to the Members already chosen in the other House. I am sorry to say that Members from breakaway groups are chosen and Members from the recognised official parties are not chosen. It is not too late. Even in this House, both these parties can be represented. I am sure the case of the Congress (I) in respect of the Scam cannot be any different from our case. All the us are actuated by the same desire to know the truth

[Shri S. Jaipal Reddy]

and to remedy the situation. . Even if there is one Member less from the Congress (I), I don't think the case of the Congress (I) will go by default at all. Since I am there in the Committee, I will do the job of that missing Member of the Congress (I). Even now, it is not too late for one Congress (I) Member to come here and say, "Look, here I step down in favour of a TDP Member." (*Interruptions*) I have absolutely no problem. I know what Mr. Jacob is saying in a low tone. (*Interruptions*)

SHRI S. S. AHLUWALIA (Bihar): Mr. N. T. Rama Rao is the Chairman of the National Front and he is the Chairman of the TDP also. Why are you not withdrawing your name in favour of the TDP if you are so much concerned?

SHRI S. JAIPAL REDDY: Since Congress (I) is a majority party, it alone can sacrifice and accommodate others. Even if one Member resigns, three more are there, apart from many others in the other House. (*Interruptions*)

SHRI H. HANUMANTHAPPA: It is only the Congress party which knows how to sacrifice. It was only the Congress party which has sacrificed for the freedom of this country. (*Interruptions**)

AN HON. MEMBER: The Congress party is enjoying the fruits of sacrifice also. (*Interruptions*)

SHRI S. JAIPAL REDDY: I know one thing full well. The present Congress party is enjoying the fruits of the struggle waged by the then- Congress party. (*Interruptions*) Now, in regard to the terms of reference, I must say, I am in total agreement with the terms of reference. But I am rather intrigued by one grammatical error of a minor kind. If the House deems it fit it may take notice. If the House, in its wisdom, would like to ignore it, it may. "...be constituted to go into the irregularities and fraudulent manipulations in all its aspects." I do not know what the "it" refers to.

"It should have been," in all their respects and ramifications". This is only a minor grammatical error. Judging by the kind of grammatical solecism we are generally guilty of, this is absolutely pardonable.

THE DEPUTY CHAIRMAN: Mr. Dipen Ghosh, we have to adjourn for lunch. I have got only five minutes. We are already late today.

SHRI DIPEN GHOSH: Madam, while supporting this motion, I would put it on record that with the passing of this motion the JPC would be constituted and I would hope that this JPC would toe in a position to get at the truth and tell the nation who the individuals and the agencies involved in this scam are, but at the same time I would also expect that till the JPC concludes its activities and submits its report to the Parliament, at least for JPC's sake, for Parliament's sake, the Prime Minister or for that matter the Finance Minister should not give any certificate to anybody, by name or by designation, that they are above board. Thank you

SHRI MEITAY PADMANABHAM: Madam, I am not taking much time. As my friend, Mr. Jaipal Reddy, has mentioned, the composition of the Committee is really most unfortunate and it clearly shows that the Government is not sincere in bringing out the truth in the entire scam. • • (*Interruptions*) ... Madam, that is my view. That is my view. I have every right to express my view. Madam, I am not going to refer to any names. We have been accusing this Government that it is engineering defections. This Government is not only engineering defections, but this Government is rewarding the defectors. This is our serious objection and as a protest I am walking out of this Chamber.

SHRI S. JAIPAL REDDY: Madam. I sympathise with the stand taken by Mr. Padmanabham. We also stage a walk-out.

(At this stage some hon. Members left the Chamber.)

SHRI JAGESH DESAI: In the Lok Sabha the Janata Dal Party could have given representation to one Member of Telugu Desam. ...
(interruptions) ...

THE DEPUTY CHAIRMAN:

भाथुर साहब, बोलिए... (व्यवधान)
बोलिए। I have identified Mr. (Mathur).

श्री जगदीश प्रसाद भाथुर : महोदया, मैं अपने दल की ओर से यह आशा प्रकट करता हूँ कि यह कमेटी सारी गहराई में जाकर सच्चाई का पता लगा सकेगी और जो दोषी पाए जाएंगे उनको दंड दे सकेगी। लेकिन मैं भी यह भावना प्रकट करना चाहता हूँ कि अच्छा हो कि कोई विरोधी दल का व्यक्ति इसका चेयरमैन बने। कैसे हो, मैं सरकार से कहूँ या अपनी भावनाएँ समाचारपत्रों के माध्यम से प्रकट करूँ या जैसे ही स्पीकर महोदय से कहूँ, यह तो बह जाने लेकिन पिछड़ा हमारा अनुभव यह रहा है कि जब कभी सत्ताधारी दल का व्यक्ति किसी ऐसी कमेटी का अध्यक्ष बनता है तो स्वाभाविक रूप से ननुष्य की दुर्बलता है कि वह अपने दल का बचाव करता है। तो यह संदेह पैदा न होने देने के लिए अत्यंत आवश्यक है कि सरकार स्वयं कहे स्पीकर महोदय से। हम चाहते हैं कि सरकारी दल का व्यक्ति अध्यक्ष न बने : वे कहेंगे, तो मैं समझता हूँ कि स्पीकर महोदय इस बात को स्वीकार करेंगे।

इसी के साथ मैं एक बात और कहना चाहता हूँ। मेरे मित्र ने कहा है कि कोई ऐसी बात न कही जाए। मेरा कहना दूसरा है कि ऐसी बात जो कि स्कैम के संबंध में है किसी के पक्ष में न कही जाए लेकिन जो नियुक्तियाँ हो रही हैं जैसे हमने रिजर्व बैंक के चेयरमैन को देखा, मैं तो कहूँगा कि उस नियुक्ति को वापस लिया जाना चाहिए ताकि जे०पी०सी० की हस्तायरी में सहायता मिल सके। अन्यथा ऐसा व्यक्ति जो दोषी है, जो संदेह के कटघरे में खड़ा है वह बड़ा अधिकारी हो तो उसके विषय में हस्तायरी कैसे हो सकेगी। तो मेरा निवेदन है कि उन महोदय की नियुक्ति को वापस लिया जाना चाहिए।

श्री स.य. इ.काश मालवीय (उत्तर प्रदेश) : मैं भी इस सुझाव का समर्थन करता हूँ कि समिति का अध्यक्ष विपक्ष का कोई भी व्यक्ति बने।

SHRI H. HANUMANTHAPPA: Madam, I am on a point of procedure and I want your ruling. The motion is moved. There are certain parties which don't want to adopt this motion now and have walked out. WiU they retain the right to serve On the Committee? This is my question-The are not a party to the motion. They accept the motion, they raise the motion, everything, but they don't want to support the motion. ... (Interruption)... That is a different thing. A Member of the party has expressed his view that he doesn't want to adopt the motion. Have they retained the right to serve on the Committee? Whether¹ they want the inquiry or not, that is a different thing. Here, this is a question of serving on the Committee from the Rajya Sabha. You are supposed to be a member. You don't want to contribute to the motion. (Interruptions) ... You don't contribute to the motion and you walk out. This is on record. Is this the procedure, Madam? Actually, when I don't support the motion, how can I be a member of the Committee? Then, if I serve of the Committee, is it valid? I don't want immediate reaction. (Interruptions) .. I don't want immediate reaction. The Chair may consider it and come out with a considered ruling on this.

THE DEPUTY CHAIRMAN: Some Members in the past, I must remember something, voted against Members' Salary Bill, yet when it was passed they drew their salaries. (Interruptions) ...

SHRI H. HANUMANTHAPPA: There are some other reasons. They had expressed their views. Here the matter... (Interruptions)... That is a Bill, This is an inquiry. (Interruptions)...

THE DEPUTY CHAIEMAN: My duty te... (Interruptions)...

SHRI H. HANUMANTHAPPA: These Members should be present in the House to vote. *(Interruptions)*...

SHRI S. S. AHLUWALIA: He walked out. Mr. Jaipal Reddy walked out in protest... *(Interruptions)* ...

SHRI PRAMOD MAHAJAN: He has not walked out opposing the motion. He walked out in support of the TDP. *(Interruptions)* ...

SHRI H. HANUMANTHAPPA: He said, "I don't want to be a party to this motion". *(Interruptions)*... "I don't want to be a party to this motion". *(Interruptions)*...

THE DEPUTY CHAIRMAN: Mr. Hanumanthappa, will you please take your seat? *(Interruptions)* ... My duty is to see that the motion is passed with majority. Whoever votes and whoever doesn't vote, it is their lookout, not the Chair's look-out.

SHRI MOTURU HANUMANTHA RAO (Andhra Pradesh): Madam, I welcome the Prime Minister's appointment of the Joint Parliamentary Committee, but, in regard to selection, an unfair selection is made. In regard to the Telugu Desam Party, which is a part of the National Front and opposition parties, a splinter group is taken into the Joint Parliamentary Committee avoiding the main party. So, I have, a serious reservation in regard to the selection and it must be made clear at this stage.

SHRI N. E. BALARAM (Kerala): Madam, may I say one thing? Usually I am not a shouter.

THE DEPUTY CHAIRMAN: No, no never mind.

SHRI N. E. BALARAM: Gradually I will come to the position of shouting.

THE DEPUTY CHAIRMAN: I think so. You are gradually moving towards me. You are in front of the mike. So, you don't have to shout.

SHRI N. E. BALARAM: I will do the shouting also because non-shouters are unheeded here. *(Interruptions)* ... Non-shouters are un-

heeded in the House even by the Chair. That is what I am saying.

THE DEPUTY CHAIRMAN: I respect your age. You please speak what you want to speak.

SHRI N. E. BALARAM!: I fully support the Resolution moved by the Minister. I hope this Joint Parliamentary Committee will come out successful in finding out the real reasons and the real people behind the entire thing. Meanwhile, my hope is that the Government would completely cooperate with this Committee. I am putting it positively. I have my own reservation about it. The Government will completely cooperate with this committee so that we can find out the real truth. If the Government had acted in a wiser way the scene could have been avoided today. This is the only thing that I have to say about it.

SHRI N. K. P. SALVE (Maharashtra) : Madam, the Prime Minister, true to the highest traditions of democracy, agreed to the appointment of a Joint Parliamentary Committee. There are other ways to go into this scam, examine the issues and find out and bring before the Parliament those who were guilty, those who were culprits in the matter. Mr. Balaram is talking of cooperation from the Government. The Government, Madam, I submit, has completely gone out of its way to establish the probity and credibility of the Government. The appointment of JPC itself is an unprecedented move which has been taken. What I am seeing with what has happened today is this. It is my very serious apprehension.

The JPC has first to understand the evidence that will come before it and then has to sift the evidence. The evidence is going to be of a very technical nature. They should evaluate it objectively and not make it a sport of only political machinations. I earnestly hope, I plead with Mr. Balaram and everyone here, that it is a very, very onerous and cumbersome task, a very difficult task, which has fallen on this Committee. It is a delicate task. It is the credibility of the

Parliament itself. Please don't reduce this JPC to purely a political *Akliadu*. That is my submission,

THE DEPUTY CHAIRMAN: Now, I put the motion to vote. The question is:

"That this House concurs in the recommendation of the Lok Sabha that a Joint Committee of the Houses consisting of 30 Members, 20 from Lok Sabha and 10 Members of the Rajya Sabha, be constituted;

(i) To go into the irregularities and fraudulent manipulations in all its-aspects and lamifications in transactions relating to securities, shares, bonds and other financial instruments and the role of the banks, stock exchanges, financial institutions and public sector undertakings in transactions relating thereto, which have or may come to light;

(ii) to fix responsibilities of the persons, institutions or authorities in respect of such transactions;

(iii) in the above context, to identify the misuse, if any, of and the failures/inadequate in the control mechanism and the supervisory mechanism;

(iv) to make recommendations for safeguards and improvements in the system for elimination of such failures and occurrences in future;

(v) to make appropriate recommendations regarding policies and regulations to be followed in future;

made in the motion and adopted by the Lok Sabha on the 6th August, 1992 and communicated to this House on the 6th August, 1992 and resolves that this House do join in the said Committee and do appoint 10 Members from among the Members of this House, namely,—

- (1) Shri S. S. Ahluwalia (2)
- Shri T. N. Chaturvedi (3)
- Shri Jagesh Desai

- (4) Shri Dipen Ghosh
 - (5) Shri Gurudas Das Gupta
 - (6) Shri H. Hanumanthappa
 - (7) Shri Murasoli Maran
 - (8) Shri S. Jaipal Reddy
 - (9) Shri Yashwant Sinha
 - (10) Shri Ram Naresh Yadav
- to serve on the said Committee.

The motion was adopted.

THE DEPUTY CHAIRMAN! I adjourn the House for lunch till 2.30 p.m.

The House then adjourned for lunch at thirty-six minutes past one of the clock.

The House re-assembled after lunch at thirty-three minutes past two of the clock, THE VICE-CHAIRMAN (SHRI MA. BABY) in the Chair.

THE VICE-CHAIRMAN (SHRI M. A. BABY): WE shall now take up the Private Members' Legislative Business... (*Interruptions*)

THE LEADER OF THE OPPOSITION (SHRI SIKANDER BAKHT): The Minister for Parliamentary Affairs, Mr. Ghulam Nabi Azad, was to make a statement at 2.30 p.m. That is what we have been told.

THE VICE-CHAIRMAN (SHRI M. A. BABY): This is the time for Private Members' Business... (*Interruptions*)

PROF. SAURIN BHATTACHARYA (West Bengal): The JPC has already been constituted... (*Interruptions*)

SHRI SIKANDER BAKHT: He was to come and make a statement here for the acceptance of the House and declare the names of the Members of the Rajya Sabha in the JPC... (*Interruptions*)

SHRI N. E. BALARAM (Kerala): It was accepted before the House adjourned for lunch.

SHRI SIKANDER BAKHT: But I was told that they were going to take it up at 2.30 p.m.

463 *The Constitution (Amendment) Bill* [RAJYA SABHA] 1992 (to Amend the Eighth '46 Scheduled)

THE VICE-CHAIRMAN (SHRI M. A. BABY): There was just a communication gap.

Now Bill_s to b_e introduced.

**THE CITIZENS' MULTIPURPOSE
IDENTITY CARDS BILL, 1992**

SHRI SURESH PACHOURI (Madhya Pradesh): Sir, I beg to move for leave to introduce a Bill to provide for the compulsory issue of multi-purpose identity cards to the citizen_s of India by the State and for matters connected therewith.

*The question was put and the motion
was adopted.*

SHRI SURESH PACHOURI: Sir, I introduce the Bill.

**THE PUBLIC FINANCIAL INSTITU-
TIONS (OBLIGATION AS TO FID-
ELITY AND SECRECY) AMEND-
MENT BILL, 1992**

SHRI SURESH PACHOURI: (Madhya Pradesh): Sir, I beg to move for leave to introduce a Bill further to amend the Public Financial Institutions (Obligation as to Fidelity and Secrecy) Act, 1983.

*The question was Put and the
■motion was adopted.*

SHRI SURESH PACHOURI: Sir, I introduce the Bill.

THE LOTTERIES (BANNING) WLL, 1992

SHRI SURESH PACHOURI (Madhya Pradesh): Sir, I beg to move for leave to introduce a Bill to ban the promotion, conduct and sale of lotteries and tickets thereof and for matters connected therewith.

*The question was put and the motion
was adopted.*

SHRI SURESH PACHOURI: Sir, I introduce the Bill.

**THE CONSTITUTION (AMEND-
MENT) BILL 1992 (TO AMEND
ARTICLE 244)**

SHRI VISHWASRAO RAMRAO PATIL (Maharashtra): Sir, I beg to move for leave to introduce a Bill to. amend the Constitution of India.

*The question was put and the motion
was adopted.*

SHRI VISHWASRAO RAMRAO PATIL:
Sir, I introduce the Bill.

**THE CONSTITUTION (AMEND-
MENT) BILL, 1992 (INSERTION OF
NEW ARTICLE 330A)**

SHRI VISHWASRAO RAMRAO PATIL (Maharashtra): Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of [ndia.

*The question was put and the motion
was adopted.*

SHRI VISHWASRAO RAMRAO PATIL:
Sir, I introduce the Bill.

**THE CONSTITUTION (AMEND-
MENT) BILL, 1992 (TO AMEND
THE EIGHTH SCHEDULE)**

श्री कृष्ण लाल शर्मा (हिमाचल प्रदेश) :
उपसभाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ,
कि भारत के संविधान का और संशोधन
करने वाले विधेयक को पुरःस्थापित करने
की अनुमति दी जाये ।

*The question was put and the
motion, was adopted.*

श्री कृष्ण लाल शर्मा : मैं विधेयक को
पुरःस्थापित करता हूँ ।

**THE CONSTITUTION (AMEND-
MENT) BILL, 1992 (TO AMEND-
THE EIGHTH SCHEDULE)**

SHRI MAHESHWAR SINGH
(Himachal Pradesh): Sir, I beg to