

for each fellow at Rs. 200. So, this is how the money is squandered.

Another Chairman—you may find it out—whenever he wants to go to Calcutta he books a plane ticket for Calcutta, another for Delhi, another for Cochin, book, another ticket for Allahabad Or somewhere else and so he has four plane tickets. Three tickets he cancels and on one he goes. When I asked an officer why he does these things, he said, "He does not want his officers to know where he is going. He may go to Calcutta but they should not know it".

There are many instances like this which I would like to elaborate for the information of the hon. Minister. These Bank Chairmen are behaving in an obnoxious manner. You have to control them. If you don't control them, they will not only become uncontrolled but they will try to control the Government and your Government is already in trouble.

Madam, I have many more points to cover but, for want of time, I have to close. Thank you very much.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज):
मुझे एक मामले पर सदन की इच्छा जाननी है। आज वाद दोपहर सदन को सूचित किया गया था कि शाम 5 बजे रेल मंत्री ग्रहमदाबाद-हावड़ा एक्सप्रेस की डिरेलमेंट के बारे में सदन में वक्तव्य देंगे। तो आप लोग क्या चाहते हैं कि अभी केवल वक्तव्य सदन के पटल पर रख दें और सोमवार को स्पष्टीकरण दें या अभी वक्तव्य पढ़ें और स्पष्टीकरण भी अभी दें। सोमवार को स्पष्टीकरण लेना चाहेंगे? अभी केवल वक्तव्य सदन के पटल पर रख दें?

SOME HONOURABLE MEMBERS
Table, Table.

SHRI SUBRAMANIAN SWAMY:
Don't derail the discussion!

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज):
रेल मंत्री जी, सदन की इच्छा के मुताबिक

केवल अपना वक्तव्य सदन के पटल पर रख दें और यह डिबेट जारी रहेगी।

STATEMENT BY MINISTER

Derailement of 8033 Ahmedabad— Howrah Express on Badnera—Wardha section of Central Railway

THE MINISTER OF RAILWAYS
(SHRI C. K. JAFFER SHAREEF):
Madam, I lay on the Table of the House a statement regarding the derailment of the 8033 Ahmedabad-Howrah Express on 9.7.1992 on the Badnera-Wardha section of Central Railway.

SHORT DURATION DISCUSSION ON IRREGULARITIES AND FRAUDU- LENT TRANSACTIONS IN BANKS AND OTHER FINANCIAL INSTITU- TIONS—Contd.

THE VICE-CHAIRMAN (SHRIMATI
SUSHMA SWARAJ): Shri Syed Sibtey
Razi.. Not present. Dr. Y. Sivaji.

DR. YELAMANCHILI SIVAJI
(Andhra Pradesh): Madam, the Report of the Janakiraman Committee is misleading. The appointment of the Janakiraman Committee is also deceitful. Janakiraman happens to be the Deputy Governor of the Reserve Bank of India. He happens to be on the Board of Governors of the State Bank of India as well as the National Housing Bank. All these three are the culprits in this scam. Appointing one of the culprits to investigate into the same is something funny.

Mr. Janakiraman, in his Report, wants to assert that the Reserve Bank of India itself came to know about this scandal and that on 30th June it started investigation on its own. But the facts are to the contrary. The fact is that on 28th February the Income-Tax Department raided the offices of Harshad Mehta, and they found and seized the computerised accounts. Harshad Mehta do not co-operate with the Department

[Dr. Yelamanchli Sivaji] Then they requisitioned the services of a computer engineer from Coimbatore. When decoding took place, the computer showed enormous amounts of money being flown from various banks including the State Bank of India as well as the National Housing Bank etc. etc. Then the Income-tax Department issued notices to various banks. Then only the banks came to know about the scandal. But the Janakiraman Committee says that the Reserve Bank by itself came to know of it and that it started the investigation, which is very much misleading.

Madam., the Finance Minister knowingly or unknowingly is every time asserting and protecting Mr. Venkataraman, the Governor of the Reserve Bank. I do not know what is transpiring between the Finance Minister and the RBI Governor. It appears that the RBI Governor is blackmailing the Finance Minister. Thereby the Finance Minister is compelled to protect the Reserve Bank Governor.

Madam, is it not a fact that the Reserve Bank Governor, Mr. Venkataraman, called a meeting of the heads of all the financial institutions sometime about a month or two months back and asked them to unload the government securities that were held by them? He wanted the banks and the financial institution to unload their securities as well as the shares they were having with them, and, at the same time, he knew pretty well that large amounts, have been siphoned off to Harshad Mehta. So, on the one hand he pressurised the financial institutions to unload their securities, and on the other hand he allowed thousands of crores of rupees to be siphoned off to Harshad Mehta so that all the securities that were unloaded, all the shares that were unloaded, by the financial institutions could be taken away by Harshad Mehta.

Madam, is it not a fact that Goiporia, the Chairman of the State Bank of India, issued a Statement sometime in the first week of April that all the amount has been repaid? Journalists asked where from Harshad Mehta had got so much, hundred and * thousands of crores of rupees, to pay back to the State Bank

of India. There is no answer. So, sometimes it was talked about and discussed in the capital market that the money has been siphoned off from our country too. The people were guessing that some smuggling activity had taken place and the mafia money from the smuggling activity etc. has been utilised for the share market. Since February 28 till today the Finance Minister never went on record warning the gullible investors from the middle class and the lower middle class about the mischief in the share market. On the other hand he went on record stating that the share market was going up because of their new economic policy and the Budget proposals. He further went on record saying that that exhibited growth of the economy. But the fact is that Rs. 3,500 crores or much more than that has been swindled away and the middle class which had invested in the share market lost more than Rs. 4,500 crores. Mr. Kamal Morarka compared the present Government with those of the Munda's days or Jawaharlal's days. Those days were different. I don't expect Mr. Manmohan Singh more close to the Prime Minister than what the then Finance Minister, Mr. T. T. Krishnamachari, was to the then Prime, Mr. Jawaharlal Nehru. But my point is that they are not so sensitive. In the State Bank of India 98 per cent of the shares are held by the Reserve Bank of India. So, the Reserve Bank is also guilty. The National Housing Bank is wholly a subsidiary of the RBI. Mr. Janakiraman is on the Board of Directors of all these Banks. Mr. Janakiraman wants to divert the issue and says that for want of implementation of the Narasimhan Committee Report all these things happened. But to my knowledge the Narasimhan Committee Report did not mention about the securities' provisions. Definitely, the Finance Minister wants to divert the entire issue by taking it from the Janakiraman Committee Report to the Narasimhan Committee Report. So, it is misleading.

It is a fact that two varieties of frauds took place. One is that the State Bank of India, the Reserve Bank of India and the National Housing Bank. These were controlled by Harshad Mehta and his gang. The second variety is the Bank of

Karad and Mercantile Bank controlled by Bhupen Dalai and others. In both the cases whether it is the Income Tax Department or the CBI or some other agency, the entire amount acquired is Rs. 200 crores. So, where does the other money go and what is the way to get it back? It appears the money has been carried away to Swiss banks and the Government is not serious enough to see that it is recovered.

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): You conclude within a minute.

DR. YELAMANCHILI SIVAJI: You can be gracious if you allow some more time

About two months back one of the cousins of Harshad Mehta was found having an account with a Dubai bank with \$5 lakh or more. The enforcement department was informed. Meanwhile that fellow flew via Kathmandu to Dubai. It is reported in a section of the press. So, instead of plugging the loopholes in all these things the Finance Minister goes on record stating that the share market growth is due to the new economic policy.

SHRI JAGESH DESAI: He never claimed like that.

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): Jagesh Ji, don't interrupt him. He has got only one minute. Dr. Sivaji, kindly conclude.

DR. YELAMANCHILI SIVAJI: Unfortunately another scam took place in Andhra Bank at Hyderabad. The Andhra Bank lost about Rs. 106 crores. The entire profit of the Andhra Bank during last year was Rs 8 crores. Without mentioning about their bad debts of Rs. 38 crores, the State Bank of India, as per their balance sheet showed a net profit of Rs. 100 Crores" last year, whereas the same State Bank of India paid more than Rs. 40 crores as legal commission/brokerage to Mr. Harshad Mehta. But the entire banking system in the country gets about Rs. 250 crores or so as profit. According to the figures supplied by the Finance Minister in his state-

ment, as well as the Janakiraman Committee's report, the money yet to be recovered is more than Rs. 2000 crores. So at the present rate, the Government and the banking system requires ten to fifteen years to recover the losses. So what steps does the Government propose to take to speed up the recovery of losses?

The Finance Minister went on record in this House that due to agriculture, flood debt relief schemes, several thousand crores

of rupees had been swindled away. It gave a wrong signal to the borrowers not to pay the money to the banks. But the present scam gave a wrong signal to the entire country. Whenever a Bank Manager or an official of the bank approaches the loanee to pay back the loan, the loanee says "Baba, what are you asking? When more than Rs. 3000 crores has been swindled away by four or five people, you are asking me to pay back my loan of Rs. 10,000 or Rs. 15,000!" So the credibility of the banking system has been eroded. The banking system is not in a position to recover these small loans. So what steps would the Government like to take in this regard?

There are several scams right from the lower level to the Reserve Bank of India level and to the level of the Finance Ministry. At the end I would like to suggest to the Finance Minister to close down the banks and give banking holidays in the country for fifteen days to check the entire records in all the banks. If it is done, I am sure, many more skeletons in the cupboards will come out. It may run into lakhs and lakhs of crores of rupees.

So with these remarks, I would like to thank you. Madam.

SHRI MADAN BHATIA (Nominated): Respected Vice-Chairman, I have stood up before this honourable House to share with the honourable Members of this House only a few Constitutional aspects. I welcome the statement or the announcement which has been made by the hon. Prime Minister in this honourable House deciding to constitute a Joint-Parliamentary Committee to go into the entire gamut of the working of the banking system in

[Shri Madan Bhatia] this country. It is one other gigantic step taken in the series of steps taken by the Government of India to unearth a gigantic fraud which has come to light in this country. It is also a reflection of the spirit of consensus which is the hallmark of the politics of the honourable Prime Minister of India.

We know about the Congressional hearings in the United States into matters of great public importance, public hearings and public investigations. Madam, I think, time has come when such Congressional investigation which is a part of the system of the Congress in the United States, should become a part of the Parliament system in this country. This step will go a long way towards establishing a precedent in this regard. Having said that, I would like to bring to the notice of the hon. Finance Minister only one point for which, in fact, I have stood up. I had no intention to participate in the debate except when this announcement was made by the hon. Prime Minister which I wholeheartedly, along with the entire House, welcomed. And I have said that. If the working of the banking system in this country is to be inquired into, if it is to be inquired into as to how the banking system in this country had been functioning in the past and is functioning at present, what the lapses or weaknesses in this banking system are which have allowed the entire banking system to be not only held to ransom but to be atrociously bent to commit this gigantic fraud and what steps should be taken to plug the loopholes so that in future such frauds are not committed, there cannot be a more effective instrument than a Joint Parliamentary Committee to go into these questions. But we have to be very careful in framing the terms of reference of the Joint Parliamentary Committee. Will this Committee be also authorised to investigate the criminal offences committed or alleged to have been committed by particular individuals? Will this Joint Parliamentary Committee be also competent and authorised to go into, investigate and inquire into the offences alleged to have been committed by men like Harshad

Mehta? Will this Joint Parliamentary Committee be also competent and authorised to go into the offences alleged to have been committed by individuals who have been specifically named in the First Information Report? Will this Joint Parliamentary Committee be also competent and authorised to inquire into the offences alleged to have been committed by individuals who become the accused before the courts in actual trials in respect of those offences? These are the questions which require considerable thought before the terms of reference are finally framed because investigation or inquiry into a criminal offence committed or alleged to have been committed by a citizen of this country who may have already been named in the FIR who may already be facing a trial on that particular offence before a court of law, is not contemplated by the criminal jurisprudence of this country. The reason is Constitutional. Article 21 of the Constitution says that no person shall be deprived of his personal liberty except in accordance with the procedure established by law. Now the Supreme Court says that investigation into an offence is also a procedure which must be established by law. Therefore, the question will arise whether the Joint Parliamentary Committee has the sanction of any law made by Parliament which authorises it to "hold an investigation into offences alleged to have been committed by particular individuals. This question will arise and this hon. House will join me in applying its mind—I am only saying applying its mind—to this issue.

Secondly, Madam, supposing, I name Harshad Mehta. He has been named in the FIR. He is called to appear and give evidence before the Joint Parliamentary Committee. It may be open to Harshad Mehta to say, "Since I am already an accused in this case, in this matter, in these offences which the Committee is enquiring into, I cannot be compelled to become a witness against myself under article 22 of the Constitution. I, therefore, refuse to testify before this Committee. Then disturbing, embarrassing or legally complicated situations may arise.

Thirdly, Madam, supposing, Harshad Mehta after the FIR has been allowed or any other individual against whom FIR has been lodged has also finally been proceeded against before a competent court of law like the special court and he becomes a full-fledged accused before the court of law and the court of law initiates a trial into that particular offence and the Committee also seeks to hold an enquiry or investigation into that particular offence, will it not be open to that individual to say that after this enquiry, after he has become the subject-matter of trial in this particular offence, this Committee is not competent to hold a parallel enquiry? Will not this amount to double jeopardy? This again will be a constitutional question. I am only sharing my constitutional views with the hon. Members of this House and it is only for this purpose, apart from welcoming wholeheartedly the states ment made by the Prime Minister, that I have stood up and I have already said that this is another gigantic step taken in the series of steps by the Government to unearth the truth and there cannot be a more powerful instrument to go into the question of the entire working of the banking system in order to prevent such gigantic frauds in future than the Joint Parliamentary Committee which has been announced by the hon. Prime Minister reflecting his spirit of political consensus which has been his hall-mark ever since he assumed office as the Prime Minister of this country. Thank you.

SHRI GURUDAS DAS GUPTA:
Madam, there has been enough rhetoric and fireworks. There have been compliments and condemnation. But at the end of the discussion, flattered by the presence of the hon. Finance Minister, I beg to draw the attention of the Government and the country to a number of facts that lead me to believe that the Reserve Bank of India had the full knowledge of what was going on in the commercial banks and also in the private and foreign banks. In fact, let me at the beginning straightway say that I refuse to accept that the Reserve Bank of India acted on its own and has found out the clue to the fraud. Let me straightway say it is not the in-

vestigation of the Reserve Bank that led to the exposure of the present episode. It was a tip from the Income Tax Department that made the Reserve Bank move. Therefore, it is not on the basis of its own investigation or wisdom that the startling revelations came to light. A person who was only a clerk, petty clerk, in an insurance company several years back suddenly became fabulously rich, that might have raised the eyebrows of some of the people of the economic espionage section. That is basically, in my opinion, the reason that led to the disclosure. Of course it is true that the Reserve Bank would not have acted on the tip off even if there was a report appearing in a national daily. Therefore, according to me, the Reserve Bank was made to move, it did not move on its own.

While coming to the question that the Reserve Bank had full knowledge of what was going on in the foreign banks, in the Indian Banks, private and public, may I refer to a number of inspection reports, secret inspection reports, that were prepared by the Reserve Bank about the working of three categories of national banking. All these reports are secret. Since I have not been able to get copies of the report*, I beg to place before you certain facts that seem to be more startling than the exposure made by the fraud itself. All these revelations, secret reports, prove that the only job of the Reserve Bank was to issue guidelines, was to issue sermons, was to issue directives and there was no mechanism whatsoever set up by the Reserve Bank to see whether the guidelines were being implemented or not. Therefore, the Reserve Bank acted as a saint or as a philosopher without having the administrative will or the decisiveness to ensure the implementation of its own guidelines. Madam, the first inspection report that I am referring to is the inspection report, secret inspection report, submitted by the Reserve Bank about the foreign banks in the country. The report is signed by Dr. Amitav Ghosh and it is regarding the review of the work.

[Shri Gurudas Dasgupta]

of the foreign banks of the period 1989-90. The Review Report signed by Mr. Amitav Ghosh, Deputy Governor, categorically states that there are serious irregularities in the portfolio management of the foreign banks. It categorically refers to 'off-balance', 'off-balance items'. The Report speaks of serious mismanagement going on in the foreign banks. Madam, I hope you understand the terminology 'off-balance item' which means a large part of the business carried on by the banks is not being shown in the balance-sheet. This by itself is a violation of law. And that Report which reviews the working of the banks several years back categorically states that there is a sudden spurt, sudden jump, in the volume of the profit of the banks. The National Grindlays Bank is being referred to. The profit of the National Grindlays Bank had jumped by hundred per cent, in a particular case by three hundred per cent. Therefore, this sudden phenomenal rise in the profit of the foreign banks is also startling. It is not only a mismanagement of the portfolio, it is not only an inadequacy in the management, it is not only an irregularity, but it is a sudden phenomenal rise in the profit of the foreign banks that this Report refers to. At the end of the report signed by Mr. Amitav Ghosh, it has been stated that strict guidelines have been issued to the foreign banks and it is expected that they will comply with the directives. Here ends the report. It was submitted in 1989-90. The Reserve Bank knew what was going on in the foreign banks.

SHRI JAGESH DESAI: What is the date of the report?

SHRI GURUDAS DAS GUPTA: It is of 1989-90, that is about 2 years ago. There ends the matter. Not a finger was raised, not a file was prepared, not a man moved to find out whether the guidelines in the report had been implemented. This is a report of 1989-90. Now, suddenly it is a revelation for the Janakiraman Committee. But it was a revelation to the Reserve Bank of India

two years ago and there was no action. I don't mind who was the Finance Minister, it may be Prof. Madhu Dandavate, it may be Shri Yashwant Sinha, it may be Dr. Manmohan Singh. But it is the country that loses. It is the Reserve Bank which is inactive. It is the Ministry of Finance who can be accused of total dereliction of duty. No action was taken despite the finding that the foreign banks were in default. There was a mismanagement of portfolio.

There is another secret report I have been able to get hold of. It is signed by Mr. Gurumurthy of Reserve Bank and it is about United Commercial Bank (UCO Bank); and the Minister finds satisfaction in declaring that the Chairman has been dismissed. What happened to this bank? I am just referring to it. The report was submitted on 13th January 1992.

It refers to various portfolio mismanagement and deficiencies. It is stated that the securities against money paid out have not been received.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज):
गुरुदास दासगुप्त जी, आपका एक मिनट बचा है।

SHRI GURUDAS DAS GUPTA:
Madam, I can just sit down.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज):
नहीं, आप एक मिनट और बोलिए

SHRI GURUDAS DAS GUPTA:
With the concurrence of the House I would like to get more time because I am placing before the House the documents.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज):
नहीं, डायुमेंट्स तो आपके पास हैं।

SHRI GURUDAS DAS GUPTA: No, I can just sit down.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज):
आपके लिए दो मिनट हैं। आप बोलिए
यहां बैठ कर के समय का याद दिलाना।

मेरा कर्तव्य है। इन मिनट आप को मिले हैं, नौवां मिनट आप ने रहे हैं। इसलिए मेरा कर्तव्य है कि मैं आपको बता दूँ कि आपका एक मिनट बचा है। आप एक मिनट लीजिए और अपनी बात खत्म कीजिए। ऐसी नाराजगी में क्यों बैठते हैं।

श्री गुरुदास दासगुप्त : हम एक मिनट में अपनी बात नहीं कर सकते हैं।

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
जितना समय है, उतना ही तो मिलेगा।

SHRI GURUDAS DAS GUPTA: In the middle part of the discussion there cannot be a curb on time.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
समय तो तय हुआ है। किसी को समय से ज्यादा नहीं मिला है।

SHRI GURUDAS DAS GUPTA: Something was written on the paper but something was allowed to be carried on.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
नहीं, नहीं, जितना-जितना समय होता है, उसमें एक-एक मिनट किसी को फालतु मिला है।

SHRI GURUDAS DAS GUPTA: I would request you to give me a little more time.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
आप कोलिए, पर जल्दी समाप्त करने की कोशिश कीजिए।

SHRI GURUDAS DAS GUPTA: Any way, the report on UCO Bank submitted on 13th January signed by Shri Guramurthy, Director of Reserve Bank in Calcutta, says, I am quoting—

Apart from official transactions, the Bank's Hamam Street Branch in Bombay has unauthorisedly indulged in investment transactions of large magnitude with a daily turnover between hundred and thousand crores of rupees at the behest of certain broker? by issuing Bank's official receipts, as sellers thereby exposing the Bank to serious damage. The transac-

tions are reported to have been stopped and receipts are being redeemed."

The same story; the same revelation; the same startling facts; the same inaction of the Reserve Bank of India; the same sermon and the same absence of any mechanism to find out whether the directives of the Reserve Bank have been carried out. This report was submitted on 1st January 1992. May I ask the Minister: Is it not a case of dereliction of duty on the part of Reserve Bank of India to find out such reports of inspection and to remain totally idle? But this is not the full story. Let me give you a third report. This is about the Bank of Karad. This was also a secret report. It is captioned as "Secret". It is a letter addressed to the Chairman of Bank of Karad by the Reserve Bank of India. May I invite your attention to the then Deputy Governor, Mr. A. Ghosh's D.O. letter dated 26 July, 1991 pointing out certain serious disquietening features observed by us in the securities transactions undertaken by some of the banks and advising you to frame, advising you to implement a suitable investment policy to ensure that the operations in securities are conducted in accordance with sound and acceptable business practices. (Interruptions). This was far before. The date was illegible. This was taken away from the record, (Interruptions). It categorically refers to the letter of Mr. A. Ghosh, I am not reading the whole letter. At the end of the letter it is stated:

"We are, however, greatly concerned to observe the following irregularities during the course of recent scrutiny of securities transactions of the Bombay main branch."

It was much before. What were the irregularities? The bank had entered into buy-bills with non-bank clients in non-Government securities; the bank continues to issue BRs on behalf of the broker clients; there are instances of bouncing of SGL forms issued by the bank to favour of purchasing institutions.

[*Shri Gurudas Dasgupta*]

for want of sufficient balance in the SGL accounts. It is clearly a fraud. Therefore, the fraud in the Bank of Karad was detected by the Reserve Bank of India much before the order for the liquidation was given. These three reports categorically prove that the villain of the piece the Reserve Bank of India and the Reserve Bank of India is in the dock. After receiving these three categorical reports, they had not found any reaction. Madam, this is one part of the story. After the fraud has been detected, after the Janaktraman Committee has issued a circular and after the IPC has been announced, let me tell you what is going on in the bank. I am producing the latest second report. After this that happened. Just see what is going on. Just imagine what has been the reaction of the banking department. All that has been told to the Parliament is far from reality. There is a double standard. In Parliament a Minister makes a statement. But elsewhere in the banks it is a total anarchy which is going on. Let me read before you. If the House projects the service of a poor bank clerk who happens to be the Workman Director of Andhra Bank, I am prepared to give his name.

Since it is in the interest of the nation. . . (*Interruptions*). There is more than one. We have been castigating the trade unions. This is the first time a trade union leader is risking his job. He comes out in the open and declares, "I am not going to sign a manipulated balance-sheet? This is a case of patriotism. Will you protect patriotism? Or under your care corruption will thrive! Let me read out the report and the letter. After all that has happened, see what is going on in the bank. It has referred to the Chairman, and managing Director of Andhra Bank.

"Dear Sir,

Reference: Balance-sheet.

I want the list of accounts showing total bad and doubtful debts because the papers are given on the table."

The papers are given just on the table, not before the meeting so that they can quickly get the signatures.

"I require time to study the same papers. I agree with the auditors that the bank should show actual position of loss in the balance-sheet. Since the actual provision for Rs. 44 crores is not being made as insisted by the auditors, therefore, I am unable to sign the balance-sheet until and unless it shows the true state of affairs, i.e. there is no profit of Rs. 8 crores at all. It is a manipulation of figures. I am unable to sign. I refuse to sign such a balance-sheet where the profit has been manipulated."

This letter is written by a poor trade unionist as a sign of patriotism to the Chairman of the Bank. What was the response? What was the drama? On 19th of last month a meeting of the Board of Directors has taken place in Hyderabad. In the meeting itself the Chairman said that the auditors were insisting for a bad and doubtful debts provision to the extent of Rs 44 crores. The Chairman said that he was unable to do it and his position was supported by the Government's representative on the Board of Directors. The position of the Chairman that the manipulated report may be made official was supported by the representatives of the Ministry of Finance and the Reserve Bank of India. I would like to know from the Minister whether, if my report is correct, he would take disciplinary action against the representative of the Reserve Bank of India and the representative of the Ministry of Finance. It was because of the trade union leader that it was not signed and the meeting had to be adjourned. It was decided to hold the meeting the next day and the venue was a hotel. No meeting was held the next day and only the Balance Sheet was circulated for signatures. One after another the signatures were ensured at the instance of the Chairman and the representatives of the RBI and the Ministry of Finance. Even then this poor soul refused to fall in line. This man

wrote a letter to the Reserve Bank of India but he has not received any response. This is what is going on in the Banks. I refuse to believe that under the present organisation and psychology there is going to be any improvement. You are speaking about the Bank of Baroda. The Bank of Baroda is a brokers' bank. Why has the Chairman of the brokers' bank not been arrested? Tell me. The person who was responsible for issuing bank receipts much in excess of their reserve and security has not been arrested so far. Why? Tell me why the poor bank clerk will not be rewarded. Just tell me. This is not the only case...

उपसभाध्यक्ष (श्रीमती सुष्मा स्वराज) :
समय बहुत ज्यादा हो गया है, दस मिनट का आपका समय था, उन्नीस मिनट आप ने चुके हैं, कोई बर्दास्त की सीमा है। आप में से कोई दे दीजिए अपना समय।

SHRI GURUDAS DAS GUPTA: The Bank of Baroda has shown profits. The profit was shown after adjusting the profit and loss account and after adjusting the interest shown against investment in a bank. At the end of the Balance sheet there is a line by the auditors that the bank is on liquidation and, therefore, money may not be received. This is the kind of manipulation that is going on. This House bears witness to the discussion we had during the Janata rule. I had demanded transparency. After this exposure the Reserve Bank of India is bent upon concealing the truth. There has been a clear-cut directive from the Reserve Bank of India to all the nationalised banks that the balance sheet should be prepared in such a way that it does not reveal the real state of affairs (Interruptions) ...

SHRI MANMOHAN SINGH: Madam, a very serious charge is being made. I want him to substantiate his charge... (Interruptions)... He says that after the exposure the Reserve Bank of India has issued instructions that the balance-sheet should be prepared in a manner which would distort the whole thing... (Interruptions)...

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): Mr. Gurudas Das Gupta, he wants you to substantiate your charge... (Interruptions) ...

SHRI GURUDAS DAS GUPTA: As a Member, of Parliament I am levelling these charges. Not only that but the 28 nationalised banks are in the red; the UCO Bank, the Punjab and Sind Bank and the New Bank of India... (Interruptions)...

SHRI MANMOHAN SINGH: Madam, I want him... (Interruptions) ...

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): We want you to substantiate... (Interruptions) ...

SHRI GURUDAS DAS GUPTA: Kindly bear with me. I am saying categorically that I will give you facts... (Interruptions).
..

THE VICECHAIRMAN (SHRIMATI SUSHMA SWARAJ): Mr. Manmohan Singh, he is assuring you. (interruptions) ...

SHRI GURUDAS DAS GUPTA: What is he getting angry?... (Interruptions).

SHRI MANMOHAN SINGH: I would have the man dismissed... (Interruptions).
..

SHRI GURUDAS DAS GUPTA: You kindly dismiss the Chairman of Andhra Bank. ... (Interruptions) ...

SHRI MANMOHAN SINGH: Mr. Gurudas Das Gupta, if the Reserve Bank of India has issued any such circular I will dismiss the Governor... (Interruptions) ...

SHRI GURUDAS DAS GUPTA: On the floor of this Parliament, I am saying this... (Interruptions) ...

SHRI MANMOHAN SINGH: You will have to withdraw if you are wrong. ... (Interruptions)...

SHRI GURUDAS DAS GUPTA: I will not withdraw... (Interruptions)... I will not withdraw... (Interruptions)...

SHRI MANMOHAN SINGH: I challenge- him-to' prove it...*(Interruptions)*...

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज):
गुरुदास दासगुप्त जी, एक मिनट । मंत्री जी ने आपसे कहा कि आप अपना आरोप सबस्टान्सिएट करें । आपने कहा कि आप फैक्ट्स सप्लाय कर देंगे । मंत्री जी ने एस्योर किया कि अगर आप फैक्ट्स सप्लाय कर देंगे तो वह कड़ी से कड़ी कार्यवाही करके दोषी अधिकारी को डिसमिस कर देंगे । तो बात यहाँ समाप्त हो गई । आप सप्लाय कर देंगे फैक्ट्स तो उसके बाद वह डिसमिस कर देंगे ।
... *(व्यवधान)* ...

SHRI GURUDAS DAS GUPTA:
Madam, the point is that the country is facing this... *(Interruptions)*...

SHRIMATI JAYANTHI NATARA-JAN
(Tamil Nadu): On a point of order, Madam...
(Interruptions)... He is making a serious charge... *(Interruptions)*...

THE VICE-CHAIRMAN (SHRI
MATI SUSHMA SWARAJ): He is
saying it on the floor of the House...
(Interruptions)...

SHRIMATI JAYANTHI NATARA-JAN: Madam, he has made a serious charge and the Minister says to him: "Please show us the papers, and prove it". So, he cannot continue speaking. He has to show the papers and prove it... *(Interruptions)*...

THE VICE-CHAIRMAN (SHRIMATI
SUSHMA SWARAJ): He says that he will supply the papers.

SHRI GURUDAS DAS GUPTA: I am saying this on the floor of the House...
(Interruptions)...

SHRI MANMOHAN SINGH: Madam, he is showing a different paper... *(In-*

terruptions)... Madam, he has levelled a very serious charge that after the scam, came to it, notice, the Reserve Bank of India issued explicit instructions to the banks to distort their balance sheets. I think this is a very serious charge and I think it has grave implications for the future of our monetary system. If the thing goes out, I think this nation will be badly hurt... *(Interruptions)*... If the Reserve Bank has done it, I will dismiss the person straightaway. I will also resign if he can substantiate his charge... *(Interruptions)*...

श्री विष्णु कान्त शास्त्री (उत्तर प्रदेश):
माननीय श्री मंत्री ने जो कहा है, वह मौखिक भी हो सकता है, लिखित नहीं भी हो सकता । ... *(व्यवधान)* ...

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज):
शास्त्री जी आप बैठिए... *(व्यवधान)*...

SHRI RAJUBHAI A. PARMAR
(Gujarat): It is not like that... *(Interruptions)*...

SHRI GURUDAS DAS GUPTA
Madam, I will clarify it... *(Interruptions)*...

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज):
गुरुदास दासगुप्त जी, आपने एक खास आरोप लगाया है कि इस स्कैम के मामले को जाने के बाद रिजर्व बैंक ने कुछ हिदायतें जारी की हैं, जिसमें कहा कि बेलेंस-शीट डिस्टॉर्टेड बनाइए । मंत्री जी का यह कहना है कि आप फैक्ट्स दीजिए । ...
(व्यवधान) ... जयंती जी आप बैठिए
माथुर जी आप भी बैठिए । एक मिनट...
(व्यवधान) ...

SHRI GURUDAS DAS GUPTA
I stand by it... *(Interruptions)*... Madam,
I stand by it... *(Interruptions)*... Madam, I
stand by it... *(Interruptions)*...

श्री प्रमोद महाजन : उम, मेरा
एक व्यवस्था का प्रश्न है । ...

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) : क्या है ? बोलिए ।

श्री प्रमोद महाजन : यह सदन कोई एक सदस्य के भाषण की जांच समिति नहीं है । माननीय सदस्य ने दस आरोप लगाए हैं । उसमें से मिनिस्टर एक चूज करते हैं उस पर रिएक्ट करते हैं । बाकी दस सारे के सारे आरोप के बारे में मिनिस्टर साहब जी की रिएक्शन चाहिए । यह नहीं जिसको चाहे उसको चूज करें । ... (व्यवधान)

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) : प्रमोद जी, यह कोई व्यवस्था का प्रश्न नहीं है । बाकी आरोपों का जवाब मंत्री जी अपने जवाब में देंगे ।

SHRI MANMOHAN SINGH: No. This is a very different charge... (Interruptions) .
..This is a very different charge ...
(Interruptions)...

श्री विष्णु कान्त शास्त्री : माननीय मंत्री जी कहते हैं कि फैंटस प्रोवाइड करें । मेरा यह कहना है कि वह निर्देश मौखिक हो सकते हैं, गोरल हो सकते हैं । जो माननीय सदस्य कह रहे हैं वह सच है कि नहीं, जो बैंक है उनसे फैंटस प्रोवाइड होगा । ... (व्यवधान)

उपसभाध्यक्ष श्रीमती (सुषमा स्वराज) : शास्त्री जी, आप किसकी अनुमति से बोल रहे हैं । आप बिना अनुमति लिए बोल रहे हैं । ... (व्यवधान) ...
गुरुदास दास गुप्ता जी प्रमोद जी का व्यवस्था का कोई प्रश्न नहीं है । बाकी आरोप का जवाब मंत्री जी देंगे अपने जवाब में उनका केवल यह कहना है कि एक आरोप आपने सदन में जो लगाया है कि उस स्कैम के घोटाले का पर्दाफाश होने के बाद रिजर्व बैंक में कोई हिदायतें जारी की हैं कि बेलेंस शीट डिस्टॉर्ड बनाई जाए या ऐसी बनाई जाए जिसमें घाटा न दिखाया जाए, यह आरोप आप किसी दस्तावेज के आधार पर लगा रहे हैं ? वह हिदायतें मौखिक हैं या लिखित हैं, इसके दस्तावेज आप उनको सप्लाई कर दें । साथ में उन्होंने यह भी कहा है कि अगर आप ऐसे दस्तावेज पेश कर देंगे... (व्यवधान)... जमेश जी, जब मैं बोल रही हूँ तो क्यों बीच में बोल रहे हैं ।

तो साथ में उन्होंने यह भी कहा है कि अगर ऐसे दस्तावेज आप पेश कर देंगे तो उस दस्तावेज की बिना पर जो भी व्यक्ति दोषी होगा उसे तुरन्त बरखास्त कर देंगे । मेरा आपसे निवेदन है, जिसके आधार पर आपने यह आरोप लगाया है यह दस्तावेज आप मंत्री जी को दे दीजिए । यह मेरी रूलिंग है... (व्यवधान) ... ।

SHRI GURUDAS DAS GUPTA: Madam, I have been here in this House for more than seven years and I know what the responsibility of a Member is and I also know what the responsibility of a Minister is... (Interruptions) ...

SHRIMATI JAYANTHI NATARAJAN: You show the papers to him... (Interruptions)...

SHRI GURUDAS DAS GUPTA: Madam, I wish there were not many Vice-Chairman and Deputy Minister in the House... (Interruptions)... I understand that every Member has a right to speak... (Interruptions)...

SHRI S. K. T. RAMACHANDRAN (Tamil Nadu): You have made certain serious allegations... (Interruptions) ... You substantiate them ... (Interruptions) ...

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): Let him complete his reply. You are not allowing him... (Interruptions)...

आप लोग बोलने तो दीजिए । ... (व्यवधान) ... आप लोग क्यों बीच में खड़े हो रहे हैं ? ... (व्यवधान) ... जो बात मंत्री जी ने कही है, वह बड़े सीधे शब्दों में मैंने रख दी । अब उनको जवाब देने दीजिए । ... (व्यवधान) ... आप बैठिए । उनको जवाब देने दीजिए । मैंने बड़े पाइटेड सवाल उनसे किए हैं, जो मंत्री जी ने बात की है ।

SHRI GURUDAS DAS GUPTA: Madam, only wish that the Member are allowed to give their assessment of the situation. I said that after the exposure, there have been clear-cut instructions to ensure that the banks do not show the real state of affairs in the balance-sheets. I not only stated this, but I gave an ex-ample.

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): You are repeating it.

SHRI JAGESH DESAI: In the case of Bank of Karad, action has been taken. It is more than enough. He cannot say like this... *(Interruptions)*

SHRI GURUDAS DAS GUPTA: Madam, what is this?

SHRI JAGESH DESAI: How can he say that it is being manipulated?

SHRI GURUDAS DAS GUPTA: Madam, I wish my right is protected. As a matter of instance, I gave Andhra Bank. As first instance, I gave Andhra Bank.

SHRI MANMOHAN SINGH: No, no. *(Interruptions)*...

उपसभाध्यक्ष (श्रीमती सुष्मा स्वराज):
मन्त्री जी, एक मिनट। आप लोग बैठिए।
... *(व्यवधान)*...

SHRI VIREN J. SHAH: Madam, I am on a point of order. *(Interruptions)*.

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): Kindly sit down. There is a point of order.

श्री संघ प्रिय गौतम : (उत्तर प्रदेश):
ओरल में हो सकता है... *(व्यवधान)*

श्री राम नरेश यादव (उत्तर प्रदेश):
ओरल की बात नहीं है, सदस्य ने कहा है कि... *(व्यवधान)*...

SHRI MANMOHAN SINGH: You produce that letter.

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): There is a point of order. Let me hear that.

SHRI GURUDAS DAS GUPTA: Madam, I said and I am repeating. I say that clear-cut instructions have been given. *(Interruptions)*. I say that clear-cut instructions have been given...

SHRI MANMOHAN SINGH: I am? sorry...

SHRI GURUDAS DAS GUPTA: ... to ensure that the banks do not show

the real state of affairs. As an example, I gave the instance of the Andhra Bank *(Interruptions)*.

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): There is a point of order. Let me hear that.

SHRI MANMOHAN SINGH: I am? sorry, he cannot be allowed to get away with it... *(Interruptions)*.

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): Let me hear the point of order.

SHRI VIREN J. SHAH: Madam, my point of order is that the hon. Member has said that a Member has a right to make a statement here. My question is: Can any Member make an assertion or a statement making allegations which cannot be substantiated. And here is a question of substantiating something in which so far Mr. Gurudas Das Gupta has not succeeded. He is going back to Andhra Bank. Nobody is disputing about Andhra Bank. The point is about the Reserve Bank giving a directive to distort the balance-sheets. And till now there is no substantiation of that. Are we going to go on with that or are we moving from that?

उपसभाध्यक्ष (श्रीमती सुष्मा स्वराज):
वही तो। जो आपका व्यवस्था का प्रश्न है, उस पर सवाल के रूप में मैंने खुद उनके सामने रखा।
(Interruptions)

श्री सुरेंद्रजीत सिंह अहलूवालिया :
महोदया, या तो गुरुदास दासगुप्त जी इसको प्रमाणित करें या सदन से माफी मांगें। इस तरह से सदस्य आरोप पर आरोप लगाए जा रहे हैं। अगर उसे प्रमाणित नहीं किया जा सकता तो वे सदन से माफी मांगें।... *(व्यवधान)*...

SHRI MANMOHAN SINGH: It is an anti-national act to level such charges against the Central monetary-authority of the country. *(Interruptions)*.

SHRI S JAIPAL REDDY: Madam ... *(Interruptions)*

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): Yes, Mr. Jaipal Reddy.

SHRI S. JAIPAL REDDY: Madam, I would like to make a submission. If I understood Gurudas Das Guptaji correctly, he did say that the RBI gave instructions...

THE VICE CHAIRMAN (SHRIMATI SUSHMA SWARAJ): He said, clear-cut instructions.

SHRI S. JAIPAL REDDY: But...

SHRI MANMOHAN SINGH: After this scam.

SHRI SUBRAMANIAN SWAMY: After the scam came to their notice.

SHRI S. JAIPAL REDDY: He did not say whether the instructions were written or oral. (Interruptions) Let us try and understand. We all make a common endeavour. We are not talking at cross purposes now. He cited the instance of Andhra Bank as proof of that. So, his assertion is an exercise in extrapolation.

SHRI MANMOHAN SINGH: No, This is not true. He did not say this; thing. (Interruptions)

SHRI GURUDAS DAS GUPTA: Madam, I have made a statement. I repeat my statement. There have been instructions not to show... (Interruptions)

श्री राम नरेश यादव : मैडम, रेड्डी साहब ने इसे और भी... (व्यवधान)... का काम किया है... (व्यवधान)... और तब माननीय मंत्री जी ने कहा कि इस तरह का दस्तावेज उनके सामने रखा जाए, हम कार्रवाई करेंगे... (व्यवधान)

SHRI GURUDAS DAS GUPTA: This type of impatience will lead the country nowhere. The point is, I am a responsible Member. Madam, I said... (Interruptions)

उत्सवाध्याय (श्रीमती सुषमा स्वराज): आप लोग बैठिए। एक मिनट बैठिए गुरुदास जी, एक बात जो वित्त

मंत्री जी ने कही, जिसको मैंने भी दोहराया कि आपने एक चार्ज लगाया है और आप उस चार्ज को बार-बार दोहरा रहे हैं। अब आप कह रहे हैं कि यू.स्टैंड बाई देट चार्ज। मैं आपसे यह पूछना चाहती हूँ कि आप यह आरोप किस आधार पर लगा रहे हैं, यह आधार तो बताइए सदन को?

SHRI GURUDAS DAS GUPTA: Madam, the point is... (Interruptions)

6.00 P.M.

SHRI GURUDAS DAS GUPTA: Let there be an investigation. (In*-terruptions). No, I am not withdrawing it.

श्री राम नरेश यादव ... (व्यवधान)
इन्को माफी मांगनी चाहिए।... (व्यवधान)

उत्सवाध्याय (श्रीमती सुषमा स्वराज): यह जो आरोप आपने लगाया है... (व्यवधान)

SHRI MANMOHAN SINGH: I seek your protection. This is not a party matter. Early in the morning when Dr. M. M. Joshi was speaking, he himself I think laid down the broad parameters and I must say most people have spoken with great restraint. We are talking about the country's monetary system. Reserve Bank of India may have made mistakes. The first two circulars that Mr. Gurudas Das Gupta was quoting did not accuse the Reserve Bank of wilful, fraudulent intent. Now what he said amounts to charging the Reserve Bank of India with deception that it deliberately issued the circular for falsifying the accounts. I think if this thing goes out of the House, it has grave consequences for our country's reputation internally and externally. I cannot allow this.

SHRI S. K. T. RAMACHANDRAN: This should be expunged.

SHRI JAGESH DESAI: They want to create a confusion.

SHRI P. UPENDRA (Andhra Pradesh) : I am on a point of order. If the hon. Member is not able to substantiate, that should not go on record and it should be expunged.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) : बजाय इसके कि मैं यहां से एक्सपंज करूँ, रुलिंग दूँ, मैं चाहूंगी कि यदि गुरु दास दासगुप्त जी इसको सब्सटेंसिएट नहीं कर सकते किसी डोक्यूमेंट्री एविडेंस से, तो खुद ही विदड़ा कर लें।

SHRI JAGESH DESAI: No, he must withdraw. It will have repercussions throughout the country.

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): This is what I am saying.

अगर वह सब्सटेंसिएट नहीं कर सकते तो वह इस चार्ज को विदड़ा करें। . . (व्यवधान) आपने मुझे सुना ही नहीं। . . (व्यवधान) . .

SHRIMATI KAMLA SINHA (Bihar) : He has already substantiated by quoting...

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) : कमला जी, एक बात को बारबार दोहराना सब्सटेंसिएट करना नहीं है।

SHRI S. K. T. RAMACHANDRAN; He is a responsible Member. He should withdraw. (Interruptions).

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): Mr. Bommai, are you on a point of order?

SHRI SOMAPPA R. BOMMAI (Orissa); Yes. My submission is, Mr. Gurudas Das Gupta has made a certain allegation, a charge that instructions were given by the Reserve Bank to manipulate the balance-sheet. Whether he substantiated the charge or not is the question before you. In my view, when he quoted the example of Andhra Bank where the representative of the Reserve Bank and the representative of the Finance Ministry colluded with the Chairman to manipulate the balance-sheet, what

does it amount to? Instructions were there to them, may be oral... (Interruptions). But instructions were there. Let me complete. Now what is the inference? If the representative of the Finance Minister and the representative of the Reserve Bank agree with the Chairman of the bank to manipulate the balance-sheet, what does it mean? And under whose instruction this is done? Therefore, Mr. Gupta has substantiated the charge... (Interruptions). Let me complete.

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): Let him complete; he is speaking. Let him complete.

SHRI SOMAPPA R. BOMMAI: The Finance Minister is talking of patriotism. He is talking of the interest of the nation. Now, the whole thing is known throughout the world. This scam is known to everybody. You have lost your credibility in the outside world. (Interruptions).

SHRI MANMOHAN SINGH; He has not substantiated it. (Interruptions)

SHRI SOMAPPA R. BOMMAI: You have lost your credibility. (Interruptions)

SHRI S. K. T. RAMACHANDRAN: You are responsible for it. You have mismanaged the country. (Interruptions). You have no right to speak. (Interruptions).

SHRI SOMAPPA R. BOMMAI: Madam, let me complete. (Interruptions).

SHRI V. NARAYANASAMY: Mr. Bommai is a senior leader. He should understand. (Interruptions). The Andhra Bank issue is different. The Reserve Bank of India issue is different.

SHRI S. K. T. RAMACHANDRAN: What is Mr. Bommai's point of order.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
बोम्मा जी, आप बैठिए। मैं चाहती थी कि जितने बाकी आरोप लगे हैं उन आरोपों का जवाब तो बाद में मंत्री अपने जवाब में दे ही देंगे लेकिन इस खास आरोप के बारे में मंत्री जबकि यह अभिग्रह था कि अगर आप इसको सबस्टेंशिएट करते, कोई दस्तावेज अगर आपके पास है, कोई और कागज आपके पास है या कोई मौखिक विवायत का सबूत आपके पास है, तो आप सबस्टेंशिएट करते तो अच्छा रहता। मैंने चेहा था कि सबस्टेंशिएट न करते तो विदड़ा करते। देखिए, कोई असंसदीय बात कहीं नहीं गई है।... (व्यवधान)

AN. HON. MEMBER: Any allegation that cannot be substantiated must be withdrawn. (Interruptions)

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
मेरी नसब में यह आता है, मैं एक राय आपको देना चाहूंगी कि जो आरोप लगा है इसमें कोई असंसदीय बात नहीं है, इसलिए यहां से तो एक्सपंज नहीं हो सकता। मैंने रिकवैस्ट किया कि वह विदड़ा कर लें, वह विदड़ा नहीं कर रहे हैं। तो मेरी राय में जब आप जवाब दें तो आपके पास पूरा-पूरा अवसर होगा कि आप उसको नकार दें और यह साबित कर दें कि यह आरोप गलत है। मुझे लगता है कि इस मामले को आगे न बढ़ाकर हम बहस को जारी रखें। इस लिए बेहतर होगा कि आप अपने जवाब में इस आरोप को गलत साबित कर दें।
..... (व्यवधान)।

आप मुझे यह बताइये कोई अनपार्लियामेंटरी बात तो आरोप में है नहीं, मैं यहां से एक्सपंज कैसे कर दूँ? मैंने पूरी कोशिश की कि अगर यह सबस्टेंशिएट नहीं कर सकते, तो विदड़ा कर लें। अगर वह विदड़ा नहीं करते, तो कोई रास्ता निकालना है कि नहीं?
(व्यवधान)

श्री सुरेन्द्रजीत सिंह अहलुवालिया :
कोई भी सदस्य कोई भी आरोप लगाये
..... (व्यवधान)

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
आपको पूरी अपार्लियामेंटी मिलेगी कि आप उसको नकार दीजिए, उसको गलत साबित कर दीजिए।

श्री सुरेन्द्र सिंह अहलुवालिया :
साबित करना और आरोप लगाना अलग बात है... (व्यवधान)

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
आरोप को गलत साबित करने का अवसर आपके पास है... (व्यवधान)

SHRI MANMOHAN SINGH: I would say that what Mr. Gupta and what Mr. Bommai have said are hollow. They have not substantiated. (Interruptions)

SHRIMATI JAYANTHI NATARAJAN: Madam, I am on a point of order. (Interruptions)

SHRI P. UPENDRA: Madam, I want to point this out. It arises out of your ruling. (Interruptions). You say that it is for the Finance Minister to rebut it or disprove it. It is not correct. (Interruptions)

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): Mrs. Jayanthi Natarajan is on a point of order. (Interruptions)

SHRIMATI JAYANTHI NATARAJAN: Madam, my point or order is this I would like to draw your attention to rule 261. It says:

"If the Chairman is of opinion that a word or words has^{or} have been used in debate which is or are defamatory or Indecent or unparliamentary or undignified, he may, in his discretion, order that such word or words be expunged from the proceedings of the Council."

My point of order is... (Interruptions)
You cannot say what my point of order, is. I cannot say what you want me to say. Madam, you said that it was not unparliamentary

[Shrimati Jayanthi Natarajan]

My point is, what he said is defamatory. It is about the Governor of the Reserve Bank, of India.

SHRI PRAMOD MAHAJAN: Under this rule, his entire speech is defamatory. The whole speech must be expunged. (*Interruptions*)

SHRIMATI JAYANTHI NATARAJAN: Madam, I have not finished. The Governor of Reserve Bank is not here in this House to defend himself. The Finance Minister has gone so far to say that if these charges are proved, he will dismiss the Reserve Bank Governor. 'Now the career and reputation of a man is involved. You are making allegations against him and if you do not substantiate... (*Interruptions*)'. The Member has protection under the privileges of this House, but if he had made the same statement outside, he could have been dragged through the court.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
जो रूल आप कोट कर रहे हैं उसमें
एक्सपंज करने के लिए चार चीजें हैं
तब एक्सपंज हो सकता है।...

SHRI M. M. JACOB: Just one sentence Madam, before you give your ruling.

If an allegation made on the floor of this House is not substantiated, it must be expunged from the record of the House. If he is not withdrawing, it must be expunged.

श्री बिष्णु कान्त शास्त्री : महोदया, मेरा निवेदन है कि प्रमाणित करने की बात कहीं जा रही है। प्रमाण कई तरह के होते हैं। प्रमाण प्रत्यक्ष होता है, प्रमाण अनुमान होता है। मेरा निवेदन है कि अनुमान के आधार पर गुरुदास दासगुप्त कहते हैं कि जब रिजर्व बैंक की तरफ से ग्रीन फाइनैस मिनिस्ट्री की तरफ से अधिकारियों ने जाली कामों का सर्वेक्षण करना चाहा, जहाँ जहाँ धूँआ है वहाँ वहाँ आग है, यह संगत अनुमान है (*व्यवधान*)

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :

यह कोई प्वाइंट आफ ऑर्डर नहीं है। आप बैठ जाइए, आपकी बात समय में आ गई ... (*व्यवधान*)

Yes, Mr. Dipen Ghosh, you wanted to say something. (*Interruptions*). Mr. Bommai, you have taken your time. I am identifying Mr. Dipen Ghosh.

SHRI DIPEN GHOSH: Mr. Gurudas Das Gupta has stated that the Reserve Bank of India has issued certain instructions to a certain bank, pertaining to certain things. It may be right or wrong, it may be based on incorrect information or half truth. It may be either way, but the Minister has rebutted it. Both have gone on record and the matter is over.

THE VICE-CHAIRMAN (SHRIMATI SUSHMA SWARAJ): That is what I was saying. I was going a step ahead that he will have another opportunity to rebut these charges at the time of reply. (*Interruptions*). Yes, Mr. Morarka.

SHRI KAMAL MORARKA: I think the heat generated on the issue is disproportionate. This whole issue is full of allegations. Everyday they are speaking of Harshad Mehta who has no recourse to answer here. This is an accepted norm of this House that we should not make allegations against a person who cannot defend himself in the House, but Government officials do not fall in that category. They have their Minister to rebut on their behalf any charges, howsoever unfounded they may be. Particularly in this case the Governor of Reserve Bank in the press interviews has been much more indiscreet against politicians. So, nobody should object to it. The Minister is fully within his right to rebut these charges.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) : जो बातें आपने कहीं हैं या दीपेन घोष ने कही है वह मैं कह चुकी हूँ। जब वह गिद्दा नहीं कर रहे हैं तो एक्सपोज करने का कोई कारण नहीं है जो चार चीजें लिखी गई हैं उनके आधार पर। उन्होंने जो आरोप लगाया वित्त मंत्री जी ने बीच में खड़े होकर उनको रिबट किया, उनका खंडन किया। जब वह रिप्लाय देंगे तो उनको और अवसर मिलेगा उनका खंडन करने का। उन्होंने खंडन बीच में ही कर दिया। जो एक रांग सिग्नल जाने की बात थी गुरुदास दासगुप्त की, वह तभी खत्म हो गई। लेकिन जिस समय आप जबाब देंगे उस समय कुल फेक्ट्स प्रमाण के साथ रख कर उसका खंडन कर सकते हैं। इसमें कोई ऐसी चीज नहीं है जिसको मैं एक्सपोज करूँ। वह गिद्दा नहीं कर रहे हैं। (व्यवधान) अग्नि सदन को चलाना है या नहीं? (व्यवधान) मेरी समझ में यह सत्र समाप्त समझिए।

Dr Subramanian Swamy, I am calling you to speak. Not on this; I am calling you to participate in the debate. .. (Interruptions) ...

गुरुदास दासगुप्त जी आप बहुत बोल चुके हैं। आप अपनी स्पीच समाप्त समझिए। अब सुब्रह्मण्यम स्वामी जी बोलेंगे। (व्यवधान)

डा० अबरार अहमद (राजस्थान) : मैं इस बिजुट पर नहीं बोल रहा हूँ। मैं जरूरी सूचना देना चाहता हूँ। कल माननीय गृह मंत्री जी ने जब सदन में वक्तव्य दिया था तो यह कहा था कि शत्रु के मुख्य मंत्री से इस बात का पुरा आश्वासन मांगा है कि वहां पर राम मंदिर का कार्य प्रारम्भ नहीं होगा। यह अभी सूचना मिली है कि वहां राम मंदिर का निर्माण शुरू हो गया है। (व्यवधान)

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) : विषयसार की मैं आपको अनुमति नहीं दे रही हूँ। (व्यवधान)

डा० अबरार अहमद : गृह मंत्री जी सदन को बतायें कि वहां मंदिर का निर्माण कार्य प्रारम्भ हुआ है या नहीं? (व्यवधान)

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) : मैं विषयसार की अनुमति नहीं दे रही हूँ।

डा० अबरार अहमद : वह सदन को विश्वास में और धक्का दें। (व्यवधान)

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) : एक विषय पहले से चल रहा है और आप दूसरा विषय ले आये। This is not the Zero Hour... (Interruptions) ..

SHRI V. NARAYANASAMY:
Madam, I demand (Interrup-
tions) ...

SHRI SUBRAMANIAN SWAMY: It
is going on. .. (Interruptions) ...

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) : इस डिबेट के अलावा और कोई बात नहीं होगी। (व्यवधान) जो विषय इस समय सदन के सामने हैं उसके अलावा किसी और विषय को लेते की अनुमति मैं नहीं दे रही हूँ। विषयांतर की अनुमति नहीं है। डिबेट खत्म हो जाय तब बोल लीजियेगा। (व्यवधान)

श्री सुरेंद्रजीत सिंह अहलुवालिया :
12 करोड़ मुसलमानों की जिन्दगी खतरे में है। (व्यवधान)

श्री जगदीश प्रसाद माथुर (उत्तर प्रदेश) : मैं यह कहना चाहता हूँ... (व्यवधान)

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) : माथुर जी मैं आपको अनुमति नहीं दे रही हूँ। (व्यवधान) इस समय जो विषय सदन के सामने हैं वह समाप्त हो जाय तब इसको उठा सकते हैं।

(श्रीमती सुषमा स्वराज)

मैं विषयांतर की अनुमति नहीं दे रही हूँ। (व्यवधान)।

SHRI V. NARAYANASAMY: We demand a statement from the Government. ... (Interruptions) ...

THE VICE-CHAIRMAN (SHRI-MATI SUSHMA SWARAJ): I am not permitting you to raise this issue. -No Dr. Subramanian Swamy.

SHRI S. S. AHLUWALIA: It is a very important issue... (Interruptions) ...

SHRI SUBRAMANIAN SWAMY: You cannot hear me... (Interruptions) ...

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज): सुब्रह्मण्यम स्वामी जी, आप बोलना चाहते हैं, तो बोलिये। मैं सुन रही हूँ।

श्री सुरेशजीत सिंह ग्रहसुबालिया : यह बहुत ग्रहम सवाल है। (व्यवधान)।

डा० अब्दुर रहमन : यहां पर मंदिर का निर्माण हो रहा है या नहीं इस पर मंत्रीजी वक्तव्य दें। (व्यवधान) :

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज): यह दूसरा विषय है। इस समय एक विषय सदन के सामने है। आप रुट्स का हवाला देते हैं। यह भी सदन के नियमों में लिखा हुआ है कि एक विषय समाप्त हो जाये तब दूसरा विषय लिया जाये। मैं आपको अनुमति नहीं दे रही हूँ। (व्यवधान) आप इतनी देर इन्तजार नहीं कर सकते। (व्यवधान) यह विषय समाप्त हो जाय तब बोल लीजियेगा। मैं इस समय विषयांतर की अनुमति नहीं दे रही हूँ। (व्यवधान)

श्री मोहम्मद खलीलुर रहमान (आंध्र प्रदेश): अब यह आ गया है, इस पर स्टेटमेंट होनी चाहिये। इसको रोक कर बात की जा सकती है। (व्यवधान)।

شری محمد خلیل الرحمن: اب یہ آگیا ہے۔ اس پراسیڈنٹ ہونی چاہیے۔ اس کو روک کر بات کی جاسکتی ہے۔

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज): जो विषय सदन के सामने है, वह समाप्त हो जाये तब बोलियेगा। विषयांतर की अनुमति नहीं दूंगी (व्यवधान)।

श्री मोहम्मद खलीलुर रहमान इन्फरमेशन आनी चाहिए। स्टेटमेंट आनी चाहिये। (व्यवधान)।

شری محمد خلیل الرحمن: انفارمیشن آئی چاہیے۔ اسیشنٹ آئی چاہیے "مدخلت"

श्री सुरेशजीत सिंह ग्रहसुबालिया : हमें सूचना मिली है कि यू०पी० सरकार न वहां पर मंदिर निर्माण की परमिशन दे दी है। और कंस्ट्रक्शन का काम चल रहा है। ... (व्यवधान)।

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज): इस तरह से बीच में यह मसला नहीं आयेगा। इस प्रकार से विषयांतर नहीं होगा। अगर यह गम्भीर मसला है तो इस डिबेट के समाप्त होते ही हम इसको लें लेंगे। इस प्रकार से मैं इस विषय पर बोलने नहीं दूंगी। श्री सुब्रह्मण्यम स्वामी जी आप बोलिये... (व्यवधान)। इस विषय पर डिबेट खत्म हो जाय तो आप चाहे सदन को 11 बजे तक चलाइये।

डा० अब्दुर रहमन : गृह मंत्री जी को सदन को विश्वास में लेना चाहिये और बताना चाहिये कि यह घटना गलत है या नहीं है और अगर गलत है तो कहें, गलत है और सही है, तो कहें कि सही है... (व्यवधान)।

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज): इस विषय को आप बाद में उठा सकते हैं।

I am on my legs. Kindly sit down. I am on my legs. Kindly sit down.

अगर सदस्य किसी इंफॉर्मेशन पर उत्तेजित हैं और उस पर सूचना लेना चाहते हैं तो पहले इस डिबेट को खत्म होने दीजिये। उसके बाद सदन अगर 11 बजे तक भी आप चलाना चाहते हैं तो हम बठने को तैयार हैं। जो विषय सदन के सामने हैं उस पर पहले बहस होनी चाहिये... (व्यवधान)। गृह मंत्री जी कुछ कहना चाहते हैं। Yes, Mr. Jacob, do you want to say something? If you want to say something, I would not object. What do you want to say? (Interruptions).

SHRI M. M. JACOB: I was only listening to the demand made by the hon. Members. (Interruptions)

THE VICE-CHAIRMAN (SHRI MATI SUSHMA SWARAJ): Let him say something. I have given him the permission.

SHRI M. M. JACOB: I was listening to the demand made by the hon. Members about the condition in Ayodhya. They were alleging that the construction has been started in Ayodhya. I will certainly get back immediately I will go out and find out the truth and come back to you.

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज): यह मसला अब यहां पर खत्म होना चाहिये। गृह मंत्री जी ने कह दिया है कि वे सूचना लेने जा रहे हैं। वे सूचना लेने चले गये हैं। सूचना लेकर सदन में आयेंगे... (व्यवधान)

He has said it. He is going to collect the information.

SHRI V. NARAYANASAMY: He should come back in five minutes and tell this House about it

THE VICE-CHAIRMAN (SHRI MATI SUSHMA SWARAJ):

I do not know. I cannot fix the time-limit that he must come within five minutes. How can I fix the time-limit? He is a Minister in your Government.

You will have the information. Let the

गृह मंत्री जी कह कर गये हैं कि वे सूचना लेने जा रहे हैं और फैक्ट्स इकट्ठा करके सदन में आयेंगे। इतनी देर में क्या यह डिबेट भी नहीं चले?

श्री भुवनेश्वर कालिता (असम): महोदया, यह बड़ा अहम मसला है।

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज): अहम मसला है, तभी तो गृह मंत्री जी पता करने गये हैं। जब तक गृह मंत्री जी आते हैं तब तक क्या सदन को चलने नहीं देगे?

The Home Minister has gone to collect the information. He will come back to the House.

गृह मंत्री जी सूचना इकट्ठा करने गये हैं। श्री सुब्रह्मण्यम स्वामी जी आप बोलिये... क्या इस तरह से आप सदन में अव्यवस्था करेंगे और सदन को स्थगित करेंगे? Home Minister come with the information.

जब तक गृह मंत्री जी सदन में आते हैं तब तक दूसरी बहस चलेगी। श्री सुब्रह्मण्यम स्वामी जी आप बोलिये... (व्यवधान)। इस तरह से क्या आप सदन को एडजर्न करेंगे? हाऊस के सामने डेफिनेट डिबेट चल रही है। जब तक सदन में गृह मंत्री आयेंगे तब तक यह डिबेट चालू रहेगी।... (व्यवधान) होम मिनिस्टर जब तक लौट कर आयेंगे तब तक यह डिबेट चालू रहेगी। Yes, Dr. Subramanian Swamy.

SHRI SUBRAMANIAN SWAMY: I cannot hear myself. How can I speak?

श्री सुरेन्द्रजीत सिंह अहलूवालिया :
महोदया, इस पर मंत्री जी का क्या...
(व्यवधान)...

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
अहलूवालिया जी, आप इतने वरिष्ठ
सदस्य हैं। जब तक वेन नहीं आयेंगे तब तक
हाउस क्या करेगा? ... (व्यवधान)...
वह गये हैं, आपके सामने गये हैं। वे
इन्फोर्मेशन कलेक्ट करके जायेंगे।

SHRI SUBRAMANIAN SWAMY: It
appears that I am going to say something
which Members do not want to...
(Interruptions)

श्री मोहम्मद खलीलुर रहमान : आप
उनको हाउस में बुलवाइये। (व्यवधान)

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
वे हाउस से आपके सामने हो गये हैं
... (व्यवधान)... इन्फोर्मेशन कलेक्ट करके
वे आयेंगे। बिना इन्फोर्मेशन कलेक्ट किये
वे कैसे आ जायेंगे? तब तक के लिये
हाउस एडजर्न नहीं होगा। हाउस के
सामने एक डेफिनेट डिबेट है, तब तक
हाउस अपना काम करेगा। जैसे ही गृह
मंत्री आयेंगे वे अपना वक्तव्य देंगे।
तब तक क्या आप हाउस नहीं चलने
देंगे?

डा० अबरार अहमद : यह देश
और देश के संविधान से संबंधित सवाल
है।

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
जब सदन में गृह मंत्री आयेंगे तब यह
होगा तब तक यह डिबेट चलती
रहेगी।

श्री भुवनेश्वर कालिता : तब तक
हाउस कैसे चल सकता है?

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
हाउस बिना किसी काम के क्या खाली
बैठा रहेगा। आपके सामने गृह मंत्री
गये हैं। वे सूचना लेकर लौटने को

कह गये हैं। जब तक वे नहीं आते क्या
हाउस इस रीनसमें रहेगा। जो विषय
डिबेट के लिये हाउस के सामने है वह
तक चलेगा या नहीं चलेगा। आप
बोलिये।

Dr. Swamy, you start speaking Otherwise I
will call Prof. Saurin Bhattacharya.

श्री भुवनेश्वर कालिता : गृह मंत्री
को बुलाइये।

we want a statement from the Minister just
now. The House should be adjourned till the
Home Minister comes here. (Interruptions)

SHRI SUBRAMANIAN SWAMY: You
call the Marshal and have them evicted
(Interruptions).

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
सुब्रमण्यम स्वामी जी की बात रिकार्ड
पर जायेगी और किसी की बात रिकार्ड
पर नहीं जायेगी। (व्यवधान)... क्या
आप हाउस का काम चलने नहीं देना
चाहते।... (व्यवधान)...

श्री भुवनेश्वर कालिता :*

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
आयेंगे तभी तो स्टेटमेंट देंगे। वे गये
हैं।

श्री सुरेन्द्रजीत सिंह अहलूवालिया :*

श्री भुवनेश्वर कालिता :*

उपसभाध्यक्ष (श्रीमती सुषमा स्वराज) :
वह गये हैं इन्फोर्मेशन कलेक्ट करने। जब
तक वे लौटकर आते हैं हाउस के सामने
जो विषय है तब तक उसको हाउस में
चलने दीजिये।

SHRI H. HANUMANTHAPPA: So far
the Business Advisory Committee has not
met, they have not yet decided that we
should sit beyond 6

*Not recorded.

o'clock. So we cannot sit beyond 6 o'clock. You should adjourn the House.

SOME HON. MEMBERS: Yes.

SHRI H. HANUMANTHAPPA: Now you can adjust the House. The business can be taken up tomorrow. .. (*Interruptions*) .. Yesterday, with the consent of the Members the sitting of the House was extended. The Business Advisory Committee has not yet decided about it. So you adjourn the House. .. (*Interruptions*)..

SHRI S. JAIPAC REDDY- The Chair has identified me.

Madam, I think the Members are exercised over a very legitimate and urgent issue. The Home Minister deemed it fit to respond and he went out to get the information. But then

the importance of the issue- is so overarching, the Members are not prepared to transact any other business. I think the Chair must take note of this mood of the House. .. (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI MATI SUSHMA SWARAJ): If the House is in no mood to sit and transact the business, I adjourn the House till eleven of the clock tomorrow. This debate will be taken up on Tuesday, not on Monday, because on Monday there is Presidential election.

The House then adjourned at thirty-two minutes past six of the clock till eleven of the clock on Friday, the 10th July, 1992.