

with the request that the old timetable of the Vizag-Bhubaneswar—Dum Dum planes be restored so that it will facilitate matters so far as the passengers from Bhubaneswar are concerned.

श्री रवी राय (उड़ीसा) : उपाध्यक्ष सहोदय, हम भरत महन्ती की बात का समर्थन करते हैं ।

RE. DISCUSSION IN THE MATTER OF ISSUE OF IMPORT LICENCES TO CERTAIN PARTIES OF YANAM AND MAHE

MR. DEPUTY CHAIRMAN: Yes, Mr. Niren Ghosh, you start discussion under Rule 176.

SHRI SALIL KUMAR GANGULI (West Bengal): Point of order, Sir.

श्री बनारसीदास (उत्तर प्रदेश) : पहले सी. बी. आई. की रिपोर्ट पेश की जाय ।

MR. DEPUTY CHAIRMAN: I call Mr. Ganguli, who is on a point of order.

SHRI SALIL KUMAR GANGULI: My point of order is this. In the course of the discussions, the hon. Chairman has allowed that questions will be asked with regard to the contents of the C.B.I. report. The Government is taking a stand that this C.B.I. report will not be placed on the Table of the House. Now, Sir, I want to know what would be the procedure with regard to this because the Government is taking the plea that since the matter is *sub judice*, they are not in a position to place the report on the Table of the House. I want to draw your attention to the provisions of the Constitution and the provisions of the criminal law and the rulings of the Supreme Court which clearly lay down that parallel enquiry is permissible, particularly so when the offences committed may be in the course of the

same transactions and may lead to different punishments for different kinds of offences. One is against Parliament and the other is against the ordinary law of the land. Now, Sir, in the course of discussion questions will be asked as to the propriety or admissibility of a question and you will be governed by the provision in the rules that the question shall not ask for information on a matter which is under adjudication by a court of law having jurisdiction in any part of India. Now, I want to point out that no court of law has jurisdiction over a breach of privilege of Parliament, misleading Parliament and this question relates to parliamentary privilege. Therefore, the question of taking shelter behind *sub-judice* does not arise at all. Now, the courts of law have no jurisdiction over Parliament. Parliament having exclusive jurisdiction, in the course of discussion if the Government refuses to place the report on the Table, which is the crucial basis on which the entire discussion rests, will it not amount to contempt of the House, breach of privilege of the House, and an unreasonable refusal on the part of Government to answer proper questions put by Members? That is my question.. I want a ruling from you on this point.

SHRI D. D. PURI (Haryana): Sir, this matter seems to have come up before this House as far back as the 26th February, 1965....

SHRI RAJNARAIN (Uttar Pradesh): That was a different thing.

SHRI D. D. PURI: If you will kindly permit me....

MR. DEPUTY CHAIRMAN: Please go ahead.

SHRI D. D. PURI: It was very different because the person in that case was the hon. Shri Biju Patnaik. So, it is completely different. I agree with Mr. Rajnarain.

श्री राजनारायण : उस में क्वेश्चन इन्दिरा नेहरू गांधी का जो था और हमारे पास फोटो स्टेट कापी है। यदि आप चाहते हैं तो श्रीमती इन्दिरा नेहरू गांधी जी ने जो चिट्ठी लिखी है यहां मेरे पास उस का फोटोस्टेट कापी है, मैं उस को आप के सामने पढ़ देता हूं।

श्री एन० एन० मिश्र : गनर

SHRI RABI RAY: On 6-11-1959.

SHRI NIREN GHOSH: Demanding money.

MR. DEPUTY CHAIRMAN: Let him speak. Silence please. He is making a point of order.

SHRI D. D. PURI: I can assure the House that I would not have mentioned the name of Shri Biju Patnaik if Mr. Rajnarain had not interrupted me. We are dealing with a very important matter, whether the report of the CBI in similar circumstances when the matter goes to court should be placed on the Table of the House or not. The ruling was given by Dr. Zakir Husain on the 26th February, 1965. The ruling says: Not only shall the report not be placed on the Table of the House, but any reference to that report is also ruled out. I would respectfully submit that the rule quoted by my hon. friend, Mr. Ganguli, is this. He has referred to a rule under the heading 'Questions'. The real rule is No. 238 at page 102. A member while speaking shall not merely confine to interpellations. A member while speaking shall not refer to any matter of fact on which a judicial decision is pending. This is in rule 238(i). I am not going into the details of the matter. The matter of Shri Biju Patnaik is on all fours with the situation in which the House finds itself today. Therefore, that ruling should bind the House.

MR. DEPUTY CHAIRMAN: Mr. Bhupesh Gupta.

SHRI SALIL KUMAR GANGULI: On a point of order which arises out of the answer of the Government party's spokesman.

MR. DEPUTY CHAIRMAN: No. You have made your point and he has made his point.

SHRI SALIL KUMAR GANGULI: The point of order arises. Kindly allow me to clarify.

MR. DEPUTY CHAIRMAN: Mr. Bhupesh Gupta.

SHRI SALIL KUMAR GANGULI: Will you kindly allow me, Sir?

MR. DEPUTY CHAIRMAN: This cannot go on.

SHRI SALIL KUMAR GANGULI: Rule 238 leads to this conclusion that this discussion cannot be permitted at all because reference will be made to the Report regarding the conduct of these persons, where a decision is pending. Therefore, this discussion cannot be held if the Government wants to take up that plea.

SHRI BHUPESH GUPTA (West Bengal): Because we are not making noise, therefore you think we are not confused. We are confused....

MR. DEPUTY CHAIRMAN: I do not think so....

SHRI BHUPESH GUPTA: ..because in the morning we were given to understand by our friend, Mr. Niren Ghosh, and others that nothing could be taken up unless the CBI Report had been placed. As a result, our Calling Attention Motion could not be properly tackled and whatever Mr. Kalyan Roy said could not be heard. What I say is this, that you cannot have double standards (*Interruptions*). I am coming; double standard is double standard even if somebody does not recognise it and has no standard at all.

I am telling you, you listen. I know you are having Patnaik's letter.

SHRI RAJNARAIN: There are not only one letter, so many letters.

SHRI BHUPESH GUPTA: My first request is this. When Mr. Kalyan Roy spoke, the House was entitled to hear him. I could not hear a word because of the noise created and therefore I would suggest that that position should be rectified, namely, Mr. Kalayan Roy, whenever he comes, should be allowed to say what he had to say then so that hon. Members of the House could hear him. Now, Sir, there will be something we will hear it. You did not hear it. Did you hear? Has it gone on record, anything? If anything has gone on record....

MR. DEPUTY CHAIRMAN: Everything has gone on record.

SHRI BHUPESH GUPTA: The noise has gone on record.

MR. DEPUTY CHAIRMAN: What he said, it has gone on record.

SHRI BHUPESH GUPTA: Then, I think your mechanism is excellent, it eliminates the noise and records it. I do not have such a contrivance or device or gadget with me. What Mr. Kalyan Roy said I did not hear. Therefore, it stands to reason that Mr. Kalyan Roy should be allowed at an appropriate time—that I leave it to you—to state what he had to say over a matter of public importance, the Calling Attention Motion.

Secondly so far as the discussion is concerned, we would have been very happy; and I will still insist that you should have the CBI Report. I shall not go to you with folded hands but all the same, I would insist upon the Report being given. Now, the Government has not given it. How do we discuss it? We will discuss it even so. I do not have any objection. I think they have changed their mind. Now, they will discuss it. Previously the position was that unless it was given, nothing will be done. I am not objecting. We have given our names. It is very good that you have changed your mind.

That brings me to another point. Nothing is *sub judice* so far as Parliament is concerned. That point should be clear in the beginning. I hope nobody in Parliament will raise objection to anything that is uttered on the ground that it is *sub judice*. Parliament is supreme and sovereign, and we do not accept the position, especially over a matter of this kind, that the discussion should be throttled by this plea; nothing is *sub judice*, especially when an MP, though not of this House but the other House, is involved and especially when the names that have figured are mostly of MPs including Ministers, as everybody knows. But that affects the dignity and honour of Parliament. Therefore, I hope, as the discussion proceeds, you will not allow any interference on the ground that it is *sub judice*. Thirdly, Sir, if the Government has no technical objection they should show the report to you. I do not see any reason for technical objection. Sir, the report has been shown to the Speaker. Do I understand that the Chairman of this House is not entitled to see what the Speaker in that House has seen? Therefore, it should be shown to the Chairman..

DR. RAMKRIPAL SINHA (Bihar): It should be placed before the House.

SHRI BHUPESH GUPTA: You do not understand. Of course, I have said it before. There is no difficulty. After the Chairman has seen it he can call Members from all sides together and show them the document. I would prefer a Parliamentary Committee, I repeat, for that. Sir, the question arises that it will be divulged. Then why not reveal it to the House? The position can be taken that some of the proceedings in such a committee would be kept secret, of course, by agreement. Sir, that this is being treated in this manner I cannot understand. We should not be kept absolutely in the dark in this matter. Here is a report which the Government owns and on the basis of which certain charge sheets have been filed. I have got a copy of the charge sheet. It is a

[Shri Bhupesh Gupta]

huge document. The question arises: Have the charges been framed on the basis of the report? That is a relevant point. How these things are going to be taken up? Therefore, kindly consider it. Give some ruling. I say the C.B.I. report should immediately come to a Parliamentary Committee.

SHRI NIREN GHOSH (West Bengal): I am on a point of order. Sir, this discussion cannot go on without the C.B.I. report being placed on the Table of the House. I will try to convince you why I am making this point.

MR. DEPUTY CHAIRMAN: Enough has been said on this. You are only going to repeat.

SHRI NIREN GHOSH: There are serious things. The C.B.I. report reveals only a part of the scandal. Even that has not come before the House. That is why I want to make out that point. Shri L. N. Mishra made this statement....

MR. DEPUTY CHAIRMAN: Mr. Niren Ghosh, you are going to initiate the discussion. At that time you can bring in all these things....

SHRI NIREN GHOSH: I am saying he denied....

MR. DEPUTY CHAIRMAN: I have not yet completed my sentence or you do not want me to complete the sentence. I am trying to say something and before I could complete my sentence you keep on saying "No, no".

SHRI NIREN GHOSH: I was proceeding to make out my point of order....

MR. DEPUTY CHAIRMAN: What I am trying to point out to you is that if you are going into the merits of this and that, why not go into it when you initiate the discussion? As far as your point about the C.B.I. report is concerned....

SHRI NIREN GHOSH: That is exactly the point I am keeping myself confined to. This C.B.I. report will reveal that Shri Lalit Narayan Mishra is involved in this. Here are two documents that were seized by the C.B.I. from district Saharsa where in his father's name a school was started. There is the duplicate copy in this C.B.I. report. Mr. Lalit Narayan Mishra's Private Secretary, Mr. A. K. Misra, wrote out that memorandum signed by Mr. Tulmohan Ram. And this has been seen by the C.B.I. This is the exact copy.

MR. DEPUTY CHAIRMAN: Let me dispose of the points of order. Then you can make your speech.

SHRI NIREN GHOSH: This is the point of order. That is my point. It is not being placed on the Table. His Personal Secretary wrote out that memorandum signed by 21 MPs. All these signatures were genuine. Then Tulmohan Ram says that he would come with Rs. 2½ lakhs....

MR. DEPUTY CHAIRMAN: You are starting the discussion.

SHRI NIREN GHOSH:for the Rabinandan Higher Secondary School. (Interruption) This is a document seized by the CBI.

MR. DEPUTY CHAIRMAN: Mr. Ghosh, Mr. Shekhawat has a point of order.

SHRI NIREN GHOSH: This is the document copy attested by the police. Unless the CBI report is placed on the Table, we cannot discuss these things.

SHRI SALIL KUMAR GANGULI: How do we know whether these things are included in that report?

MR. DEPUTY CHAIRMAN: Mr. Niren Ghosh seems to know everything.

SHRI NIREN GHOSH: The police officer seized the documents from Kaleshwar Mandal, Mukhia Gram

Panchayat Saroni, where the school is situated, he gave this document...

MR. DEPUTY CHAIRMAN: Mr. Niren Ghosh, you have made your point.

SHRI NIREN GHOSH: Unless the CBI report is placed on the Table—Lalit Narain Mishra is involved in this scandal, D. P. Chatterjee and many MPs are involved in this scandal; and the Prime Minister is going to shield them—we have nothing to discuss. That is the main point. Without the CBI report, this Yanam licence scandal cannot be discussed.

MR. DEPUTY CHAIRMAN: You have made your point. Yes, Mr. Shekhawat.

श्री राजनारायण : श्रीमान् मैं एक स्पष्टीकरण करना चाहता हूँ। आपकी आज्ञा से कि श्री भूपेश गुप्त ने इस सदन में जो पौड्ट आफ आर्डर पर क्विटावादा खड़ा किया है मैं चाहता हूँ उसके गढ़ को उखाड़ दूँ। श्री भूपेश यह चाहते थे कि अपने अखबार पैट्रियट में लिखवाने के लिए कि हमने सबेरे उनका कालिग अटेंशन इसलिए नहीं होने दिया क्योंकि उनके कालिग अटेंशन में महत्वपूर्ण विषय था। श्रीमान्, कालिग अटेंशन और स्पेशल मेन्शन दोनों में बड़ा फर्क है। कालिग अटेंशन में मूल चीज है कि सरकार की ओर से जवाब आता है और जो स्पेशल मेन्शन होता है उसमें सरकार की ओर से कोई स्पष्टीकरण नहीं होता है, उस में जो व्यक्ति विशेष अनुमति लेकर किसी विषय पर चर्चा करना चाहता है तो वह अपनी बात को रख देता है और बाद में विचार होता है। इसलिए मैं चाहूँगा भूपेशगुप्त जी, जो कि पुराने पालियामेन्टरिन हैं, कालिग अटेंशन और स्पेशल मेन्शन में अन्तर समझें और जो जन संघ ने भारतीय लोक डल ने, सी पी० आई० (एम) ने, संगठन कांग्रेस ने स्टैंड लिया था वह बिल्कुल करेक्ट था। जो हम स्टैंड लेगे वह देश हित में, जन हित में, राष्ट्र हित में होगा।

श्री अरों सिंह शेखावत (मध्य प्रदेश)

उपसभापति महोदय, मेरा व्यवस्था का प्रश्न है नियम 176 के अन्तर्गत जो डिस्कशन इस समय होना है उस सम्बन्ध में आप ने नोटिस में लिखा है :

"in the context of the statement made by the Minister of Home Affairs in the Rajya Sabha on November 12, 1974."

इस संबंध में मैं आपका ध्यान रुक 249 की ओर आकर्षित करना चाहूँगा :

"If a Minister quotes in the Council a despatch or other State Paper which has not been presented to the Council he shall lay the relevant paper on the Table."

Provided that this rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest.

Provided further that where a Minister gives in his own words a summary or gist of such despatch or State Paper it shall not be necessary to lay the relevant papers on the Table."

उप सभापति जी, मैं इस सम्बन्ध में यह निवेदन करना चाहूँगा कि माननीय मंत्री जी का जो इस सदन में वक्तव्य हुआ है उस वक्तव्य में सब के पहिले सी० दी० आई० का उल्लेख आया था। मैं इस समय उस प्रश्न पर नहीं जाना चाहता हूँ, लेकिन उनके वक्तव्य के पैरा 3 जो यह बात पेश की गई है उसका उल्लेख यहां पर करना चाहता हूँ। इसमें लिखा हुआ है :-

In the course of investigation, the opinion of Shri C. B. Lal, Government Examiner of Questioned Documents, Simla, was obtained. In the light of his opinion as well as other evidence, there are sufficient ground to believe that signatures of 2

[श्री भरौ सिंह शेखावत]

Members of Parliament were forged
—14 signatures were forged by Shri
Jogendra Jha and two by Shri Tul
Mohan Ram.

उप सभापति जी, मेरी जानकारी के अनुसार ईंडराइटिंग एक्सपर्ट के पास जब इस प्रकार का प्रश्न उपस्थित किया गया है कि ये सिगनेचर फॉर्ज है तो उन सिगनेचर का इनलार्जमेंट फोटोग्राफ लिया जाता है। इसी प्रकार जो जैनुयन स्वीसमैन है, उनका भी फोटोग्राफ लिया जाता है और उसके बाद दोनों का कम्पेरी-ज किया जाता है। मेरी जानकारी यह है कि जो फॉर्ज सिगनेचर है उनका इनलार्जमेंट सिगनेचर लिया गया है, लेकिन चूकि मेम्बरों ने इस प्रकार के आरोप लगाये हैं कि उन्होंने इस प्रकार के स्पीसमैन नहीं लिये हैं इसलिए यह प्रश्न इतना महत्वपूर्ण है कि धारा 176 के अन्तर्गत जो हम यहां पर डिस्कशन कर रहे हैं, उस पर विचार करने से पहले यह आवश्यक है कि ईंडराइटिंग एक्सपर्ट की जो रिपोर्ट है, वह सदन के अन्दर प्रस्तुत की जानी चाहिये।

दूसरा सभापति जी, उसी प्रश्न से यह बात निकलती है कि जो चार्जशीट फ्रैम किया गया है और जिस के बारे में मंत्री ने अपने वक्तव्य में उल्लेख किया है, उस चार्जशीट पैरा 8 में यह लिखा हुआ है :

On the relevant file there is a noting by Shri N. K. Singh admitted to be dated 5-2-1973 to the effect that the Minister desires that this case should be finalised quickly as it has been pending for a long time.

उप-सभापति जी, इसके साथ ही साथ यह निवेदन करना चाहता हूं कि जो डाक्यूमेंट्स मैं पेश किये गये हैं, उसका लिस्ट मैंने पेश है। उस लिस्ट में उसकाइल का कहीं भी प्रश्न का कोई उल्लेख नहीं है। इसका मतलब यह है कि सरकार में उस फाइल के परब्यूह से दूर रखने की कोशिश की है।

सम्भवतः इस फाइल को प्रस्तुत करने के बाद श्री तुलमीहून राम की जगह अदालत के कटघरे में श्री ललित नारायण मिश्र को विवश होकर खड़ा कर दिया जाता।

श्री उप सभापति : आपका प्वाइन्ट क्या है ?

श्री भरौ सिंह शेखावत : मेरा कहना यह है कि श्री ब्रह्मानन्द रेड्डी जी ने जो स्टेटमेंट दिया है और उसमें जिन बातों का उल्लेख किया है उसके ऊपर चर्चा करने के पूर्व उन डाक्यूमेंट्स को सदन में प्रस्तुत किया जाना चाहिये।

उप सभापति, मेरा तीसरा प्वाइन्ट यह है कि . .

श्री उप सभापति : आपके कितने प्वाइन्ट हैं ?

श्री भरौ सिंह शेखावत : मैंने आपको रूल कोट किया है और उसी के साथ साथ मैं यह कंविन्स करना चाहूंगा कि जब तक इस प्रकार के डाक्यूमेंट्स सदन में प्रस्तुत नहीं किये जायेंगे तब तक इस पर चर्चा करना व्यर्थ है।

तीसरा प्रश्न यह है कि सरकार का ओर से इस सदन में तो नहीं वल्कि दूसरे सदन में यह कहा गया था कि यह मैटर सबज्यूडिस है, इसलिए सी०वी० आई० की रिपोर्ट पेश नहीं की जा सकती है। मैं समझता हूं कि यहां पर कोई एडवाकेट भिन्न है और वे इस बात को जानते होंगे कि अगर किसी केस का कोर्ट में प्रोसीक्यूशन किया जाता है, अगर उसमें चार्जशीट फ्रैम न हो तो वहां से केस विदड्रा किया जा सकता है और विदड्रा करने के बाद फिर प्रोसीक्यूशन किया जा सकता है। इसमें किसी प्रकार की आपत्ति नहीं है और मैं इस सम्बन्ध में जो किमिनल प्रोसीजियर का रैलिबेंट सैक्शन है, उसको सदन में कोट कर सकता हूं जिससे यह स्पष्ट हो जायेगा कि यदि सरकार चाहे, पब्लिक प्रोसीक्यूटर चाहे

तो जिस केस के बारे में चार्जशीट नहीं दिया गया है उस केस को कोर्ट से विदड्रा किया जा सकता है और बाद में उसी केस का चलान किया जा सकता है। अभी तक कोर्ट में किसी प्रकार के चार्ज फ्रेम नहीं किये गये हैं। कानून में इस प्रकार की व्यवस्था है और सुप्रीम कोर्ट और हाईकोर्ट की रूढ़ि है कि डिस्चार्ज होने के बाद प्रीसीक्यूशन किया जा सकता है। एक्विटल और कंविक्शन में किसी प्रकार उसी आफेन्स में प्रीसीक्यूशन नहीं किया जा सकता है लेकिन इस प्रश्न में खासतौर से श्री तुलसीमोहन राम के मामले में चार्ज फ्रेम नहीं किया गया है और गवर्नमेंट उस केस को विदड्रा कर सकती है विदड्रा करने के बाद जो उसका सबज्युडिस के सम्बन्ध में बहम है, वह बहम निकल जायेगा और फिर सी० बी० आई० की रिपोर्ट प्रस्तुत की जा सकेगी तथा उसमें सुविधा पूर्वक चर्चा हो सकती है।

इसलिए मैं निवेदन करना चाहता हूँ कि सी० बी० आई० की रिपोर्ट हँड राइटिंग एक्सपर्ट की रिपोर्ट और सेक्रेटरीट की वह फाइल जिस के ऊपर एन० के० मिह का नोट है, ये सारे के सारे कागज जब तक सदन में प्रस्तुत नहीं किये जाते तब तक चर्चा करना व्यर्थ है। इन रिपोर्टों को सदन में प्रस्तुत करने के बाद ही इसमें चर्चा प्रारम्भ की जा सकती है।

SHRI S. S. MARISWAMY (Tamil Nadu): Sir,

श्री राजनारायण : चूँकि बीजू पटनायक का उधर से जिक्र हुआ है, बीजू पटनायक और घर मंत्री के जो रिश्ते रहे हैं...

MR. DEPUTY CHAIRMAN: Mr. Rajnarain, you got up once and you said something, and that is the end of the matter.

SHRI S. S. MARISWAMY: Sir, I wish to draw your attention to two important statements made by two Ministers. One was made on the 9th

September 1974 by the then Home Minister, Shri Umashankar Dikshit and I am quoting it here:

"I am making a promise, I am giving an assurance, that, after this investigation is over, the first thing that we will do is come to parliament and say, 'This is where we have arrived; please tell us what we should do'. It is only after that, according to the wishes of the Parliament, that we will proceed. We are not closing the door for further investigation by the Parliament. There can be one remote possibility when the matter can go to a Committee. As it is, today, my request is that the matter should not be pressed."

Again, Sir, Shri H. R. Gokhale, who was the Law Minister then and who is still the Law Minister, made the following statement:

"Please refer to my remarks on the subsequent occasion. I have said at that time that we shall take the House into confidence after the investigation report was available. After the results of investigation are available, we shall take the House into confidence, the whole matter is open to the House to consider at that time."

Sir, these are the two pertinent statements, one made by the former Home Minister, by no less a person than the former Home Minister, Shri Umashankar Dikshit and the other by the Law Minister. Now, Sir, in the place of Mr. Umashankar Dikshit, Brahmananda Reddygaru has come. But it makes no difference. So far as Mr Gokhale is concerned, he is very much there where he was previously when he made this statement. So if the Government does not place on the Table of the House the entire Report of the CBI, then absolutely there is no use of discussing this matter and we cannot go to the roots of the matter also. Another thing is also there. You know very well that this is a land of Harichandra. It is not that

[Shri S. S. Mariswamy.]

we must all live like him. But at least there must be an attempt to live like Harichandra especially on the part of the ruling party. Vishwamitra tried his level best to make Harichandra utter a lie, but the latter refused to do so and as a result, he lost his kingdom, he lost his wife and he lost his son and he lost his belongings. and finally he had to work as a servant in the burial ghat. But I do not want this to happen to the members of the other side. But they must be honest enough to place the record, the report, on the Table of the House. Otherwise, we are not going to participate in this discussion because it is a futile discussion and if it is not placed on the Table of the House, we will stage a walk-out and we will wait for the appropriate time. We will wait for an answer and if the answer is 'No', we will walk out.

श्री रबी राय (उड़ीसा) : मैं गोखले जी के प्वाइन्ट पर बोलना चाहता हूँ। राज्यसभा में उमाशंकर दीक्षित ने दो बात कही थी। दीक्षित जी का कहना था कि मैंने ऐसा नहीं कहा। 11-9-74 को जो राज्य सभा में बयान हुआ उसको मैं पढ़ कर सुनाना चाहता हूँ दीक्षित जी कहते हैं —

"And, finally, what I wish to submit is this. After this enquiry is made, I am afraid it is surely to take place, but we will convey the wish and the desire of the House, almost the unanimous desire of the House that the work should not be delayed. No avoidable delay should be allowed. And they should try and expedite the completion of enquiry as soon as possible, before the coming Session of Parliament. This is our wish.

"And, Sir, I do not know whether it is getting complicated, whether there are more people, whether what Mr. Pillai said is not proved and whether there are other things

coming up. And nobody can anticipate them. Then, possibly, the other way would be that in case we find that our Member is not really guilty, but there is some act of impropriety, then we will come to the House and say, "The other investigation continues. But, out of us, one or two or one and a half or three-fourths of ours is in this situation and now let the Houser consider —this probably will have to go to the other House in the first instance—you decide what is to be done." That would be the stage to consider all this...."

डिप्टी चेयरमैन साहब, पार्लियामेंट का मतलब है दोनों हाउसेज। जैसा कि मरिस्वामी जी ने पढ़ कर आप के सामने सुनाया, यह उन का राज्य सभा में बयान, श्री उमाशंकर दीक्षित जी का सदन को एंश्योरेंस है और आप के सामने वह कह गये कि मैंने ऐसा कहा नहीं था और इस संबंध में हमारा एक विशेषाधिकार का प्रस्ताव आप के सामने है जिस को मैंने कल प्रस्तुत किया था, तो मैं जानना चाहता हूँ कि मरिस्वामी जी ने जैसा पढ़ कर सुनाया

"I am making a promise...."

MR. DEPUTY CHAIRMAN: You need not repeat all this.

Shri RABI RAI: "After this investigation is over, the first thing I will do is to come to Parliament and say that his is where we have arrived, please tell us what we should do ...".

तो इस से जाहिर होता है कि राज्य सभा में 11-9-74 को और लोक सभा में जो बयान किया है, उस के अनुसार कोर्ट में जाने के पहले उन का परम कर्तव्य था कि वे हाउस के सामने सी० बी० आई० की रिपोर्ट को रखने लेकिन उसे जानबूझ कर पेश नहीं किया गया और इस से उन का मेलाफाइडी इंटेशन मालूम होता है। यह डेमोक्रेसी पर आघात हो रहा है

तो इस लिए मैं कहता हूँ कि सी० बी० आई० की रिपोर्ट को पहले यहाँ पेश किया जाय और रेड्डी साहब से कहना चाहता हूँ कि अगर उन को कोई आत्मसम्मान है और पार्लियामेंटर इन्स्टिट्यूशन्स के प्रति उन को कोई सम्मान है तो वह सी० बी० आई० की रिपोर्ट को सभा पटल कर रखें और पहले हम उस का अध्ययन करेंगे और उस के बाद इस नियम 176 पर विवाद हो ।

SHRI T. N. SINGH (Uttar Pradesh): Sir, I have gone through the proceedings of the day when the then Home Minister stated certain things about the case and how to be dealt with by the House. There he has said, "A stage will come....", when the report will be there. He added by saying, "That would be the stage to consider all this..." Now, the report has come. Such an assurance was given by the Home Minister. Not only that. He further said, "So far as..... it will probably have to go to the other House, because the Member concerned belongs to the other House". That also is there. So the assurances given by the Home Minister were clear.

SHRI NIREN GHOSH: I will correct. Mr. D. P. Chattopadhyaya is a Member of our House, and he is involved in the scandal...

(Interruptions)

SHRI RABI RAY: There is a privilege motion against Mr. D. P. Chattopadhyaya also.

MR. DEPUTY CHAIRMAN: Let Mr. T. N. Singh continue.

SHRI NIREN GHOSH: He is also involved;

MR. DEPUTY CHAIRMAN: Everybody is involved. You are also involved in the discussion..

(Interruptions)

SHRI NIREN GHOSH: Here is an exact copy.

MR. DEPUTY CHAIRMAN: Let Mr. T. N. Singh complete.

SHRI T. N. SINGH: As rightly observed, Mr. D. P. Chattopadhyaya also made a statement which is now found to be incorrect, according to the charge-sheet that we have read.

Then, again, Shri L. N. Mishra tried to make out that he disagreed with the Law Department and said that there was no case. In other words, he wanted to give the impression that he was against granting of licences to these firms. Therefore, he misled the House. That was when I was speaking; I remember very well. I can give the quotation also. He made a statement. He read out from some file. He gave us a wrong impression. And as these three Ministers gave us wrong information, misleading information, the case for privilege comes very easily. Mr. Umashankar Dikshit is a Member of this House, and Mr. Chattopadhyaya is also a Member of this House. Therefore, I suggest that instead of taking up the discussion, we should first take up the privilege motion.

श्री राजनारायण : श्रीमन्, मेरा वावस्था का प्रश्न तो आप मुन लीजिए ।

श्री प्रकाशवीर शास्त्री (उत्तर प्रदेश) : मेरा भी ।

MR. DEPUTY CHAIRMAN: All right. The last two, that is, Mr. Rajnarain and Mr. Prakash Vir Shastri.

श्री राजनारायण : श्रीमन्, मैं आप के द्वारा सदन के सम्मानित सदस्यों को सी० बी० आई० की रिपोर्ट प्रस्तुत करना क्यों आवश्यक है इस बारे में कुछ बताना चाहता हूँ और चाहता हूँ कि सदन के सम्मानित सदस्य और सरकार हमारे तर्कों को सुने और सुन कर यह निर्णय ले कि बिना सी० बी० आई० की रिपोर्ट यहाँ प्रस्तुत किये अच्छी चर्चा हो नहीं सकती । श्रीमन्, मैं कुछ खास खास बातों को

[श्री राजनारायण]

आप की सेवा में रखना चाहता हूँ। यह जो पांडिचेरी की 7 फर्में की लाइसेंस की सिफारिश 21 संसद सदस्यों ने की है उसकी भूमिका क्या है और उसकी भूमिका की सच्चाई की गहराई तक संपूर्ण सत्यों और तथ्यों तक हम बिना सी० बी० आई० की रिपोर्ट को पढ़े नहीं पहुंच सकते हैं। इसमें लिखा है—

"In this state of affairs, Shri S. M. Pillai began to look for a person who could exercise his influence with Shri L. N. Mishra, the then Minister of Foreign Trade...."

श्री उप सभापति: कहां से पढ़ रहे हैं ?

श्री राजनारायण: यह चार्ज शीट में है। यह मेरे पास है। यहां बड़ी खोजाई हुई कि वह व्यक्ति तलाश में लिया जाए जो कि एल० एन० मिश्र से संबंधित रहता हो।

".... for securing special additional licences for the concerned merchants."

अगर हमारे मित्र लोग न पूछें होते तो मैं उतना ही पढ़ता। . . .

(Interruptions) । वह व्यक्ति एल० एन० मिश्र की भूकुटि-विलासिता से अच्छी तरह से परिचित हो और उनकी भूकुटि विलासिता से परिचित होकर उनका अच्छी तरह से वरद-हस्त प्राप्त हो।

"Shri Gurbachan Singh had paid Rs. 40,000 to Shri Tulmohan Ram on behalf of Shri Pillai in this matter which should be reimbursed. Shri Pillai did not have the money to pay this amount to Shri Gurbachan Singh. Later, Shri Pillai came to Delhi in March 1972, and Shri Gurbachan Singh again asked for the payment of Rs. 40,000. For want of funds, Shri Pillai executed a pronote for this amount in favour of Shri Gurbachan Singh which was retained by the latter."

MR. DEPUTY CHAIRMAN: Yes, now what is the point of order?

श्री राजनारायण: मैंने आप से यह कहा कि मैं सी० बी० आई० की रिपोर्ट सदन में पहले क्यों रखी जाए उसकी प्री-कंडीशन की पूर्ति होना जरूरी है, उसको आपकी सेवा में कहकर सदन के सम्मानित सदस्यों को अपने रक्ष में लाने का प्रयत्न कर रहा हूँ।

MR. DEPUTY CHAIRMAN: You can only raise a point of order. You cannot make a speech to convince the House on that.

श्री राजनारायण : जितना रिलेवेंट है उतना ही पढ़ूंगा। आगे देखा जाए—

"On behalf of Shri S. M. Pillai, towards the construction of a school in Bihar in the name of late father of Shri L. N. Mishra, Rs. 50,000 were paid."

एल० एन० मिश्र के पिता के नाम पर एक स्कूल चलाने के लिए 50 हजार रुपया लिया।

आगे देखिये—

"On the relevant file, there is a nothing by Shri N. K. Singh admitted to be dated 5-2-73 to the effect that Minister desires that this should be finalised quickly."

एल० एन० मिश्र, मिनिस्टर के स्पेशल सेक्रेटरी एन० के० सिंह ने नोट दिया है कि एल० एन० मिश्र की प्रबल इच्छा है कि इसको शीघ्रातिशीघ्र फाइनलाइज कर दिया जाये। हमारा सबमिशन यह है कि जब तक सी० बी० आई० की रिपोर्ट यहां पर नहीं रखी जाएगी तब तक हम यह कैसे जानेंगे कि वह चार्ज शीट जो सरकार की ओर से रखी गई है वह सही है या गलत। मुझे यह भी डर है कि वह चार्ज शीट भी ठीक ढंग से नहीं रखी गई है . . .

श्री. उपसभापति : श्री प्रकाशवीर शास्त्री ।

श्री राजनारायण : सी० बी० आई० की रिपोर्ट आने पर ही हम देखेंगे कि यह चार्ज शीट सही है या गलत । आप ने हमारी विनम्र विनती पर इजाजत दी थी कि जब आप बोलें तब आप इसे पढ़ देना तो मैं इस एक मिनट में पढ़ देता हूँ ।

MR. DEPUTY CHAIRMAN:
No, no. I have asked Mr. Prakash Vir Shastri to raise his point of order.

श्री प्रकाशवीर शास्त्री : उपसभापति जी, यह जो प्रस्ताव है जिसके ऊपर चर्चा होनी है इसमें दूसरा नाम मेरा भी है मैंने प्रस्ताव की चर्चा के लिए पत्र भेजते समय जो धारणा रखी थी वहीं से मैं अपनी बात प्रारम्भ करना चाहता हूँ । हम ने यह सोचा था कि अगला सत्र आरम्भ होने से पहले सी० बी० आई० की रिपोर्ट निश्चित रूप से आ जायेगी और उस आधार पर चर्चा करने में हम को आसानी होगी लेकिन सी० बी० आई० की रिपोर्ट नहीं आई । सदस्यों के हाथ में जो चीज अभी तक आई है उसमें केवल चार्ज शीट है और एक आई० आर० जो दर्ज कराई गई है वह है ।

मेरा कहना यह है कि जिस तरह से सत्ताधारी पक्ष इस बहस को हटाना चाहता है और सी० बी० आई० की रिपोर्ट को प्रस्तुत नहीं करना चाहता उनका कहना यह है कि यह कोर्ट में, न्यायालय में विचाराधीन है । फिर मैं आपके माध्यम से विशेष रूप से यह बात कहना चाहता हूँ कि न्यायालय के विचाराधीन अगर कोई चीज है तो तुलमोहन राम के आचरण पर और जिन बीस सदस्यों का उसमें जिक्र है उनके आचरण पर बात आती है । जिन 20 सदस्यों के जाली हस्ताक्षर बताये जाते हैं उनमें सी० बी० आई० की जो रिपोर्ट है वह यह कहती है कि 16 सदस्यों के संबंध में तो हम यह कह सकते

हैं हस्ताक्षर उनके नहीं हैं लेकिन चार सदस्यों के बारे में उन्होंने भी यह कहा है वे इस प्रकार के हैं—यह पता नहीं लगा कि किसके हैं । वे अभी किसी निष्कर्ष पर नहीं पहुंचे हैं । 16 के बारे में उन्होंने कहा है कि वे जाली हो सकते हैं । लेकिन चार इस प्रकार के हैं जो किसी दूसरे ने किये हैं ।

(Interruptions)

जैसा शेखावत जी ने कहा कि हस्ताक्षर की जानकारी के लिए हस्ताक्षर विशेषज्ञ के प्रमाणपत्र दिये जाते हैं जिसमें यह पता लगे कि कौन से सही हैं कौन से सही नहीं हैं इसकी जो अपनी एक प्रक्रिया है उस प्रक्रिया के संबंध में भी हाउस को अभी तक किसी प्रकार से विश्वास में नहीं लिया गया ताकि उन 16 हस्ताक्षरों के संबंध में कहा जा सके कि वे भी जाली हैं । क्योंकि लोकसभा के एक सदस्य ने कल यह कहा है कि सी० बी० आई० की रिपोर्ट जो उनके पास है उनके अनुसार 20 के 20 हस्ताक्षर सही हैं

(Interruptions)

SHRI NIREN GHOSH:... the letter was drafted by Mr. L. N. Mishra's Private Secretary and was signed by these 21 MPs.....

(Interruptions)

SHRI MAHAVIR TYAGI (Uttar Pradesh): Mr. Shamim has said...

MR. DEPUTY CHAIRMAN:
We are not concerned with Mr. Shamim. He is a Member of the other House.

SHRI RAJNARAIN: We are concerned with Mr. L. N. Mishra. He has done everything, taken money.

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): What do you talk?

श्री राजनारायण : श्री एल० एन० मिश्र के बाप के नाम पर वहां स्कूल बन रहा है ।

(Interruptions)

श्री एल० एन० मिश्र : तुम्हारे बाप के नाम पर स्कूल बन रहा है।

श्री राजनारायण : मेरे आप के नाम पर स्कूल बने तो अच्छा है। तुलमोहन राम के गांव के हैं।

SHRI NIREN GHOSH: The school letter-head has also been seized by the CBI....

(Interruptions)

श्री प्रकाशवीर शास्त्री : मैं कह रहा था चार सदस्यों के हस्ताक्षर के संबंध में वंदे है और 16 सदस्यों के हस्ताक्षर जाली है। जब मैंने लोक सभा के सदस्य की बात कही तो आपने कहा कि लोक सभा में किसने क्या कहा इसकी चर्चा यहां नहीं हो सकती। इतनी बात तो अवश्य है कि लोक सभा की कार्यवाही अगर समाचार पत्रों में आ जाए तो उससे देश उस बात को जान जाता है और उसका उल्लेख हम को समाचार पत्रों के आधार पर करने का अधिकार है। मैं तो इससे भी आगे बढ़ कर एक बात कहना चाहता हूं। मेरा कहना यह है कि न्यायालय के विचाराधीन जो केस है वह तुलमोहन राम और दूसरे सदस्यों के आचरण से संबंधित है और उसमें एल० एन० मिश्र सब जुड़िस नहीं है। लेकिन यह जो सी० बी० आई की रिपोर्ट के आधार पर चार्ज-शीट दिया गया है इसमें स्थान-स्थान पर श्री एल० एन० मिश्र का उल्लेख आता है। मेरा कहना यह है कि यह चीज सब जुड़िस नहीं है न्यायालय के विचाराधीन नहीं है इसलिए अगर आप तुलमोहन राम और 20 अन्य सदस्यों को किसी को यह कह कर छोड़ भी दें कि वह न्यायालय के विचाराधीन है तो श्री एल० एन० मिश्र जो एक कैबिनेट

रैंक के मिनिस्टर है उनका केस तो न्यायालय के विचाराधीन नहीं है और उसका उल्लेख उस चार्ज-शीट में है उस पर तो स्पष्ट रूप से यहां विचार हो सकता है (Interruptions) मैं जो बात कहना चाहता हूं जरा सुनिए। मैं यह कहना चाहता हूं मैं उसकी चर्चा नहीं करना चाहता जो मेरे मित्र श्री भैरो सिंह शेखावत ने कही कि किस तरह पिल्लई ने तुलमोहन राम से कांट्रैक्ट किया 50,000 रुपए में। मैं कहना चाहता हूं वह फाइल तो आप सदन में रखने का अधिकार दीजिए सी० बी० आई० की चार्ज-शीट के आधार पर, जिसमें एन० के० सिंह ने कहा है कि अगर तुलमोहन राम को लाइसेंस लेना है तो कुछ पालियामेंट के मेम्बरों के हस्ताक्षर करवा के लाओ। यह चार्ज-शीट में मENTION है। मेरा कहना है यह बात आनी चाहिए क्या श्री एन० के० सिंह ने, वाणिज्य मंत्रालय से मिश्र जी के बिदा लेते समय जो अपनी पहली रिपोर्ट दी है नोट चढ़ाया है कि मिनिस्टर की इच्छा है जल्दी हो। उसमें भी श्री एल० एन० मिश्र आकर संबंधित हो जाते हैं। तो जो चीज सब-जूडिस नहीं है, न्यायालय के विचाराधीन नहीं है, उसको यहां आकर चर्चा का विषय क्यों नहीं बनाया जा सकता ?

अंत में एक बात कह कर बैठ जाऊंगा क्योंकि विस्तार से सी० बी० आई० की रिपोर्ट आने के बाद चर्चा होगी, तब मैं कहूंगा। मताधारी दल से मैं कहना चाहता हूं, बड़े शुद्ध हृदय से कहना चाहता हूं : देखिए, आज आपकी प्रतिष्ठा हमारी प्रतिष्ठा दोनों दांव पर लगी हुई है। इस प्रकार के समाचार-पत्रों में ये समाचार निकल रहे हैं कि संसद

सदस्यों ने लाखों रुपए हजम किए। इस पत्र में विस्तार के साथ दिया है। मैं यह कहना चाहता हूँ आप और हम दोनों सम्मिलित हो सकते हैं; आप कृपा कर के सोचिए इसमें आपकी पार्टी आपकी सरकार की तसवीर बुझती हो रही है, अगर सी० बी० आई० का रिपोर्ट में कुछ नहीं है तो नैतिकता का तकाजा है कि आप उसे मन्ना-पटल पर रखिए जिससे आपका चित्र उज्ज्वल हो सके और जब तक यह सभा पटल पर नहीं रखिएगा वह चित्र साफ नहीं होता है।

MR. DEPUTY CHAIRMAN:
Mr. Om Mehta.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): Sir, some points...

SHRI NIREN GHOSH: Is he on a point of order?

SHRI OM MEHTA: Yes, point of order.

MR. DEPUTY CHAIRMAN:
Yes, on a point of order.

SHRI NIREN GHOSH: I wanted to know...

(Interruptions)

MR. DEPUTY CHAIRMAN:
You take your seat now. You have had enough of your say and if he wants to say something from the Treasury Benches, let him say.

SHRI NIREN GHOSH: Is he on a point of order?

MR. DEPUTY CHAIRMAN:
Yes. When I asked him to say something he will say something. That's all. When you have raised so many points of order...

SHRI NIREN GHOSH: Tell me. Why are you getting angry?

(Interruptions)

SHRI OM MEHTA: Sir, some points have been raised by the hon. Members on the Opposition side and I would like to meet a few of their points. Why we are not laying the CBI report on the Table of the House is because...

SHRI LAL K. ADVANI: You are not laying?

SHRI OM MEHTA: Sir, the CBI report is a confidential and sensitive document. It is contrary to known practice to lay it on the Table of Parliament, and it will be injurious to public interest to do so. This House has on earlier occasions upheld this view. Investigating agencies will be crippled in their effective functioning if their reports are made public, more especially when an inquiry involves criminal offences. In investigating criminal offences, they record statements from persons which, if disclosed when a trial is pending in a court of law, will vitiate such trial. Such disclosure might prejudicially affect the accused, the witnesses and the prosecution and will be against the law. Parliament has the primary duty to see that due processes of law are not allowed to be thwarted. What all of us should be concerned with is a fair trial.

As far as the present case is concerned, the chargesheet gives full facts and information as to the results of the investigation.

Sir, one more point. On 26-2-1965 a ruling was given regarding laying on the Table the report of the CBI regarding Biju Patnayak. The Chairman then was Dr. Zakir Hussain and the

[Shri Om Mehta]

Prime Minister at that time was Shri Lal Bahadur Shastri. Dr. Zakir Husain gave this ruling:

"On the 22nd February, 1965, immediately after the Question Hour, Shri Lokanath Misra asked for my permission to lay on the Table of the House certain papers which he said were copies of the CBI Report and findings of the Cabinet Sub-Committee in regard to allegations against the Chief Minister and certain other Ministers of Orissa."

I did not give him the necessary permission as I desired to examine the papers and consult the Government. On the same day in the afternoon after the Prime Minister made a statement on the subject, Shri Lokanath Misra wanted to quote from the copies of the papers he had in his possession. I asked him not to quote from these papers as I could not see or examine them or consult the Government. I have since been the papers given by Shri Lokanath Misra and also consulted the Government in the matter. The Government did not propose to lay the CBI report and the findings of the Cabinet Sub-Committee on the Table of the House as they are of the view that these are secret and confidential documents and as such privileged. In these circumstances, I will not be able to insist upon the laying of these documents by Government on the Table of the House.

And also, Sir, Mr. Rabi Ray on one day when I was reading the business for the week, insisted that we should have a discussion and I will read out what Mr. Rabi Ray said on 22nd November, 1974:

"बार बार इस मदन में मांग की गई है, लेकिन श्री ओम् मेहता जी उसको स्वीकार नहीं करते हैं। लाइसेंस स्कन्दल में पहले चर्चा होनी चाहिए क्योंकि

राज्य सभा में उसकी शुरुआत हुई थी। लेकिन यहाँ अभी तक इस पर बहस नहीं हुई है और इसलिए मैं मांग करता हूँ कि इस पर बहस की जाय।"

So Sir, when it was demanded a number of times by the Opposition Members and a Motion was given by Mr. Niren Ghosh under Rule 176, we agreed to the demand.

SHRI NIREN GHOSH: I gave notice under Rule 171.

SHRI OM MEHTA: We agreed to the discussion and, Sir, I will again appeal and request the Members on the Opposition side, let there be a discussion. Whatever their points of view are, they can place the same before the House, before the country, before everybody and whatever our point of view is they should have patience to listen to that also. Why should they shut out the discussion? Let there be a discussion and after that let the country decide whether they are in the wrong or we are in the wrong.

MR. DEPUTY CHAIRMAN: Let us now initiate the discussion. Yes, Mr. Niren Ghosh.

SHRI S. S. MARISWAMY: As the Government is not prepared to place the CBI report on the Table of the House, in protest I walk out.

(The hon. Member then left the Chamber).

MR. DEPUTY CHAIRMAN: Mr. Prakash Veer Shastri. Mr. Lal K. Advani. Are you going to initiate the discussion?

SHRI NIREN GHOSH: You are making a fraud on the parliamentary democracy, trying to shield Mr. L. N. Mishra, Shri D. P. Chattopadhyaya and some other Members. Why are you shielding them?

SHRI OM MEHTA: We are not doing that.

MR. DEPUTY CHAIRMAN: Yes, Shri Omprakash Tyagi. Shri Jagdish Prasad Mathur. Shri Bhairon Singh Shekhawat. Shri Subramanian Swamy, Dr. Ramkripal Sinha. Shri Rajnarain. Shri Rabi Ray. Shri D. K. Patel. Shri S. C. Angre. Shri Virendra Kumar Sakshalecha.

SHRI RAJNARAIN:

श्रीमन्, आपने मेरा नाम पुकारा है

SHRI BANARSI DAS: Give him a chance to speak.

MR. DEPUTY CHAIRMAN: Do you want to initiate the discussion? (Interruption). He is initiating the discussion under Rule 176.

SHRI SALIL KUMAR GANGULI: I wanted a ruling from you. Instead of giving a ruling yourself, you asked the Minister to make a bold and destructive statement that it is in the interest of the country, that it is in the interest of the people. Why is it that you refrained from giving your own ruling? And now you want the discussion to be started. What is this?

SHRI OM MEHTA: We do not want to shut the discussion. We want the country to know all about it.

MR. DEPUTY CHAIRMAN: I abide by Dr. Zakir Husain's ruling and I cannot go beyond that.

श्री राजनारायण . श्रीमन्, मेरा आपसे विनम्र निवेदन है कि आपने मेरा नाम पुकारा और आपके द्वारा पुकारे जाने पर मैं खड़ा हो गया। इसके बाद सदन में रूलिंग पार्टी के लोग हल्ला मचा रहे हैं। आप जानते हैं कि हल्ला में मैं बोल नहीं पाता हूँ। इसलिए दुःपया शांत रहिए। मेरा पोइन्ट यह है कि देश में ईमानदारी और सच्चाई के

साथ सारी बातें की जायें। यह है राज्य सभा सभा का अर्थ होता है 'स' 'भ' जहाँ सत्य का प्रकाश हो। इसलिए हम निवेदन कर रहे हैं कि सी० बी० आई० की रिपोर्ट पहले आए। (Interruption) हमारे मित्र मनुभाई शाह बैठे हुए हैं। ये भी मिनिस्टर रह चुके हैं इस विभाग के। न मालूम कितने मिनिस्टर रह चुके हैं, श्री ललित नारायण मिश्र की ही क्यों इतनी अनुकम्पा रही इन लोगों पर कि इन्होंने दो लोगों को भेजा कि वहाँ जाकर जांच करे कि यह जेनुइन है या नहीं। फिर उन्होंने अपने पर्सनल एसिस्टेंट को क्यों कहा कि तुम इस फाइल पर लिखो कि जल्दी से जल्दी इस मामले को निबटाया जाय। यह सारा मामला उठता है सी० बी० आई० की रिपोर्ट से। इसलिए जब तक सी० बी० आई० की रिपोर्ट नहीं आती तब तक इस पर बहस करना शुद्ध मुख्तता है और उस मुख्तता के काम में . . .

श्री उपसभापति : आपने तो शुरू कर दिया है।

श्री राजनारायण : यह तो हमारा पोइन्ट आप आर्डर है। हम इस मूर्खता में फंसने के लिए तैयार नहीं हैं। मैं आपसे निवेदन करूंगा कि आप सी० बी० आई० की रिपोर्ट रखवाये ताकि सारा देश जाने कि सत्य क्या है।

MR. DEPUTY CHAIRMAN: I had called him to initiate the discussion.

श्री रबी राय : इन्होंने पोइन्ट आप आर्डर रेज किया है।

MR. DEPUTY CHAIRMAN: Have you finished your speech?

श्री राजनारायण : मैं तो आपसे बारबार अनुनय विनय कर रहा हूँ कि आप हमारे पोइन्ट ऑफ़ ऑर्डर को कृपया मानें और मान कर सी० बी० आई० की रिपोर्ट रखवायें।

MR. DEPUTY CHAIRMAN: Shrimati Purabi Mukhopadhyay.

SHRI NIREN GHOSH: You have not heard me. You have not allowed me to make my point....

MR. DEPUTY CHAIRMAN: I called you to initiate the discussion, but you refused. Mr. Rajnarain said he would.

श्री राजनारायण : चैयरमैन साहब, मैं चाहता हूँ कि आप मेरे साथ अन्याय न करें।

MR. DEPUTY CHAIRMAN: I am doing full justice to you. I repeatedly told you that you have to initiate the discussion and you said 'Yes'.

श्री राजनारायण : मैंने तो पोइन्ट ऑफ़ ऑर्डर रोज़ किया था।

MR. DEPUTY CHAIRMAN: I have already called Shrimati Purabi Mukhopadhyay.

SHRIMATI PURABI MUKHOPADHYAY (West Bengal): Mr. Deputy Chairman, Sir, it seems the opposition Members are...

(Interruptions)

SHRI T. N. SINGH: I have a point of order....

DR. RAMKRIPAL SINHA: I have a point of order....

MR. DEPUTY CHAIRMAN: I have seen enough of this drama today. This is too much.

श्री राजनारायण : सी० बी० आई० की रिपोर्ट को रखना जरूरी है यही पोइन्ट ऑफ़ ऑर्डर पर मैंने कहा।

MR. DEPUTY CHAIRMAN: I have told you that I abide by Dr. Zakir Husain's ruling and I cannot go beyond that. So, that has disposed of it. Then I asked you to start the discussion, but you say you did not do it.

श्री राजनारायण : बिना सी० बी० आई० की रिपोर्ट पेश किए इस पर बहस करना मूर्खता है और उस मूर्खता में हम शामिल नहीं हो सकते।

MR. DEPUTY CHAIRMAN: If you want more time, I will give you time, but if you have made up your mind that you are not going to discuss it, then I cannot help it.

श्री श्रीम प्रकाश त्यागी : यह डिस्कशन नरेंद्र घोष जी शुरू कर सकते हैं और यहां से प्वाइंट ऑफ़ ऑर्डर्स रोज़ हो रहे हैं

(Interruptions)

SHRI RABI RAY: Nobody has initiated the discussion.

SHRIMATI PURABI MUKHOPADHYAY: Mr. Deputy Chairman Sir...

(Interruptions)

MR. DEPUTY CHAIRMAN: Nothing will go on record.

(Some hon. Members continued speaking)

SHRIMATI PURABI MUKHOPADHYAY: Sir, in today's List of Business... (Interruptions) We will have our right exercised.

SHRI O. P. TYAGI (Uttar Pradesh): Without the CBI Report, no discussion...

(Interruptions)

SHRIMATI PURABI MUKHOPADHYAY: In today's List of Business....

SHRI RABI RAY: No debate....

SHRIMATI PURABI MUKHOPADHYAY: Mr. Deputy Chairman...

(Interruptions)

SHRI BHUPESH GUPTA: On a point of order. Kindly listen. Sir, under this Rule 176, there are some names given. The rule is to raise a discussion; it is not a motion.... (Interruptions) Have you called anybody to raise the discussion?

SHRI RAJNARAIN: No. (Interruptions)

SHRI BHUPESH GUPTA: I would request you to call one by one, to raise the discussion.

MR. DEPUTY CHAIRMAN: I have already called.

SOME HON. MEMBERS: No, no

SHRI BHUPESH GUPTA: Call the next Member; call others. If there is nobody to raise the discussion, then go home.

SHRIMATI PURABI MUKHOPADHYAY: Mr. Deputy Chairman, Sir....

MR. DEPUTY CHAIRMAN: You listen to me. I would like to say one thing and it should go on record now. You see, I am very fair to Members but Members should not take advantage of it. I am limited by the fact that I am sitting in the Chair; otherwise, I could have passed a few remarks about some of the Members because the way in which they have behaved is not going to do honour to

themselves, in the first place. I am limited by the fact of sitting in the Chair; that is why I am not making those remarks. Otherwise, let it be understood that you cannot have it both ways. You first say, we will take part and then you say, we are not going to.

SHRI RABI RAY: No, no. Nobody has said that we will take part in it.

(Interruptions)

MR. DEPUTY CHAIRMAN: I will call the next speaker. All right. I will start from the very beginning. Mr. Niren Ghosh, are you prepared to start the discussion? (Interruptions) I am not going to allow any more points of order. Mr. Ghosh, are you prepared to start?

SHRI NIREN GHOSH: What is your ruling on my point of order?

MR. DEPUTY CHAIRMAN: Are you going to start the discussion or not?

SHRI NIREN GHOSH: No.

MR. DEPUTY CHAIRMAN: No? Mr. Prakash Veer Shastri.

SHRI PRAKASH VEER SHASTRI: No.

MR. DEPUTY CHAIRMAN: Mr. Advani, are you prepared?

SHRI LAL K. ADVANI: It is fraud. It cannot go on.

MR. DEPUTY CHAIRMAN: Mr. Omprakash Tyagi.

SHRI O. P. TYAGI: No.

MR. DEPUTY CHAIRMAN: Mr. Mathur.

MR. JAGDISH PRASAD MATHUR (Rajasthan): No.

MR. DEPUTY CHAIRMAN: Mr. Shekhawat.

SHRI B. S. SHEKHAWAT: No.

MR. DEPUTY CHAIRMAN: Mr. Subramaniam Swamy is not here. Dr. Ramkripal Sinha, what about you?

DR. RAMKRIPAL SINHA: No.

MR. DEPUTY CHAIRMAN: Mr. Rajnarain, would you like to initiate?

श्री राजनारायण : मैं डिस्कशन आरम्भ करने के पक्ष में नहीं हूँ क्योंकि.... इसको आप सुन लीजिए ।

MR. DEPUTY CHAIRMAN: Mr. Rabi Ray, are you prepared to initiate the discussion?

श्री रबी राय : नहीं । इसलिए कि सरकार सी० बी० आई० की रिपोर्ट सभापटल पर नहीं रख रही है ।

MR. DEPUTY CHAIRMAN: Mr. Mahadeo Prasad, are you prepared to initiate the discussion?

श्री महादेव प्रसाद वर्मा (उत्तर प्रदेश) :
नहीं, नहीं, ।

MR. DEPUTY CHAIRMAN: There is no business before the House. The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at fifty-six minutes past three of the clock till eleven of the clock on Thursday, the 5th December, 1974.