

[Shri Pitamber Das]

where it comes I am not concerned, but the document must be before the House I want your specific ruling

SHRI D. D. PURI : I would say if the point of order raised by the hon'ble Member is right, then he is really asking that the motion should not have been admitted. In that case this discussion should come to an abrupt end.

SHRI PITAMBER DAS : Let the Chair give the ruling.

SHRI MAHAVIR TYAGI : Let the mover place it on the Table of the House.

SHRI CHANDRA SHEKHAR : It cannot be placed so easily. The point raised by my friend, Mr. Pitamber Das, would have been very valid if it were a document of a confidential nature. The persons who presented this memorandum to the President, without even waiting for a day, went to the press and got it published. Many a time this House discusses a thing which is published in the newspapers. Never a question has been raised or an objection has been raised that because the Calling Attention has appeared in the columns of the Times of India, therefore, every Member should get a copy of the Times of India. Mr. Pitamber Das is a very good parliamentarian. But it is a document which has been published in the press, which the Members of the Opposition have paraded all through the country even without it having been received by the President and the Prime Minister. I think that Mr. Pitamber Das has not made a very intelligent point of order in demanding for this memorandum. So there is no need that this memorandum should be placed on the Table of the House.

MR. DEPUTY CHAIRMAN : There is no point of order.

SHRI T N SINGH (Uttar Pradesh) : There is one thing more. In fairness to the memory of Lal Bahadurji, about whom Shri Krishan Kant has said that in the case of Mr. Biju Patnaik his action was quite different, his action was that he held an adverse case against him. That was his action. He died, but that was his action. In the case of Mr. T. T. Krishnamachari

SHRI KRISHAN KANT : Did he appoint a Commission of Enquiry?

MR. DEPUTY CHAIRMAN : Mr. Om Mehta.

MOTION RE-SENTENCING TWO VISITORS IN THE GALLERY FOR CONTEMPT OF THE HOUSE

THE MINISTER OF STATE IN THE
DEPARTMENT OF PARLIAMENTARY

AFFAIRS (SHRI OM MEHTA) : Sir, I move

"This House resolves that the persons calling themselves (1) Shebaksha Jhagru and (2) Baldeo Singh raised slogan in and threw some leaflets from the Visitors' Gallery on the floor of the House at about 4.10 p.m. today and whom the Watch and Ward officers took into custody, have committed a grave offence and are guilty of the contempt of this House.

This House resolves further that they be detained in custody of the Watch and Ward Officer till the rising of the House today."

The question was put and the motion was adopted.

5 P.M.

DISCUSSION UNDER RULE 176 RE- ACTION TAKEN BY GOVERNMENT ON THE MEMORANDA SUBMITTED TO THE PRESIDENT ALLEGING CORRUPTION AGAINST AND MISUSE OF POWER BY THE CHIEF MINISTER OF HARYANA—contd.

SHRI BALACHANDRA MENON (Kerala) : Mr. Deputy Chairman, Sir, coming as I do from Kerala where a good number of leaders, Ministers and others were taken before courts of inquiry for various alleged acts of corruption, I would like to say something on this matter, on how we could have avoided this sort of discussion to-day if only certain steps had been taken in the correct way. I know there are political parties who are out to discredit certain individuals. It has often happened and very prominent political leaders have found it difficult for years to do any work because of this shadow that has been cast regarding some of their activities. When such questions come up, it will be much better if the Chief Minister or the leader of the party has no say in it, and a judicial opinion is sought and on the basis of the recommendation of that judicial opinion, the Chief Minister takes a decision. Otherwise, it will look as though there was favouritism. I do accept that Haryana had developed very well. I do accept that the best work was done during this period in Haryana. But if some suspicion is cast, what should we do? Should we not take the opinion of some independent judicial person who can recommend to the Prime Minister what should be done in such cases? If such a step had been taken, this would not have come up. But unfortunately, it was not done. A Cabinet sub-committee went into it. It might be that there was no case. It might be that the

Cabinet sub-committee might have felt that even a *prima facie* case is not there. But naturally other political parties might say that there is some sort of favouritism. To escape that and to see that the Cabinet Ministers are above suspicion and also to see that the Prime Minister is not dragged into such cases, I would request that such cases be decided by an independent body who can recommend. Of course, that independent body cannot take a decision. This is a prerogative of the President or the Prime Minister. It is they who have to do it. It cannot be done by any judge. But a judge can go into all these things and if a *prima facie* case is not there, it may well be given up. Otherwise there is going to be a danger because, I am afraid, during this period a large number of cases will come to you. Now when it is a question of Haryana you say 'No there is no *prima facie* case. And if some of my partymen along with the ADMK take it into their heads to bring such a case before you against Tamil Nadu and if you say there is a case it will be looked upon as a sort of discrimination. So this cannot be allowed. We must see and root out corruption from the top. The time has come for it. Everywhere there has been a good deal of corruption. It can be fought only if those who are interested in these things are not having anything to do with the recommendation for an enquiry. They should have nothing to do with it. They must get advice from an independent body and then act on that advice and take a decision. I would therefore suggest that such a procedure must be followed because a good number of charges will come. I believe that most of the charges are politically motivated. Our life to-day has become that. Every body to day is suspected. Unfortunately that is the position.

SHRI S. D. MISRA Why are you giving a verdict on the charges?

SHRI BALACHANDRA MENON That is what I am saying. If there are charges they should be looked into by an independent body whose recommendation should be taken. So politically motivated allegations are there. I was myself a victim of that. That is why I am saying this. I had to ask for an inquiry on certain issues. So this is there. Our life has become so corrupted. But the name of the Prime Minister or of the Cabinet Ministers should not be dragged into these State politics and Prime Minister and Union Ministers should be away from these things so that we do not take sides on these issues and we should look upon these things as sort of independent issues and these must be looked into objectively and must be probed into by an independent judicial person or body who should make his recommendations on which a decision should be taken. I would prefer such steps being taken in

such cases. There may be cases of this nature but we should not take sides in them. This is my humble request.

SHRI K. C. PANDA (Orissa) : , Sir there is a lot of controversy about the allegations and developments in Haryana. We do not refute that there was no development or there was lesser development in Haryana. But that does not speak of the efficiency of the Government when certain allegations are made by responsible MLAs and Members of Parliament against the Chief Minister or any other official and when it comes to the notice of the President. My colleagues, Mr Sharma and Dr Bhai Mahavir tried to give details and I fully endorse those charges. In addition, I mention something about electrification and I would give a reference of the discussions in this House when it was announced in the papers that all the villages in Haryana were electrified and it was challenged in this House and we get a reply that certain villages were not electrified but the electricity line has gone there to those villages and those villages were shortly going to be electrified.

SHRI NIREN GHOSH Mr Deputy Chairman, why is it that the Congress Benches are empty? Are they feeling uncomfortable because charges are there?

MR DEPUTY CHAIRMAN They have gone for tea.

SHRI D. D. PURI The Mover himself is also not there. Why is it? Is he uncomfortable?

SHRI NIREN GHOSH You are uncomfortable because charges are there.

SHRI K. C. PANDA A declaration was made that things would be inquired into. May I know from the honourable Minister of Home Affairs whether they have inquired as to what the amount of expenditure was during the period when it was declared that all the villages were electrified and what the stocks purchased by the Government or the Electricity Board were and how much of them were practically used? I am asking this question because from the memorandum it appears that a certain number of poles which were said to have been supplied and were paid for were not there and were subsequently supplied and the rates were exorbitantly higher than the available market rates. So I believe that this was like the issue which we discussed in the House, about the buffer stock which was in the stock books only but when the godowns were opened it was not actually available there. So I have got a presumption and conviction that the materials which were said to have been used were shown in the book although they were not physically present. As per books the villages were declared to have been electrified.

[Shri K C Panda].

In the memorandum, at page 2, item (2), there is reference to the Cooperative Department I would like to quote a small portion

At the initiative and under the directions of the Chief Minister 500 Cooper and 500 Menon and Menon Diesel engines were purchased by the State Marketing Federation The total deal was for Rs 37 lakhs to be paid by the Federation and the amount of Rs 37 lakhs being 10 per cent of the total amount, was paid to the Chief Minister, Bansilal"

I want a categorical reply from the Home Minister whether this particular item is correct or not We know that when agents are appointed for such engines 10 per cent are given by the companies to the agents for effecting sales Since this was a direct transaction between the company and the Government to whose coffers has this commission gone? Who is the man who has utilised these 37 lakhs of rupees Have they seized the records of the company in order to ensure that it has not gone to the Chief Minister's coffers? If they have not done it will they give an assurance that they will seize the records? I am talking only of this small amount whereas others are talking about lakhs and lakhs This is a specific charge of mine The authorities will have to satisfy the House that the company has not paid the amount at all or if they have paid to whom they have paid

Now I come to the acquisition of land Hundreds of acres of land were acquired just near Delhi belonging to certain ryots I know that hundreds of thousands of acres of land have been acquired in different places in the country I would cite an example first before going into details For Rourkela steel plant about Rs 400 to 500 were paid per acre to the ryots And the land was meant for a public sector undertaking But either the HSL or the Central Government has not paid the cost to the Orissa Government even till now Those were lands belonging to Adivasis They were not given land against land or house against house But land that is being given to private persons is being sold at Rs 1 lakh or even more per acre Just imagine the difference between the purchase cost and the selling cost for commercial purposes But in this present case—I do not want to refer to any memorandum—the reply has been given by the Minister in this House that it has been given to Maruti Limited at the same cost who are going to have certain ancillary industries and who are going to lease it out to other small farms at a very high cost thereby earning from the food of those peasants who have suffered and who have lost and it would have been better if the peasants had been given lands elsewhere equal to those fertile lands and no

suitable cost for the plants and the crops and the trees which were there has been paid or they have been properly accounted for which I think is a great injustice Either it has been done by the Haryana Government or by Mr Bansilal or by the Central Government I know in certain cases that have gone to the Court in the Hiraikud area, the people have been granted more than Rs 500 for each *Char tree Churanchi* because it is a sort of food in those areas and it is used as a food by the Adivasis (*Time Bell rings*) what about the grape plants, hundred of grape plants on this land'

Sir I do not want to go into details I want to make only two points Now, Sir, I want to know whether Shri Bansilal was a signatory to the complaint filed against Shri Kairon or not

SHRI MAHAVIR TYAGI Against whom?

SHRI K C PANDA Against Shri Kairon To the best of my knowledge, Sir, he was a signatory He had filed the complaint against Shri Kairon who was responsible for the development of Punjab and Haryana both The same man was also charged and even after the death of that man the enquiry was made and, to the best of my knowledge, he came out scot free Then Sir why is Shri Bansilal afraid of an inquiry? (*Time Bell rings*) don't refute the fact that he has done a lot of development work But he should be brave enough to face a judicial inquiry so that he will come out as a hero in this country and the people will say that in spite of all the allegations he faced the inquiry and so on

MR DEPUTY CHAIRMAN You must wind up now

SHRI K C PANDA Lastly Sir I am referring to one Shri Ram Piyara He has sent a memorandum to the Prime Minister in addition to the memorandum he had already submitted He was formerly an MLA and that gentleman has written—I am reading only that particular portion—hence my humble submission would be that despite all the manipulation destruction and fabrication of all the evidence I undertake to prove the corruption of Shri Bansilal as mentioned in my memorandum and in case of failure I undertake to undergo any punishment to the liking of the Chief Minister of Haryana the Home Minister as well as the Prime Minister of India" Sir if a former legislator gives a challenge like this and my colleague Shri Sharma, also asserts that an inquiry should be made against him then why is the Government lagging behind to have a judicial inquiry against the Chief Minister of Haryana, Shri Bansilal? Thank you Sir

MR DEPUTY CHAIRMAN Yes Mr Ranbir Singh

श्री रणवीर सिंह (हरियाणा) : उप-सभापति जी, प्रश्न इस बात का है कि आया यह ज्ञापन जो है यह भ्रष्टाचार के खिलाफ ज्ञापन था या राजनैतिक ज्ञापन ? मैं आपके द्वारा सदन से निवेदन करना चाहता हूँ कि इसमें कुछ इसके इतिहास में जाना पड़ेगा । 1968 में हरियाणा विधान सभा के अन्दर चुनाव हुए और हरियाणा की कांग्रेस पार्टी में से 34 सदस्यों ने, जिसमें मैं भी शामिल था, यह लिख कर दिया कि पंडित भगवत दयाल को, हरियाणा के जो सदस्य नहीं थे, कांग्रेस पार्टी के नेता अथवा मुख्य मंत्री बनाया जाए । ५० भगवत दयाल के दिल में शायद यह बात थी कि मुझको मुख्य मंत्री बहिन श्रीमती इन्दिरा गांधी, हमारी प्रधान मंत्री, नहीं बनने देना चाहती और यही कारण था कि जब पहला ज्ञापन दिया गया राष्ट्रपति को, उस ज्ञापन में ही दर्ज है—अगर आप उस ज्ञापन को पढ़ें—वह भ्रष्टाचार बशीलाल के खिलाफ एक बहाना दिखायी देता है, उस ज्ञापन के अन्दर ही दर्ज है कि हमको प्रधान मंत्री पर कोई ऐतबार नहीं है । पहले ही यह दर्ज है ।

उप-सभापति जी, इसके बाद आप जरा यह देखें कि उन्होंने 37 विधायकों का जिक्र किया । वे 37 विधायक कौन थे ? उनमें से 17 विधायक तो कांग्रेस पार्टी के थे जिन्हें भगवत दयाल भगाकर ले गये थे । उनके दस्तखत थे ।

श्री महावीर त्यागी : क्या वे नाबालिग थे ? क्योंकि नाबालिगों को ही भगाया जाता है ।

श्री नागेश्वर प्रसाद शाही : क्या आपका भी नाम था ।

श्री रणवीर सिंह : मेरा नाम नहीं था । श्री भगवत दयाल 1967 के चुनाव से पहिले हमारे मुख्य मंत्री थे । ये कांग्रेस पार्टी में थे और मैं उनके मंत्रीमंडल में था और मुझ को विरोधियों से मिलकर 1967 के चुनाव में हराया । वे उस समय कांग्रेस पार्टी में थे

और हरियाणा के मुख्य मंत्री थे और कांग्रेस पार्टी के साथ दगा किया । इस नाते उनकी आत्मा मानेगी, रोयेगी कि उन्होंने जो कुछ किया है वह गलत किया है । (व्यवधान) खैर, उन्होंने जो कुछ किया उसका भुगतान अब कौन करेगा, जो गलती उन्होंने की, उसका भुगतान अब उनको ही करना पड़ेगा और पड़ रहा है । लेकिन मैं आपको यह बतलाना चाहता हूँ कि यह जो ज्ञापन दिया गया है यह केवल एक राजनीतिक ज्ञापन है । इसमें 121 पार्लियामेंट के सदस्यों का जिक्र किया गया है । 1971 के चुनाव में हमारी प्रधान मंत्री बहिन श्रीमती इन्दिरा गांधी ने विरोधी पार्टियों को एक गहरी चोट दी और उसके बाद ही विरोधी दलों के सम्मेलन सदस्यों ने हस्ताक्षर किये । जनसघ्र वालों को दिल्ली में इतनी करारी हार दी कि वे दिल्ली छोड़कर भाग गये जबकि वे समझते थे कि दिल्ली में उनका राज्य होने वाला है । इसलिए यह जो ज्ञापन है वह बिल्कुल राजनीतिक ज्ञापन है ।

उप-सभापति जी, उन्होंने डिफेंस वालों के एतराज का जिक्र किया था उसका भी जिक्र किया । डिफेंस वालों की जो जमीन है उसका उन्होंने हवाला दिया और एक कर्मल की चिट्ठी का भी उन्होंने हवाला दिया । उन्होंने जिस चिट्ठी का हवाला दिया उस समय उस स्थान में गुडगाव ग्राम के 400 मकान बन चुके थे । यह जो उन्होंने जो हवाला दिया वह एम्प्युनीशन डिपो से 1500 गज के पैरीमीटर का है, व 64 एयर फील्ड काम्प्लैक्स के रनवे से 3500 गज के पैरीमीटर के अन्दर जमीन लेने का सबाल था । उसके अन्दर एयरफोर्स का मैस भी बना हुआ है । उसके अन्दर गुडगाव वालों के 400 मकान बने हुए हैं और 29 मकान और बने हुए हैं । उसके अन्दर कारखाना बना हुआ है जिसका जिक्र उन्होंने किया । उस जमीन के अन्दर मकान बने हुए हैं । हमारी जो नेशनल हाईवे नम्बर सात है, वह उसी जमीन के बीच से निकलती है जिस जमीन का उन्होंने

[श्री रणवीर सिंह]

जिक्र किया है कि इनने गज के अन्दर आती है। मारुति का कारखाना भी वही पर बना हुआ है। आप पूछेंगे कि यह चिट्ठी सही है या गलत है, मैं इस बारे में कुछ नहीं कह सकता हूँ और यह बात तो पंडित जी को मालूम होगी।

पंडितजी ने जमीन के भाव का जिक्र किया और जमीन वालों के साथ व्यवहार का जिक्र किया और जो ये चिट्ठियाँ आपको भेजते हैं उनके कारनामे क्या हैं। 25 ऐसे एयर फोर्स के अफसर हैं जिन्होंने अपने रिश्तेदारों बीबी, अपने भाई के नाम से जमीन खरीदी है। और जमीन खरीदी है किस तरह? उनको डरा कर खरीदी है कि ये एयरफोर्स के इलाके में आती हैं, यहाँ कोई मकान नहीं बना सकता। और किस भाव से खरीदी है? एक श्रीमती इन्दरा जो दुख्तर है रघुवीर सिंह की उन्होंने 25 कनाल 17 मरले जमीन खरीदी कितने रुपए में 24,500 रुपए। मे यह 8 हजार रुपए फी एकड़ से कम बनता है। इसके अलावा एक श्री विद्या सागर है, बल्द नानक चन्द, उन्होंने 11 कनाल 15 मरले जमीन एक हजार रुपए में खरीदी है, एक-डेढ़ एकड़ जमीन एक हजार रुपए में खरीदी है। इसी तरह 25 आदमियों की फेहरिस्त मेरे पास है। कोई भी ऐसा आदमी नहीं है जिसने 8 हजार रुपए फी एकड़ से ज्यादा पर जमीन खरीदी हो और यह सारी जमीन उस जगह पर है जहाँ मारुति बना है और जो 1500 गज और 3500 गज के अन्दर-अन्दर आती है। जिक्र किया गया कि वहाँ एक पुराना हवाई अड्डा था। वह हवाई अड्डा खत्म हो गया। पंडित जी, वह चिट्ठी क्यों नहीं पहुँची डिप्टी कमिश्नर को। उस नोटिफिकेशन की सूचना डिप्टी कमिश्नर गुड़गाव के पास पहुँचनी चाहिए थी। वह क्यों नहीं पहुँची? वह इसीलिए नहीं पहुँची क्योंकि एक साजिश थी, गरीब काश्तकारों की जमीन सस्ते भाव से खरीदने की साजिश थी। हम

मशकूर हैं सजय गांधी के कि उन्होंने एक कारखाना लगाया जो हरियाणा की तरक्की करेगा, उन्होंने एक कारखाना लगाया जिसकी वजह से किसानों को 11 हजार रुपया फी एकड़ के हिसाब से जमीन का पैसा मिला जबकि एक, दो, चार और आठ हजार रुपए फी एकड़ के हिसाब से जमीन खरीदी जा रही थी। अगर आप चाहें तो मैं इन 25 आदमियों का ब्यौरा दे सकता हूँ, अगर आपकी इजाजत हो तो मैं इस ब्यौरे को मदन के पटल पर रख देता हूँ।

श्री उपसभापति : आप दो मिनट में खत्म करिए।

एक माननीय सदस्य : सभापटल पर रख दीजिए।

श्री रणवीर सिंह : ठीक है, सभापटल पर रख देता हूँ।

श्री सभापति : आप अपने पटल पर रखिए।

श्री रणवीर सिंह : यहाँ जिक्र किया गया कि मारुति वहाँ डिफेंस के नियम को तोड़ कर बन रही है। वहाँ 29 मकान बने हुए हैं, 400 मकान गांव वालों के बने हुए हैं। इसकी सूची में सदन के पटल पर रख रहा हूँ। जमीन का मुआवजा 11 हजार रुपए फी एकड़ के हिसाब से दिया गया है और कुओं का मुआवजा 1 लाख 41 हजार 624 रुपए दिया गया। इसी तरह से दरख्तों का मुआवजा दिया गया। उस जमीन में ने जो जमीन कुओं से सिंचित हो सकती थी उसका जो ज्यादा से ज्यादा भाव दिया गया वह 12,535 रुपए फी एकड़ के हिसाब से दिया गया। इसके अलावा वहाँ पर बिलकुल मारुति के सामने रानी सुमेर पोल्ट्री है उसको जमीन दी गई 8,480 रुपए फी एकड़ के हिसाब से एक्वायर करके, 71 में जो इंडस्ट्रियल एस्टेट गुड़गाव की बनी, जिसका जिक्र किया गया, उसके लिए जमीन एक्वायर की गई 9,360 रुपए फी एकड़ के हिसाब से गुड़गाव से एक मील डेढ़-मील के ऊपर जिले के मुकाम पर।

पंडित जी ने जिक्र किया कि उसको बड़ा महंगा बेचा जा रहा है। पंडित जी को मालूम नहीं है। मेरी जमीन यहां दिल्ली में ली गई थी.....

एक माननीय सदस्य : आपकी ?

श्री रणवीर सिंह : मेरे एक अजीज की और मुआवजा मिला, दो रुपया गज और मकान बनाने के लिए 45 रुपया की रियायत के तौर पर जमीन मिली और 45 रु० फी गज का उसका भाव है, डेवलपमेंट चार्ज लगाकर। मारुति को कोई डेवलप करके नहीं दिया है। मारुति की जमीन जिस भाव ली है, उसी भाव दी है। अदालतों में दावे हैं, पंडित जी जो आपने जिक्र किया, इनके फैसले होने हैं और दीवानी अदालतों में कितना समय लगता है, आपको मालूम है। इसी केस में ज्यादा लगा है, इसका हमें इल्म नहीं है।

श्री महावीर त्यागी : आपने कहा कि मारुति को जो जमीन दी गई है वह उसी भाव पर दी गई है, जितना मुआवजा दिया गया उतने में दी गई है। लेकिन मारुति का रुपया नकद वसूल नहीं होगा, वह दस-बीस वर्ष में होगा किस्तों में।

श्री रणवीर सिंह : उपसभापति जी, मारुति को जमीन 11249 रु० फी एकड़ के हिसाब से दी है। इसके अलावा उनके ऊपर शर्त यह है कि अगर अदालत में—सुप्रीम कोर्ट तक ये ले जायेंगे क्योंकि यह तो राजनीति का प्रश्न हो गया— ज्यादा मुआवजा दिया गया तो वह भी मारुति को ही देना होगा और वही नहीं देना होगा बल्कि जो दावे का खर्चा है वह भी मारुति से ही लिया जाएगा। मैं तो मानता हूँ कि मारुति के साथ हमने रियायत नहीं की। मारुति को सारे हरियाणा और पंजाब में जितने कारखानों के लिए जमीन दी गई है उन सबका व्यौरा मंगाकर देखें, अगर कोई जमीन जिस को सरकार ने कारखानों के लिए एकवायर करके लिया और इतने महंगे दामों पर और इतनी कड़ी शर्तों पर बेचा,

तो त्यागी जी आप मान जायेंगे कि जो भी हुआ, जो बात हुई वह ठीक हुई, तो अपने दस्तखत वापस कर लें। अगर उसमें कोई गलती हो तो मैं भी आपके साथ दस्तखत कर दूंगा। त्यागी जी तो खुद उधर गये। आप तो खुद ही छोड़कर गये थे, बहन इंदिरा गांधी ने आपको मंत्री मंडल से निकाला नहीं था, आप इस्तीफा देकर गये थे।

(Interruptions)

श्री महावीर त्यागी : बहन तुम्हारी होगी, हमारी तो भतीजी है।

श्रीमति विद्यावती चतुर्वेदी : भतीजी होती तो आप चाचा होते। अगर भानजी कहते तो मामा होते.....

(Interruption)

श्री रणवीर सिंह : जहां तक इस बात का ताल्लुक है कि देश की रक्षा में कोई गड़बड़ न आये, जो इलाका है जिसे अम्पूनिशन डिपो कहते हैं उसमें एक तार की बाढ़ लगी हुई है। उस तार की बाढ़ के अन्दर जहां तक कोई मकान नहीं है। उस तार को पीछे किया जा सकता है। उसके लिए जमीन डिफेंस के पास है उन्होंने हरियाणा सरकार को कहा है कि वह जमीन डी रिकवीजेशन कराना चाहते हैं छोड़ना चाहते हैं इस ज़िद के लिए भी यही कारण है चूँकि सरकार के भी कुछ आफिसर ऐसे हैं जो कि नाराज हैं, जिनको आज की सरकार से नाराजगी है वह इनको जाकर कागज देने हैं, इनको सही और गलत बातें पढ़ाते हैं। और वे राजनीतिक पार्टियां क्यों नाराज हैं? कौन-सी राजनीतिक पार्टियां कांग्रेस से हारी नहीं हैं? सबको करारी चोट लगी है यही नीरेन घोष को गिला है, श्री कुरियन और हमारे सोशलिस्ट भाई हैं उनके नेता तो सीधे हारकर आये और राजनारायण जी तो प्राइम मिनिस्टर के मुकाबले में हारे हैं कैसे ये इस बुखार को भूलेंगे, ये उस बुखार को कैसे उतारेंगे? वह हार के दुख को भूल नहीं सकते हैं।

[श्री रणवीर सिंह]

उप-सभापति जी जहाँ तक हमारे सम्बन्ध में पड़ितजी ने जिक्र किया, जो मैंने सवाल किये थे, हरियाणा एसेम्बली में जब मैं मेम्बर था और उन्होंने पोल यानी खम्बे की कीमत का जिक्र किया ।

पड़ितजी इस बात को भूल गये । साहनी साहब जो चेयरमैन हैं उन्होंने कहा कि अगर पोल ज्यादा कीमत पर खरीदे गये हैं तो उसकी जाच होनी चाहिए । हमारे मुख्य मंत्री जी ने उसी वक्त सदन को विश्वास दिलाया कि इसकी इक्वायरी की जायगी और उसकी इक्वायरी की गई । उस इक्वायरी का जवाब मिर्धा साहब ने अपने जवाब में दिया था । चेयरमैन ने यह लिख कर के दिया कि अगर कोई खराबी हो तो हम तैयार हैं, उसके जिम्मेदार हम हैं, मुख्यमंत्री का इससे कोई वास्ता नहीं है । उसके बाद इक्वायरी की गई स्टेट विजिलेंस कमिश्नर की मार्फत और उसमें कुछ नहीं मिला । इसके बावजूद साहनी साहब ने जो चेयरमैन हैं उन्होंने यह लिख कर दिया कि आडीटर जनरल से जाच कराई जाय । असल में जैसा कि मुल्तान सिंह जी ने कहा कि हरियाणा प्रदेश तरक्की कर रहा है और उसमें पड़ितजी का कोई योगदान नहीं है, इसी लिए उनको दर्द है, इसी लिए उनको गिला है ।

इन राजनैतिक पार्टियों को इस लिए गिला है कि प्रधानमंत्री ने उन पर करारी चोट की ।

MR DEPUTY CHAIRMAN Now that will do Yes, Mr Niren Ghosh.

SHRI NIREN GHOSH (West Bengal) Mr Deputy Chairman, Sir, the subject before this House is the action of the Central Government in refusing to set up a court of enquiry Now whatever I have heard from the Treasury Benches is that they have not refuted the allegations; they know that the allegations are there and, if not all, rest of them are perhaps correct

AN HON MEMBER: There are no allegations.

SHRI NIREN GHOSH They have only made counter allegations and that is not the subject before the House The

point that I want to make is that the whole Haryana affair with which the Maruti Ltd is intimately connected, has become a roaring scandal. In any other country, the Prime Minister would have resigned in such a state of affairs but in India things happen otherwise

SHRI PITAMBER DAS Or he would have been forced out

SHRI NIREN GHOSH Before I come to the main point, I would like to say: Who is this Mr M P Sahni? He is the same against whom the Das Commission passed strictures. Now the Central Government has awarded him the honour of Padmashri. All the crooks and scoundrels can be honoured with the title of Padma Bushan and Padmashri, that is, of course, the prerogative of the Central Government Now he is the Chairman of the Haryana Electricity Board. How many lakhs of rupees have been swallowed by this fellow, by giving more to the contractors more to his well-wishers? But the workers there are suffering Five hundred workers have been taken under custody This is happening under this regime.

But let me come to the main thing. I assert that Mr. Bansilal would not have the check to acquire this land in such a manner, cheating the peasantry, giving far less than the market price, unless he was told to do so from the highest quarter in the land He could never have done it because he knew it would come before the country There must be some one to defend him to guard him. So under direction from the highest quarter he entered into this deal and gave this land at a throwaway price to Maruti Ltd The market price is four, five, six times higher than for what it has been given to Maruti Ltd which is located in Haryana This scandal is gathering mass more and more as days pass Now, you know a public sector small car project was in the offing Our House was told that an agreement with Renault would be signed I wrote to the Prime Minister why it had not come up and she wrote back to me saying that more attention should be given to public transport not to private transport. So thus that small car project was scuttled, for whose benefit for the benefit of her son, Shri Sanjay Gandhi It is a most sordid thing and no explanation has come from the Government about this Now, Sir, four, five or six letters of intent were issued Has the country ever heard what has happened to the other letters of intent except the one granted to Shri Sanjay Gandhi? All those persons, to whom letters of intent were granted were cover agents in order to delude the country The real thing was to scuttle the people's-car project in the public sector

SHRI OM MEHATA Anybody can take it and many have taken it.

SHRI NIREN GHOSH: I am not yielding because my time is short. So this was a sordid deal. Some cover agents were deliberately set up. And now the Prime Minister had the check to say the other day that in any other country a young man would have been encouraged. All these years Shri Sanjay Gandhi himself has not come out with the assertion but his mother, the Prime Minister, asserts that from indigenous material he has fabricated a car.

श्रीमती विद्यावती चतुर्वेदी : श्रीमन्, मेरा प्वाइंट आफ ऑर्डर यह है कि इस में हरियाणा के मुख्य मंत्री पर कुछ आरोप लगाये गये हैं। तो हरियाणा के मुख्य मंत्री ने कौन से नाजायज काम किये इस पर वे बोल सकते हैं। लेकिन प्रधानमंत्री को इस बीच में घसीटना कहाँ तक उचित है ?

SHRI NIREN GHOSH: Now to come to the thing, he has not got the technical knowledge to fabricate an indigenous car. Therefore, would I be wrong if I assert—and I assert with a full sense of responsibility—that Shri Raunaq Singh who has been made the Chairman of the Export Promotion Council by your Government and who is one of the Directors of Maruti Ltd., has imported foreign designs and drawings for Maruti Ltd., and there is nothing indigenous there? I also assert that this Raunaq Singh, for the benefit he is giving to the Prime Minister's son, is exporting steel tubes out of steel imported by him at less than the imported steel price.

SHRI SITARAM KESRI: Properly taught by Hindusthan Motors.

SHRI NIREN GHOSH: Steel tubes manufactured out of steel imported into this country are exported by Raunaq Singh at less than the imported price of steel resulting in nett loss of foreign exchange to the country. The Government is more than compensating him.

श्री कमल नाथ झा : आनरेबल मेम्बर से मैं जानना चाहता हूँ कि वे कोट कर रहे हैं कि वे बहुत कम दाम पर स्टील लेते हैं तो मैं चाहता हूँ कि वे उस की कीमत भी कोट करें और केवल इस तरह की जनरल बातें ही न कहें।

SHRI NIREN GHOSH: For your information let me tell you I put a question but because the question was inconvenient the reply given was that information was being collected. The Government had not the check to answer my question and so

they resorted to this step. Not only that; I assert that this Raunaq Singh of Bharat Steel Tubes is having the orders of Maruti Ltd. to manufacture tubes. So, this is the thing it has come to with Maruti Ltd. That is why I was saying it was a roaring national scandal. Everything is foreign-made and all sorts of crooks are gathered together. This upstart of Mr. Raunaq Singh has got several licences, fifteen or twenty, all for the benefit of Maruti Ltd. Some other entrepreneurs have rushed into it and poured money into Maruti Ltd. I made this allegation during the debate on the President's Address. Now that Maruti has become a hot cake, in order to save the image of the Prime Minister Sanjay Gandhi might be asked to quit Maruti Ltd. and Rs. 70 lakhs would be given for his so-called technical consultancy services. He is not a technical man.

(Interruptions)

SHRI SITARAM KESRI: It is all a lie...

SHRI NIREN GHOSH: I know it pinches them.

SHRI T. N. SINGH: Is this the way? It is deplorable.

SHRI NIREN GHOSH: You have no answer. It is no argument. Because Mr. Bansilal is a party to this affair of Maruti he is being protected from the highest quarters...

SHRI SITARAM KESRI: No, never.

SHRI NIREN GHOSH: That is the reason why they are not going into these charges.

(Interruptions)

MR. DEPUTY CHAIRMAN: MR. Kesri, let him finish now. If you go on shouting, he will take more time.

SHRI NIREN GHOSH: Sir, perhaps we would not have brought the subject before the House. It is because the same party is ruling in Haryana and at the Centre. So, we have no option but to raise the matter in the House. That is the position.

SHRI RANBIR SINGH: You are helpless. People are not with you.

SHRI NIREN GHOSH: Now, Sir, the entire Maruti Ltd. is a fraud, a pet imposed on the country. I have not heard anywhere else that the Prime Minister of a country shows unheard of nepotism in favour of her son, throws away all public standards and even goes to the country and begs that her son should be hailed as some enterprising youngman. Her son is not technically qualified even. I have asserted that everything is foreign-made. (Interruption). In this way they are

[Shri Niren Ghosh].
cheating the peasants. The Defence Department made an objection that it should not be purchased.

SHRIMATI SUMITRA G. KULKARNI:
Mr. Deputy Chairman, Sir,....

MR. DEPUTY CHAIRMAN : She wants to ask you a question. (Interruptions).

SHRI NIREN GHOSH : I cannot hear two Members.

SHRIMATI SUMITRA G. KULKARNI : I want to ask Mr. Niren Ghosh a small information. In all those years when you were ruling at Calcutta, how is it that the Birlas' factory was never once gheraoed, was never once closed down ?

(Interruptions)

SHRI NIREN GHOSH : Birlas' factory has been gheraoed. The gherao was conducted by us. Not only that, There were, besides, any strikes, with a six-month old bitter strike in Texmaco, and also a series of strike in Birlas' factory. So, all your allegations are fantastic imagination.

SHRIMATI SUMITRA G. KULKARNI : Sir...

MR. DEPUTY CHAIRMAN : Mrs. Kulkarni, please take your seat.

DR. K. MATHEW KURIAN : Why don't you take over the Birlas right now ?

SHRI NIREN GHOSH : For having supported Maruti Limited, Mr. V. R. Mohan was made an MP, because he became a director in Maruti Limited and poured money-into that, and for that this favour that was granted by the Congress Party... (Interruptions) The entire Government machinery was moved. And what is this Nagarwalla case and what are those moneys ? The country suspects that those were moneys directed by someone in the highest authority to be diverted for the construction of Maruti Limited. It is a legitimate suspicion throughout the country.

So, I say that the Haryana affair is part of this national scandal, this Maruti Limited affair, for which the first person in the land, the highest authority in the land has gone the whole hog, throwing away all moral standards and all norms of public behaviour and governmental standards and for the personal benefit of the Prime Minister's son. That is why I know, you will not institute a court of inquiry because how can you ? You have asked him to do all these things. Now, you cannot defend him.

MR. DEPUTY CHAIRMAN : Mr. Puri.

SHRI D. D. PURI : Mr. Deputy Chairman, Sir, we have witnessed an amazing

phenomenon this afternoon inasmuch as a senior Member of this House who has now made a retreat and is going out—he has come back—he has used the word scoundrel for the Chairman of the Haryana State Electricity Board, a respected and decorated member of the services, who is not present in the House... (Interruptions) Just a moment.

DR. K. MATHEW KURIAN : He is victimising the employees of the Haryana State Electricity Board.

MR. DEPUTY CHAIRMAN : Why are you interrupting every speaker ? It is very unfair.

SHRI D. D. PURI : A categorical statement was made that Shri P. N. Sahni was found guilty by the Das Commission... (Interruptions)

SHRI PITAMBER DAS : I would request the House to enjoy the speech of Mr. Puri.

SHRI D. D. PURI : A categorical statement has been made by the hon. Member that Shri Sahni has been found guilty by the Das Commission. I wish the hon. Member had read the Das's Commission's Report, I wish he had had as much as a casual look at that Report. Having read that Report several times over, I make the statement unequivocally without any fear of contradiction, that this statement of the hon. Member that any aspersions have been cast upon Shri Sahni leave alone his having been found guilty, is a factual monstrosity, it is a rape of the truth, there is no vestige of truth in the statement that he has made. Out of the very few people that have come out unscathed, entirely unscathed, through the Commission of inquiry that Shri Das conducted, Shri Sahni is a shining example.

And for a senior Member of this House to use the term "scoundrel" and then to make a statement that he has been found guilty by the Das Commission is a depth of degradation I have never witnessed in my 18 years as a legislator.

SHRI NIREN GHOSH : I did not use the word "scoundrel".

SHRI D. D. PURI : The word "scoundrel" was used. The official record can be referred.

SHRI NIREN GHOSH : This Mr. Sahni, against whom some strictures were passed by the Das Commission, has been given the title of Padmashree...

SHRI D. D. PURI : If the hon'ble Member wants to withdraw that word I will be happy. But the word "scoundrel" was used by him. Before I deal with other matters mentioned in the alterations, let me tell you what has been the conduct of Mr. Sahni in this matter. Mr. Sahni, first

of all, stated that he took full responsibility for all the transactions against which accusations were made and that the Chief Minister had nothing to do with them. Mr Sahni then invited a full investigation by the Vigilance Department of the State. The investigation was conducted but nothing at all was found against Mr Sahni. Not resting content with that, Mr Sahni insisted and gave it in writing, notwithstanding the fact that nothing had been found by the Vigilance Department and by the agencies of that State Government that he would insist that the Comptroller and Auditor General should conduct a special audit. Even though no other enquiry was being conducted he insisted for the enquiry and the Comptroller and Auditor General of India is at this moment conducting that audit.

DR K MATHEW KURIAN Mr. Puri, could you tell me whether Mr Sahni is your relative?

SHRI D D PURI Yes, and I am proud of this fact.

DR. K MATHEW KURIAN You are defending a corrupt official.

SHRI D D PURI Nonsense.

SHRI BHAGWAT DAYAL On a point of order. The Vigilance Officer is the DIG, CID of Haryana State. He conducted the enquiry. The report of the Comptroller and Auditor General of India has already said that large quantities of stores were purchased against 90.95 per cent advance payments.

MR DEPUTY CHAIRMAN There is no point of order.

SHRI BHAGWAT DAYAL : It is the report of the Comptroller and Auditor General. He says that large quantities of stores were purchased against 90.95 per cent advance payments.

MR DEPUTY CHAIRMAN There is no point of order.

SHRI BHAGWAT DAYAL What has the Central Government done about it? These are the remarks of the Comptroller and Auditor General.

MR DEPUTY CHAIRMAN You can go on, Mr Puri.

SHRI D D PURI : Precisely with a view to set rest any such allegations that because the Vigilance Commission was of the Haryana Government he has insisted and said that the Comptroller and Auditor General of India should conduct an enquiry. Now at the moment the Comptroller and Auditor General of India is conducting an enquiry into the specific allegations. (Interruption by Dr K Mathew Kurian) I am saying all this because the word "scoundrel" was used for him.... (Interruption by Dr. K Mathew Kurian)

MR. DEPUTY CHAIRMAN. Dr. Kurian, you have been interrupting every speaker. That is not fair.

SHRI D. D PURI : Never say die is all I can say to the Hon'ble Member. Then I come to the other matters. The allegations really divide themselves into two parts—allegation against the Prime Minister in so far as the acquisition of land for the Maruti Ltd is concerned and the other allegation against the Electricity Board in so far as the Chief Minister of Haryana is concerned. Sir, Maruti seems to be a matter for which some hon'ble Members of this House have acquired a blinding obsession. The other day when we were discussing the affairs of Shri Kuldip Narang, some fantastic suggestion was made that Mr Kuldip Narang was a Director of Messrs Maruti Ltd. Because it was not denied, not one, two, three, but four Members repeated that allegation. Afterwards

6 P M it was found that there was no basis for it at all. It has become an obsession. The other day we were discussing the affairs of a contractor, a contractor who has been found guilty red handed in broad daylight, of having committed some heinous crime. I am prepared to concede that no hon Member wanted to defend that contractor. But the conduct here reminded me of a pettifogging lawyer in a court of law defending an accused who had been found guilty of a heinous crime. He starts saying like this the police was probably interested in action against him because in such and such matter, not related with this case, the police had some "adavat". That precisely is the conduct of the hon. Member, in season and out of season, whether it is relevant or irrelevant whether the word "Maruti" can be introduced or it cannot be introduced. It is an obsession, a blinding obsession.

There is another interesting fact. Mr. Bhagwat Dayal vehemently stated—I hope he will pay attention to what I am going to say—that this land was acquired for industrial purposes only for the specific purpose of benefiting Maruti, thereby obliging the Prime Minister. Sir, looking through the papers I came across a very interesting notification. In the year of our Lord 1966 a notification was issued in respect of more than 5,000 acres of land of which the land now acquired for Maruti was a part. I will repeat, for the benefit of Mr Bhagwat Dayal, if the House will bear with me, that in the year of our Lord 1966 a notification was issued for the acquisition of more than 5,000 acres of land of which the present acquisition of 420.8 acres is a part.

SHRI BHAGWAT DAYAL : That was withdrawn.

SHRI D D PURI : It was not withdrawn till 1969.

SHRI PITAMBER DAS : How much out of it has been acquired ?

SHRI D. D. PURI : 420 acres.

SHRI DAHYABHAI V. PATEL : A very nice figure.

SHRI D. D. PURI : The point I am making is that at the appropriate time, this piece of land in excess of 5,000 acres, of which that land was a part, was under acquisition for industrial purposes, before Maruti was even conceived, before Choudhury Bansilal came on the scene at all. Therefore, this question of imputing motives for the acquisition of land for the purpose of obliging the Prime Minister under the circumstances would not really hold water at all.

SHRI PITAMBER DAS : I would like to know from Mr. Puri as to when he got the knowledge of this conception ? When was it really conceived ?

SHRI D. D. PURI : Now, Sir, this was de-notified in 1969. A lot of argument has been advanced in regard to the price at which this land has been acquired. Mr. Bhagwat Dayal has given some instances of this land having been acquired at Rs. 16,000 or Rs. 18,000 or Rs. 20,000. And my friend, Choudhury Ranbir Singh, has given other instances. But I would respectfully submit that quantum of compensation is *sub judice* at the moment. Is it seriously being suggested that a matter whose jurisdiction has been seized by a court of law should be made over for enquiry under a commission of enquiry ? Look at the proposition. The proposition is, here is a matter before the court; insofar as the amount of compensation is concerned, under section 18 an appeal is pending before the court. If it is Mr. Bhagwat Dayal's suggestion that there are too many hearings and too many postponements, then they can apply for a transfer of the case, if the case is not being conducted satisfactorily. Instead of wasting their breath on this Rs. 16,000 and Rs. 18,000, let them go and help. If really they have the interest of the dispossessed landholder at heart, let them go and help them with the appeal. Let them engage some good lawyers so that if they are able to get a thousand rupees more or ten thousand rupees more an acre for that land, let them get it, because insofar as the Government of Haryana is concerned as has been made out by my colleague, the Government of Haryana (interruptions) . . . if as a result of the revision the value of the acquisition compensation to be paid is enhanced, then, Maruti and everyone else—there are ten other allottees of that land—will have to bear their share in proportion to the area allotted—not only that—plus legal costs incurred by the Government. Therefore, I was really amazed to see so much of time of the House being

taken up over a matter which is at the moment *sub judice*. I would repeat again, when the House framed its rules and chose to restrain its proceedings from discussing matters which are *sub judice*, it was for a very valid reason, because any discussion of this nature in a House like this on matters which are before courts of law inevitably affect the mind of the court and somehow sometimes justice may be impaired and justice may not be done . . .

DR. K. MATHEW KURIAN : Is it not an aspersion on the court ?

SHRI D. D. PURI : Therefore, senior Members of the House spending all their time on a matter which is *sub judice*, I do not understand why it happens. The land having been acquired was made over, and there are three attacks that are made on this : One: the price; two: the area; and three: the instalments and the interest thereon. And I will briefly deal with them . . .

SHRI T. N. SINGH : It was acquired without notice.

SHRI D. D. PURI : Notice, that question is *sub judice*. I do not want to deal with it. I state here categorically that even when Shri Bhagwat Dayal was the Chief Minister of Haryana, it was the recorded policy of the Haryana Government to allot land to industries at subsidised prices. It is on record . . .

SHRI B. T. KEMPARAJ (Mysore) : Let them deny it.

श्री सुलतान सिंह : अब नहीं बोल रहे ।

श्री भगवत दयाल : 1 नवम्बर 1966 को मैं चीफ मिनिस्टर बना । उस वक्त अकाली ऐजिटेशन चला । . .

SHRI D. D. PURI : Sir, I am not yielding . . .

श्री भगवत दयाल : उसके बाद इलेक्शन हो गया । मेरी समझ में नहीं आता कि साढ़े तीन महीने में मैंने कौन सी पालिसी बना दी, क्या कर दिया ? क्योंकि मैं ऊपर वालों को खुश नहीं कर सका, इसलिए पन्द्रह दिन में इन्होंने मेरी छुट्टी कर दी ।

श्री चन्द्रशेखर : भगवत दयाल जी, 13 दिन में इस मुल्क में चमड़े का सिक्का चल चुका है ।

श्री भगवत दयाल : चमड़े का सिक्का उधर चलता है, यहां तो पांसे का सिक्का चलता है।

श्री चन्द्रशेखर : 13 दिन की सरकार भी आपको मुबारक नहीं हुई।

SHRI D. D. PURI : There is another point I would like to make out. I would briefly give an instance of the quantum of subsidy, not really marginal subsidies; allotments have been made in respect of land acquired at Rs. 2.43 per square yard and lands were allotted to industries at prices varying between Rs. 1.14 and Rs. 153, almost half the price. I can give the instances, but I will not to save time. As a matter of fact, land has been allotted free of cost to the HMT in Punjab. Even registration charges in respect of land for industries have been waived long before Choudhury Bansi Lal came on the scene. It has been the consistent policy of the Haryana Government. And why not?

AN HON. MEMBER : Of Punjab also.

SHRI D. D. PURI : Yes, of the Punjab Government also. And many State Governments are bending themselves backwards to attract industry with a view to solving the problem of unemployment...

SHRI T. N. SINGH : I must correct you. HMT never took any land free in the sense that cultivators who are the real owners are not paid. It was the Punjab Government which undertook to make payment to cultivators on their behalf. The cultivators were paid their right price.

SHRI D. D. PURI : I am very sorry, I have not been able to make myself understood. I said land was allotted at subsidised prices and sometimes the subsidy amounted to 100 per cent. The money was paid to the growers. But in order to attract industries, it was allotted to them at subsidised prices and in some cases like HMT the land was allotted free. I did not say that it was acquired free.

SHRI T. N. SINGH : Government did that...

SHRI D. D. PURI : The only acquiring authority is the State Government. I thought Shri T. N. Singh knew that.

SHRI T. N. SINGH : I am not so ignorant. I might make it clear. The Punjab Government wanted HMT to be located in that State and it has been the practice of many Central projects that they used to be located at places where the land was given free of cost. I does not mean that the farmers are not paid. Prices are paid to them and land for land was provided to them.

SHRI D. D. PURI : For the third time let me repeat that the land was allotted free, not acquired free...

SHRI BHAGWAT DAYAL : Escort Company purchased from Haryana Government 45 acres of land at more than Rs. 65,000 per acre.

SHRI CHANDRA SHEKHAR : When hon. Member Shri T. N. Singh was the Industries Minister, every State Government was vying with one another to allot land free to private parties in order to set up industries...

SHRI T. N. SINGH : Not to private parties.

SHRI CHANDRA SHEKHAR : On every occasion all the State Governments were allotting land at subsidised rates to private industrialists under the stewardship of Shri T. N. Singh who has forgotten that in order to attack someone else. I am not interested in the attack or defence. I am interested in one thing, namely, senior members like Shri T. N. Singh should not try to distort facts. It is a well-established fact that all State Governments give land at subsidised rates, to attract industries. What is wrong in that?

SHRI T. N. SINGH : I must make my position clear. It is one thing to say about public sector and quite another thing to say about private sector. I must make it clear that at no point of time during my time I had said that private sector should be given land at concessional rates. I challenge anybody to prove that. There was not a single line or word, whether in Parliament or on files. I have never said like that.

SHRI CHANDRA SEHKHAR : It was the policy, whether you have said or not.

SHRI T. N. SINGH : You said it was my policy. I am entitled to say this. Why should anybody tell a lie about it?

SHRI CHANDRA SHEKHAR : I take serious objection to that. I have never told a lie. I have not said any word during the last seven years which I have failed to prove. I am not in the habit of telling lies. I said that Shri T. N. Singh conveniently forgets it. I can prove what I said.

SHRI T. N. SINGH : Then prove it. I will challenge you to prove it.

SHRI D. D. PURI : For the benefit of the House. I will read out five or six instances to show that land was allotted to industries at subsidised prices. I do not know whether it was during the time of Shri T. N. Singh when he was the Minister. In 1969-70 Somani Pilkington, Bahadurgarh was allotted 20.5 acres. The

[Shri D. D. Puri]
cost of acquisition was Rs. 2.43 per square yard. But it was given at Rs. 1.53 sq. yard. Jindal India Ltd. Hissar was allotted 36 acres of land in 1970. The acquisition cost was Rs. 2.43, but it was given at Rs. 1.47.

SHRI D. D. PURI (Haryana) : Then, Haryana Steel & Alloys Limited. Area : 50 acres. Cost of acquisition : 2.43 Price at which allotted : 1.35.

Sir, this kind of instances I can quote and as a matter of fact...

SHRI T. N. SINGH : In which years ?

SHRI D. D. PURI : In 1969, in 1970 and so on.

SHRI T. N. SINGH : Mr. Puri, I was not a Minister at that time.

MR. DEPUTY CHAIRMAN : He is only making a statement.

SHRI D. D. PURI : Sir, I am making only a statement and we are only concerned with the limited question whether any departure from the norms was made in the matter of allotment of land to Maruti Limited and all that I have submitted is that if you examine the background of this project, you will find that the State Government of Haryana is going to make lakhs of rupees as sales tax out of this every year. I have not made any calculation. In addition to that, the State is also going to get a portion of the income-tax which the Central Government collects from that State and this is going to be an annual revenue directly to the Government of Haryana and having regard to the size of the Haryana budget, Sir, this is not going to be an amount which is entirely insignificant.

Secondly, Sir, I had stated the other day that this is likely to generate a large number of satellite units where young engineers, by making an investment of fifteen thousand rupees or so, make small parts and supply these parts. I had stated the other day that in regard to Escorts Limited, there were 200 units which had grown around the Escorts as a part of the operation of tractor plant. I was corrected by the President of the Escorts and the number is over six hundred and not two hundred as I had said the other day in the House. The number is over six hundred, arising out of the assembly of tractors, and in the case of motor cars more parts are required and it is going to generate employment to the extent of employing about twenty thousand people. (Interruptions). . . . And, Sir, this is a figure which is quite important for a State of the size of Haryana. Every day we pay lip service to the problem of unemployment and we are wanting to provide crores of rupees in our plan to be able to generate employment. Now, Sir, here

is a project which is going to give lakhs and lakhs of rupees to the State Government of Haryana by way of sales tax and which is going to generate employment for about twenty thousand people and the gravest crime that the Chief Minister of Haryana has committed is that they have acquired the land and allotted to it at a cost! That is one aspect.

Now, Sir, the other aspect is in regard to the area. I need not repeat what I have already said. One of the conditions of the allotment is that the land can be used only for the purpose for which it is allotted, namely, for the purpose of establishing the factory for the manufacture of the car and it is not as if the land can be parcelled out and sold for a profit. One should not be misled by the term "freehold". The land is allotted for a purpose and it can be used only for that purpose. In whose interest is it to acquire land in excess of the requirement? It only increases the indebtedness and increases thereby the annual interest charges.

And, Sir, finally, the rate of interest. The rate of interest is 7%. I believe, Sir, even today, there are more than ten thousand housing and industrial plots whose projects have been financed by the Government of Haryana whose price is being paid in instalments which carry an interest of not more than 7 per cent. In the past, there have been areas which have been acquired and allotted to industries in whose cases, even though the cost of borrowing was more, they were charged an interest of 4 per cent. Even today lands acquired for industrial plots are carrying an interest of 4%. I would like the honourable Member to quote one single instance where an allotment has been made at a rate of interest of more than 7% by a fraction.

Now, Sir, having dealt with this matter in some detail I now come to the other charges against Choudhury Bansi Lal.

SHRI M. KAMALANTHAN : Are we going up to 7 o'clock, Sir ?

MR. DEPUTY CHAIRMAN : I think we have to, because the Opposition was so vociferous on this ... (Interruptions) ... Anyway, I am trying to cut down the time of some Members.

SHRI D. D. PURI : Sir, I will be very brief I will try to be very brief...

SHRI OM MEHTA : We shall withdraw one or two speeches.

SHRI D. D. PURI : Let us be very clear. In what manner does this House have jurisdiction to discuss matters which would apparently seem to be within the purview of the Haryana Legislature? The juris-

diction of this House comes from the Commission of Inquiries Act, which Act is passed by the Central Legislature. We are a part of it; we are a party to it and we have passed it. Therefore, in so far as the fault can be found with the Central Government for not having appointed a Commission of Inquiry under the Commission of Inquiries Act, this House has jurisdiction and is now exercising that jurisdiction. After all these discussions, Shri Krishan Kant made an offer. That offer was accepted. . . (Time Bell rings.) I would like to ask: Do they want the Government to set the machinery in motion provided under the Act simply because a number of Members of the Legislatures have signed a document? The hon. Minister tried to explain that Act requires that it should either be Resolution of the House or there should be a *prima facie* case, otherwise the whole thing is illegal and vitiated. It is contrary to the Act. It is only the application of that Act that this House is competent to discuss. I wish those Members had paused and considered what is the provision of the Act . .

SHRI PITAMBER DAS: You say that this has to be done by a Resolution of the House. This discussion is just a prelude to that Resolution .

(Interruptions)

SHRI D D PURI: I have not made myself clear.

SHRI PITAMBER DAS: I would like to understand.

SHRI D D PURI: I am glad that the hon. Member has asked it. There are two distinct procedures available. One is by a Resolution of the House; that is quite distinct. This Resolution could be brought as an official Resolution or a non-official Resolution. But quite apart from the Resolution, it is incumbent on the Government to appoint such an inquiry if there is a *prima facie* case.

SHRI PITAMBER DAS: That is exactly what we are trying to establish. This is the idea.

(Interruptions)

SHRI RANBIR SINGH: There is no *prima facie* case.

SHRI D D PURI: Certain Members made some allegations. Some clarifications were sought. I have never heard of a *prima facie* case sought to be established as a part of the proceedings of the House by means of a discussion under Rule 176. (Interruptions) This is something I never heard about. Nevertheless, let us take the political aspect of the matter. Forget the Act. Supposing the Act was amended, do the hon. Members

sitting on the Opposition Benches accept the proposition that whenever 120 or 121 Members sign a memorandum the Commission of Inquiries Act should come into operation automatically? If that were accepted it would be a black day in the history of democracy in this country, because if you 120 or 121 Members can send in a memorandum, we on these benches 280 Members of the Congress or even a larger number can do also a similar thing, and would not thereby allow any non-Congress Government to function in this country. (Interruptions) Is that what the hon. Members want? The Act lays down certain conditions. If those conditions were removed, what would be the consequences?

MR. DEPUTY CHAIRMAN: Now you wind up.

SHRI D D PURI: Sir, I want to say nothing about what has been achieved in Haryana. I say: Ignore it. . .

DR K MATHEW KURIAN: Why? (Interruptions)

MR. DEPUTY CHAIRMAN: You keep quiet. You better ignore what he is saying at the moment.

SHRI D D PURI: It is extremely legitimate to make charges when the charges are true. But it is unjust to make charges when one is not too sure of the facts. It is unfair to the Government and to the country and democracy itself to go on making charges and slinging mud in the hope that some of it will stick.

Having said all this, if there are still some hon. Members who are not satisfied about Maruti and other matters, I would only say this: There are none so blind as those that will not see.

श्री उपसभापति : सिर्फ 5 मिनट सीतारामजी ।

श्री सीताराम सिंह (बिहार) देवि, बहुत अदब से आग्रह करूंगा या तो आप बांध ल और अगर नहीं बांधते तो आप समय हम पर भी नहीं बांधिए ।

श्री उपसभापति : 10 मिनट ले लीजिए ।

श्री सीताराम सिंह : उपसभापति महोदय, आपकी अनुमति से मैं इस सदन का ध्यान हरियाणा के मुख्य मंत्री के विरुद्ध भ्रष्टाचार तथा सत्ता के दुरुपयोग की ओर खींचना चाहता हूँ । श्रीमन्, जब मैं भ्रष्टाचार के ऊपर दृष्टिपात करना हूँ तो लगता है कि आज

श्री सीताराम सिंह

इस देश की गगोली आज गदी हो गई है तब हमको और आपको म्बन्ध जल कहा मिलेगा, कैसे मिलेगा ? एक कहावत है—हर साख पे उल्लू बैठा है, अनजाम गुलिस्ता क्या होगा ? (Interruption) जब हर साख पर उल्लू बैठा है तो अनजाम गुलिस्ता क्या होगा ? आज भ्रष्टाचार की तेज धागा दिल्ली से चलती है और गावों तक पहुंचती है जिससे जन जीवन भ्रष्ट हो रहा है ।

श्रीमन्, भारत की प्रधानमंत्री श्रीमती इन्दिरा गांधी जब सारी राजनैतिक, सामाजिक मर्यादाओं की लकीर को तोड़ कर लाइसेंसिंग कमेटी की अध्यक्ष की हैसियत से अपने पुत्र सजय गांधी को मारुति कार बनाने के लिए ... (Interruption) लाइसेंस प्रदान करती है तो सवाल उठता है कि भारत की जनता प्रेरणा किम से ले ? इसी तरह की घटना बिहार की है । भूतपूर्व मुख्य मंत्री श्री के० वी० सहाय ने अपने सुपुत्र को लाइसेंस अपने मंत्रिमंडल काल में दिए थे, उन पर आयोग बैठा था, उन पर स्ट्रिक्चर भी पास हो गया है, उसी तरह का काम जो हमारे देश की प्रधान मंत्री कर रही हैं तो उन पर भी आयोग बैठना चाहिए तभी सबल जनतन्त्र और स्वस्थ परम्परा कायम होगी ।

श्री महावीर दास वे सब कांग्रेस (ओ) में जाकर जमा हो गए हैं ।

श्री सीताराम सिंह अरे भाई धीरज से सुनो । यह राक्षसी बहुमत के बल पर अगर जनतन्त्र की आवाज को, विरोधियों की आवाज को दबाना चाहोगे तो इसका नतीजा बहुत खतरनाक होने वाला है ।

अभी हाल श्रीमती इन्दिरा गांधी जी ने लखनऊ में अपने भाषण में श्री बसीलाल जी जोरदार वकालत की है और उन्होंने कहा कि श्री बसीलाल जी के ऊपर तो किसी आरोप का कोई केस नहीं बनता है, जब कि श्री बीजू पटनयक, सरदार प्रताप सिंह कैरो और तमाम लोगों पर आरोप बन गया । लेकिन जब श्री

बसीलाल जी के खिलाफ हरियाणा के 36 जन-प्रतिनिधियों ने आरोप-पत्र भेजा राष्ट्र-पति को, तो उनके ऊपर कोई केस बन नहीं रहा है यह जानकर हम हैरान रह गए और सोचने लगे कि इसका कारण क्या है ? तो इसका कारण साफ है । श्री बसीलाल जी हरियाणा के मुख्य मंत्री हैं वे गलत तरीके से भ्रष्टाचारियों के जरिए मारुति कार के लिए साधन मोहैया किए हैं और यहाँ तक कि घूस के रूप में 350 एकड़ जमीन

श्रीमती विद्यावती चतुर्वेदी कौन से भ्रष्टाचार साधन हैं, एकाध गिना तो दीजिए ।

श्री सीताराम सिंह अरे गिनने के लिए श्रीमती चतुर्वेदी जी आपको धीरज से सुनना पड़ेगा । आपके इस तरह व्यवधान करने से कुछ हमारे दिल पर असर पड़ने वाला नहीं है । जरा आप समझ ले इस बात को खुलासा ।

श्री बसीलाल आज भ्रष्टाचार की दरिया में डूबे हुए हैं । मैंने सोचा और काफी गहराई से सोचा तो पता चला कि प्रधान मंत्री इसलिये श्री बसीलाल जी का पक्ष करती हैं, वकालत करती हैं, क्योंकि श्री बसीलाल जी ने मारुति कार के कारखाने के बनाने में काफी भ्रष्टाचार के साधनों के जरिये उनकी मदद की है । घूस के रूप में लगभग 300 एकड़ जमीन जो 40-50 रुपया एकड़ की है, किसानों से छीनकर 10-11 रुपया एकड़ के दर में सजय गांधी को दिया है । वहाँ के किसानों को समाजवाद के नाम पर मारे-मारे फिरा दिया है । गरीबी तो नहीं हटी, लेकिन गरीबों को हटाया जा रहा है ।

श्रीमन्, आज इस देश में जो व्यक्ति जितना भ्रष्टाचार कर रहा है उतनी ही उसकी तरक्की होती है, चाहे वह मंत्री हो चाहे नौकरशाह हो । बिहार के श्री हरिनारायण नन्द जी के ऊपर कोमी योजना में लाखों रुपया गड़बड़ घोटेला का आरोप था, लेकिन उनको भ्रष्टाचार निरोध समिति का अध्यक्ष बनाया

गया है। इसी तरह से सत्तारूढ़ दल के एक सम्मानित सदस्य के ऊपर पब्लिक के पैसे की गड़बड़ी करने का आरोप था, लेकिन वे किसी विकास के मंत्री बनाये गये हैं।

SHRI PITAMBER DAS: Sir let it be taken as read!

श्री सीताराम सिंह : श्रीमन्, मैं शासक दल के मित्रों को कहना चाहता हूँ, अदब के साथ कहना चाहता हूँ कि दोस्तों राक्षसी बहुमत के बल पर अगर विरोधी दलों की आवाज को दबाना चाहोगे तो इसका अंजाम खतरनाक होगा। मैं आपके द्वारा इस सदन से माग करता हूँ कि जन जीवन की सफाई के लिए सत्तादल को विरोधी दल के एतराजों को सुनना चाहिये। श्रीमन्, बसीलाल के ऊपर जो भी आरोप लगाये गये हैं उन आरोपों का खंडन नहीं किया गया है बल्कि हरियाणा की प्रगति की रिपोर्टें लोगों ने पढ़के सुनाई हैं।

SHRI B. T. KEMPARAJ: Let him read!

श्री सीताराम सिंह : तो श्रीमन्, राष्ट्र-हित के लिए, समाज हित के लिए, सबल और स्वस्थ प्रशासन के लिए, आपके द्वारा इस सदन से माग करता हूँ कि श्री बंसीलाल पर सर्वदलीय संसद् सदस्यों की जांच समिति बनाकर जांच कराई जाय और इस सम्बन्ध में जो भी कमेटी विठलाई जाय, जो भी आयोग बनाया जाय, उसके द्वारा सब बातों की सफाई हो जायेगी। जनता के मन में जो शंकाएँ और सन्देह हैं, वे शंकाएँ और सन्देह खत्म हो जायेंगे। मैं इन शब्दों के साथ अपना आसन ग्रहण करता हूँ।

MR. DEPUTY CHAIRMAN: Mr. Mariswamy. Only five minutes.

SHRI S. S. MARISWAMY (Tamil Nadu): Mr. Deputy Chairman, I may not take even five minutes; I will take only three minutes. I am thankful to you. As a matter of fact, I did not want to take part in this discussion and witness these heated exchanges.

(Interruptions)

Sir, I got up to speak on the fundamental aspects covering the problem. This is a periodical exercise we are having in this

Parliament for a very long time. In the year 1962, there was a very long discussion in Lok Sabha at the time when Mr. Lal Bahadur Shastri was Home Minister. At the end of the discussion Shastriji has made a statement. It is a long statement but I will read only one or two lines of it. He says, after dealing with the many points covered by the Members:—

“...But I do not want to make it a formal committee as such and wait for its report. Since we know most of the problems”—that is, corruption—“the real point is to take remedial action. I therefore propose to request some Members of Parliament and if possible, other public men to sit with our own officers in order to review the problem of corruption and make suggestions.”

This is the statement he made as early as June 1962. Immediately after that, Mr. Deputy Chairman, a Committee was constituted under Mr. K. Santhanam. He has submitted this report in a year's time. In the report, they have taken so much of pains. They toured a number of States, examined Cabinet Ministers, State Ministers, Chief Ministers, Secretaries, etc. They also collected papers from the U.K., the U.S.A., Pakistan, Burma and so on and so forth. Finally, Mr. Deputy Chairman, one of the important recommendations made was:

“Specific allegation of corruption on the part of a Minister at the Centre or a State should be promptly investigated by an agency whose findings will command respect.”

This is the important recommendation which Mr. Santhanam had made. This was made nearly a decade ago. What have we done so far? We have the Lokpal Bill pending in the Rajya Sabha. Rajasthan and Maharashtra have passed the Bill but none of the other States have passed this Bill. For information of my hon. friends, the Government of Tamil Nadu have brought forward a Bill specifically to enquire into the allegations of corruption against the Ministers including the Chief Minister. You do not find it either in Maharashtra or in Rajasthan. We have done it and I am giving the rest of the information. The Commission of enquiry will have a judge equivalent to High Court Judge. He will be appointed on the recommendation of the Chief Justice of the High Court. His term will be three years. This will go to show that he will be an independent judicial man to enquire into the corruption charges. Unlike the 1952 Act, anybody can approach this Commission asking for an enquiry. No sanction from the Government for making an enquiry is necessary. If the Commission gives the findings that the allega-

[Shri S. S. Mariswamy]

tion of corruption is proved, then the Government has no option except to prosecute the Minister. Unlike the 1952 Act it is obligatory for the Government under this Bill to prosecute the Minister. The punishment for corruption is seven years. There is no such provision in the 1952 Act, which you should bear in mind. To prove that the 1952 Act is not comprehensive and is not intended for enquiring into the allegations of corruption, we may quote Santhanam Committee's recommendations. This Committee came into existence in 1962 and it submitted the report about one and a half years later. Not satisfied with the findings of the Commissions of Enquiry Act, Shri Lal Bahadur Shastri formed this Committee consisting of eminent people. It took so much of pains and wanted that an independent body should be there to enquire into the corruption charges. So falling in line with that, the Tamil Nadu Government had formulated this Bill.

Further, Sir, under the Tamil Nadu Bill, if the Commission decides that the charges of corruption have been proved, the Government shall take proceedings in the court of law for such corruption under the Criminal Law (Amendment) Act. There is also a provision for prosecuting the complainants if it is provided that his complaint is false, frivolous and vexatious. The Commission has to give sanction for such prosecution. With its sanction the case has to be filed in a court of law for this purpose. The sentence prescribed for such an offence is three years. There will be a regular appeal for such prosecutions. Similar provisions are found in the Rajasthan and Maharashtra legislations, but they have not included the Chief Minister in their Bill.

Now, the point is that I am not referring specifically to Mr. Bansilal. I am referring to it in general. There are people who make serious charges. They make charges and go away. But what is the remedy? These who are in power have to prove to the general public that they are above board. For that purpose such a Bill has been introduced in Madras.

My appeal is that Mr. Mirdha, with a massive majority behind him, should take an initiative in the same manner and recommend to all the State Governments, wherever they are in power, to pass similar Bills. It should be passed here in Parliament for the Cabinet Ministers and other Ministers. By doing so, there won't be any ugly discussions, repeatedly either in this House or in the other House.

My appeal to the House is that such a legislation should be passed as early as possible in Parliament as well as in all the other States.

SHRI N. G. GORAY (Maharashtra) : Sir, it was not a very happy experience to listen to this debate as it proceeded. I was sorry to find that the debate at times became very acrimonious and it was one of the most partisan debates that had been heard in this House. I was surprised to listen to the speech of my friend, Shri Krishan Kant. I do not know whether he spoke out of loyalty to his party or he was indulging in sophistry but I thought that as a stalwart in this House he would really try to convince us, Members of the Opposition, that the charges levelled against Shri Bansi Lal were unfounded, were frivolous. The line that was adopted by those who were not of our view was that those who are bringing charges against Mr. Bansi Lal were themselves guilty of the same offences. Shri Sultan Singh as well as Chaudhuri Ranbir Singh tried to point out that many of the ills that have developed in Haryana started when Shri Bhagwat Dayal Sharma himself was the Chief Minister. Sir, I do not think there could be a weaker argument than this because it amounted to saying that both the Chief Ministers were equally corrupt. It is certainly not a defence at all. The other point that they made was that there might have been corruption but so much of development has taken place in agricultural sector, in industrial sector, the per capita income has gone up, so much of production has been there that Haryana has almost an object of envy of all the other States. Sir, granting all this, do the Members who take this line of defence really try to tell us that corruption is part and parcel of development? We have been told in this House many times by very influential and responsible Ministers and others that in a developing economy price rise is inevitable. Sir, now we have come to this I suppose that in a developing economy corruption is also inevitable. What I am saying is that neither the argument that the person who asked for this discussion was himself not above corruption, nor the other argument that in a developing economy as it is in Haryana, a certain amount of corruption is inevitable, is convincing or is really a good defence. The third line of argument was what my friend Shri Puri, tried to tell us. He almost tried to narrow the whole accusation to this point that it was Maruti, Maruti and again Maruti. It is not so. As you know, I have never functioned in this House in a manner which will enable you to say that I am indulging in black-mailing. I have never done that. I do not want to say that because Shri Sanjay Gandhi happens to be the son of Prime Minister he should not get what is due. I will be the last man to say that because a young man happens to be the son of a Minister or Prime Minister he should suffer under certain disadvantages; certainly not but I will be the first man to say that he should not be shown any favours

Let him get all the advantages that are available to other citizens of India and if he shows his merit and ability, all right, let him come to the top. I would not say that he is not a technician or a technocrat or whatever it is. He may not be. It does not matter at all. In the history of the world there are many people who did not have a formal training and still they made their mark as technicians, as leaders and statesmen. What I am trying to say is this. Because certain personalities are involved in these charges, the Chief Minister of Haryana, the Prime Minister and the Prime Minister's son, it is all the more reason why the Government should immediately seize the opportunity and start an enquiry. I am saying this in all seriousness, because otherwise the impression spreads around that these charges have been levelled against you, and because there is a Congress Government in Haryana and at the Centre you say that there is no *prima facie* case against Mr. Bansilal or the Government of Haryana. After all you have to convince the public. You have to convince people like me. I have no grudge against you at all. I am a partyman, of course, and I am in the Opposition, but believe me I am not interested in dragging down Mr. Bansilal from his seat of power. I am not interested in maligning the Prime Minister or her son. I am not at all interested in it. When I went through the charges if I had thought that all these charges were frivolous, I would not have signed it. Just now Mr. Puri said: Well, if you play this game, two can play it, if you 120 members sign it, there will be 250 from our side who will sign a similar memorandum against some other Government. The very fact that we, 120 Members, have signed the memorandum and not others proves that we are not frivolous. We have not signed any memorandum against Shri Oza or against Shri Naik or against Mrs. Nandini Satpathy. We have not done it. We felt that this memorandum should be signed because we thought that all these massive charge-sheets are not the creation of somebody who has nothing except envy for Mr. Bansilal. This is not what we thought. I admit your *bona fides*, but you should admit our *bona fides* too. You know that all of us in the Lobby, in the Central Hall and outside admit that there is rank corruption throughout India. Everybody admits it, whether it is in respect of the Railways or cement or steel or coal. Everything is tainted with corruption. Now, somebody must be indulging in that. Some agencies must be indulging in corruption. Now, if somebody suspects that a particular agency is neck deep in corruption. It is not only Maruti. Probably it is in respect of land deals, in electrification, appointment of teachers and so many other things. When no less than the Speaker of that Assembly makes a statement and I read that for every

defector they paid Rs. 10,000 or Rs. 20,000 and some of them were garlanded with garlands of currency notes, should I also doubt the *bona fides* of the Speaker. Sir, you are in the Chair and if you make a statement, should I doubt that? (Interruption). Everybody belongs to a party, but when the Speaker sits in the Chair, he does not belong to any party. I do not know whether the Speaker of Haryana Assembly has become so depraved....

श्री सुलतान सिंह : उपाध्यक्ष महोदय मैं थोड़ा सा बतला दूँ। स्पीकर तो पब्लिक मीटिंग्स में वंसी लाल जी की खिलाफत करते हैं और भगवत दयाल जी की तारीफ़ करते रहे हैं। मैं टेप सुना सकता हूँ।

SHRI BHAGWAT DAYAL : The Speaker was elected by the Congress Party and up till now he is holding a very important position in the Congress organisation.

SHRI N. G. GORAY : That again proves my thesis—Choudhariji and Sultan Singhji—that in aaryana things are different. Your Chief Minister is different. Your MLAs are different. Your Speaker is different. Something is rotten in the State of Denmark as was said by Shakespeare. The point is very simple. The point is that 120 Members think that there is a case which needs to be investigated. It is a simple thing in which they feel that very high officials there including the Chief Minister and also to an extent the Prime Minister, they are all somehow or the other involved in this affair. I would say than, when we claim such a high tradition, I was reminded of what was said by Rama in Uttar-Rama Charita. When doubt was expressed about the fidelity of Janaki, Seeta, do you know what he said? Some of you must have read and might be remembering. "For the weal of the people, if it comes to severing my relationship with my friends or to giving up enjoyment or if it comes to giving up my sense of pity and not only that, even if it comes to giving up Janaki herself, for the weal of the people, I will not hesitate to do so."

That was the higher tradition we once adored, and we said that this is the Bharatiya tradition. I would like to appeal not only to Shri Mirdha but also to Indiraji. If she is really convinced that there is nothing in the charges, why should she be afraid to go to a tribunal. All right, let them go into the matter. If it is proved frivolous, I think some of us at least, if not all, who put morals above party, we will think always before signing another memorandum. But if the tribunal says, if it is convinced, that there is something in it, you should also not hesitate

because your prestige is involved. That is the only way by which you can start eradicating corruption. When you are thinking of so much of nepotism, of corruption, of this and that and of speaking of Ombudsman or Lok Ayukth....

SHRI BRAHMANANDA PANDA : What about corruption of thinking?

SHRI N. G. GORAY : Corruption of thinking? For that, we shall have to go to our educational policy and all that. I am ready to join in a debate with you but this is not the occasion.

What I am saying is, some people are feeling that there is something rotten in the State of Haryana; some feel that the Chief Minister is involved in it, some feel that there is a sort of connection or liaison between the highest officials and the Chief Minister of Haryana. I shall be very glad, I assure you, if it is proved that there is nothing of the kind. But I would like to say that you should convince the people and therefore you do not hesitate because after all, you yourself cannot judge whether your man is involved or not; there is bound to be some sort of partisanship. And therefore I will, again request you in all humility to keep up the high traditions, the glorious traditions, that go into the formation of our Bharatiya, Indian culture, to set up a tribunal or ask some judge or some other third party to go into these charges and clear up the whole thing. If Bansilalji is cleared, if the Haryana Government is cleared, I shall be very happy; if it is not cleared, well, let him face the punishment that is due to him.

MR. DEPUTY CHAIRMAN : The Minister will reply now.

श्री रणवीर सिंह : गोरे साहब की इंफार्मेशन के लिए मैं बताना चाहता हूं कि हरियाणा असेम्बली में अविश्वास का प्रस्ताव आया था और पं० भगवत दयाल जी की पार्टी के 6 मेम्बर वहां हैं, लेकिन उस के पक्ष में उनका एक मेम्बर भी खड़ा नहीं हुआ और प्रस्ताव के हक में केवल एक सदस्य खड़ा हुआ था ।

SHRI OM MEHTA : Where is the Opposition to listen to the rebuttal of charges which they have levelled? Not even Mr. Niren Ghosh is here. He has also vanished.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAM NIWAS MIRDHA) : Mr. Deputy Chairman, Sir, the House has debated for quite a long time the question regarding the appointment of a Commission of

Enquiry against the Chief Minister of Haryana to enquire into the allocations as contained in the memoranda presented to the President. Gorayji said that a Commission of Enquiry should be appointed so that we could convince the Members who have signed the memoranda of our *bona fide*. It was just mentioned by my colleague Shri Om Mehta that Members are not here to listen to Government reply. They came here like temperamental prima donna, performed their act and made their exist, they are not here to listen, they are not here to be convinced; they are not here with an open mind so that the whole matter could be debated in a good spirit and the basic issues could be thrashed out in a proper manner.

SHRI JOACHIM ALVA (Nominated) : They are points of order people.

SHRI RAM NIWAS MIRDHA : Our friend, Mr. Alva, described them as "points of order people". I would not do that. But his witty journalism can certainly so describe these Members.

Sir, by now we have established a more or less set procedure for dealing with complaints of this nature. This is not the first time that memoranda of this nature have been received by the Government. We have received many of them in the last few years since the passing of this Commission of Enquiry Act in 1952 and certain lines of procedure have become well set. First of all, I would like to impress upon the House that we have not at all departed from what has been done in the past for dealing with allegations of this nature. When we receive these allegations contained in a memorandum we send them to the Chief Minister concerned and we ask for his comments. When his comments are received, if there are doubts left in our mind, if points have not been properly clarified, we ask for further comments which are also properly gone into. In some cases what the Prime Minister has done is to appoint a committee of Cabinet Ministers to still further and more thoroughly examine all the material that is before us, including the comments of the Chief Minister. Any records that he might have sent, any original papers that we might have requisitioned and all things are examined, in certain cases, by a Committee of Ministers. Even that is not resorted to in certain cases. The Government examine all those allegations and arrives at a certain conclusion.

Now it has been suggested that because the memorandum has been signed by more than 100 M.Ps it should be sent to a Commission of Enquiry forthwith. I would not take the liberty of suggesting that hon'ble Members signed the memoranda very lightly

I would not dare to suggest that But we cannot take this as a matter of procedure that in case the memorandum is signed by a large number of MPs, it should be automatically sent to a commission of inquiry. It does add to the weight of the memorandum, there is no doubt about it. It increases our own responsibility in dealing with it and much greater attention has to be paid. But it does not mean that it should be sent to a commission of inquiry forthwith, for the very simple reason that under the Commissions of Inquiry Act, there is a duty cast upon the Government to examine the whole thing, to get satisfied about the basic nature of the allegations and to come to a conclusion whether the facts and circumstances of the case warrant the appointment of a commission of inquiry. Sir, we cannot do it automatically and, if I may say so, lightly because a commission of inquiry involves a large number of people. If they are in the administration, Chief Minister or Ministers or officers, the whole administrative machinery gets disrupted. While the commission goes on, and we know commission do go on for quite a long time, there is an atmosphere of demoralisation in the whole administration, no initiative is taken and even the normal administrative work gets stopped. So it is not as if a commission of inquiry should not be appointed. A commission of inquiry is not just a cursory enquiry which would go into a certain document and come to a decision, but it goes through the whole procedure of affidavits counter-affidavits evidence arguments and so on. And I am sorry to say, Sir, that in the atmosphere prevalent in the country at present when political character assassination and charges of a personal nature are bandied about rather lightly outside and if I may submit, in the House also sometimes the procedure of resorting to a commission of inquiry would be most unfair to the persons involved to put it very mildly.

SHRI T N SINGH What was done in the case of Keshav Deo Malaviya?

SHRI RAM NIWAS MIRDHA Therefore what we have been doing is that we appoint a commission of inquiry only when we are fully convinced that a *prima facie* case exists about it. I would repeat what Gorayji said that we should not suspect each other's *bona fides*. Firstly the whole thing starts with the *bona fides* of the Prime Minister being suspected. She refers the matter to four eminent colleagues. Their *bona fides* are also suspected. Now where do we go? Instead of deciding it herself, she chose to refer it to them. Do you mean to suggest that all the four persons eminent persons in our public life, who have got a certain name and stature in our national life, are

not capable of taking any fair decision? Well, if all of us are like that, then all this debate just does not carry us anywhere. All possible care has been taken to see.

SHRI MONORANJAN ROY (West Bengal) Can you substitute for a commission of inquiry some eminent persons?

SHRI RAM NIWAS MIRDHA Well, Sir, I am talking of the procedure that legally has to be gone through. We would be failing in our duty if we automatically remit any complaint of corruption that we receive to a commission of inquiry. It would be against the letter and spirit of the Act if we do it.

SHRI BHAGWAT DAYAL Have you taken into consideration the Santhanam Committee Report or not?

SHRI RAM NIWAS MIRDHA The Santhanam Committee made a recommendation that if 10 legislators make a complaint it should be sent for enquiry. They had another procedure, they did not say commission of inquiry, they said there should be a national panel and so on. The Government did not accept it. Through hind sight, very wisely it was not accepted because to get 10 legislators to send complaints against others, and I would repeat, in the present atmosphere of character assassination that is prevailing in our political life today, would not, I think, be a very correct step. But our leaders at that time in their wisdom did not accept that recommendation and they said that that would not work. They did not accept the said recommendation. So there have been a number of cases in which Cabinet committees have been appointed. References were made to cases regarding Shri Biju Patnaik and Shri Biren Mitra. Then again there was a case against the Chief Minister of Mysore, Shri Nijalingappa. Then there was a case about the Chief Minister of Bihar and other Ministers there. These cases were referred to committees of Ministers and then they came out with their opinions and certain things were stated which were not accepted.

SHRI BHAGWAT DAYAL You will excuse me for the interruption. In the case of Shri Biju Patnaik and Shri Biren Mitra the Cabinet sub-committee gave a different report as Mr Justice Khanna reproduced that correspondence. The sub-committee said that it will not be proper to open this thing because it will damage the image of the Congress Party. But Shastriji instituted an inquiry in spite of that thing because he felt that there was a *prima facie* case.

SHRI BRAHMANANDA PANDA - This is not complete. There the sub-committee said that he was unworthy of holding the office.

SHRI T. N. SINGH : I have no desire to interrupt, but I would like to submit here that in the case of Keshav Deo Malaviya the case was referred to a judicial authority for a *prima facie* probe. It so happened also in the case of T. T. Krishnamachari but he resigned because he was not prepared to face a *prima facie* inquiry by a judge. So there are both kinds of precedents, one where the matter was referred to judiciary, and the other where it was referred to a committee. So it cannot be said there was only one kind of precedent.

SHRI RAM NIWAS MIHDHA : Both these types of approaches are there. I do not deny that. But the think depends upon the circumstances of every case. In this particular case we did as we had done in most other cases. In many cases no committee of Ministers was appointed. It was just decided whether to refer it or not to refer it. That precedent is also there before us. I would not go into what sort of charges there are and whether they deserve to be sent to a commission. But since some have been pointed out, I would like just to comment cursorily on them to see if they are such as should be remitted to a commission of inquiry. Shri Bhagwat Dayalji gave three or four types of cases which, he thought were of a very aggravated nature. Firstly, one Maruti about which I need not say much because a lot has been said. This is a matter which is of a legal nature, whether the compensations are proper or not, etc. which is now before the District Sessions Judge not in front of an executive Magistrate, but the District & Sessions Judge who is directly responsible to the High Court and works under its supervision. Even to say for a District Judge that he has not framed issues for so many months, and suggest that Prime Minister had better tell him to do so, I again leave it to the imagination of...

SHRI BHAGWAT DAYAL : I am sorry to interrupt. I never said that because of the Prime Minister the issue is pending...

SHRI RANBIR SINGH : That was the intention.

SHRI BHAGWAT DAYAL : No, you cannot interpret my intention. The question is Haryana Government is competent for all these things and the matter is delayed in this. I can prove it how even in the judiciary they are pressurising people; otherwise, after 30 hearings why were not the issues framed? It was because pressures were being brought.

SHRI RAM NIWAS MIRDHA : If we all can get pressurised including the judiciary and the High Court, well, I have nothing to say then. The whole question of Maruti is before the court, before the District & Sessions Judge, so far as com-

pensation is concerned. And whether the notification is properly issued or not, will also be gone into. I do not think there should have been any discussion on it here. But again it was brought in for—what I reluctantly, but firmly say—extraneous political considerations.

Another point was about the Public Service Commission Chairman. The Commission has a place in our Constitution. It was suggested that the Haryana Government established a Subordinate Selection Board and gave them the selection of Class III posts and transferred the selection of Class IV posts to the respective Departments. This system is not new in other States also. There is nothing unusual in it. Many States have Subordinate selection Boards which select Class III posts and class IV are recruited by such persons. Here again, Public Service Commission makes an annual report. Fortunately our Constitution has provided safeguards against possible misuse of powers. There is a provision in the Constitution which says that the annual reports from the Public Service Commission should be placed before the Assembly. In that report they say that the State Government did not do this or that and then there will be discussion. The whole thing can be thrashed out in discussion, I do not know how we come into the picture. Any difference of opinion between the PSC and the State Government can be resolved. There are ways of resolving it or at least discussing it or criticising it. I do not think much can be made out of it.

So far as the responsibility of the Central Government is concerned, the Chairman of the PSC wrote to us and we referred it to the Governor requesting him to look into it personally and try to sort it out. He is no more the Chairman, he says he is being harassed. Even now we have taken it to the Governor and requested him that nothing wrong is done to him of the status of ex-Chairman. We do not want to see that these high dignitaries who have occupied high offices should be harassed in any way. We have never acted in a partisan way. We believe that by acting above partisan considerations and in an objective manner we can strengthen these institutions which are the basis of our democracy. We never want to take any partisan or narrow view. There is nothing more in the allegation of Shri Bhagwat Dayal regarding the PSC Chairman.

Dr. Bhai Mahavir—he is again not here—raised certain points. I do not know how to convince him. He reeled out lot of figures and allegations from the Memorandum regarding purchases by the Electricity Board. Here again I would like to submit that Electricity Boards are creations of Statutes. There also we have

inbuilt safeguards against possible misuse of discretion or mismanagement. First of all its Chairman has clearly said that the Electricity Board takes full responsibility for all its actions. Even if that statement is not there, it is so obvious. Its accounts are audited every year. Allegations have been made here about the working of the Electricity Board such as excessive purchases for rural electrification, and so on and so forth would be enquired into. The State Government has now remitted them for a special audit by the Comptroller and Auditor General. This is not the normal audit. They have given these allegations about specific transactions and purchases and misuse of stores. A big party right now headed by a person of the rank of an Accountant General of a State is sitting in Chandigarh and doing that special audit. How can we appoint a Commission of Inquiry to go into these things for which we have a regular procedure. In the course of administration, lot of things take place. Certain officers use their discretion at certain level and ultimately the Chief Minister is responsible. Unless we establish a personal nexus between the Chief Minister and the alleged wrong act committed by the authority, how can a Commission of Inquiry be appointed. Even that matter is not closed. I have written to the honourable Member that the matter would be considered in the light of whatever the Comptroller and Auditor-General says about those things. So, those things are also being looked into and would be there for all of us to see and judge.

SHRI BHAGWAT DAYAL : What was the hurry in giving the clean chit ?

श्री जोकिम अलवा : चार महीने का चीफ मिनिस्टर है, यहां ज्यादा टाइम लेता है ।

SHRI BHAGWAT DAYAL : Why are you, Mr Alva, interrupting me ? I want a clarification from the Minister. You are dozing here and you do not know anything.

SHRI RAM NIWAS MIRDHA : I clearly stated in my letter to the honourable Member that there are certain charges regarding which we have come to definite findings. There is nothing like a clean chit. There are a large number of allegations some of which we have examined but did not find sufficient material to enable us to appoint a Commission of Inquiry. And, Sir, the other allegations of a factual nature or a procedural nature, where some Financial Rules have been

contravened or where tenders were not invited properly or where the stores were not checked or whatever it is—these are the things which can very well be enquired into by a Special Audit which is taking place and there is no question of giving a clean chit. The clean chit is insofar as the allegations which we have examined are concerned.

As regards the other things, they have been referred by the State Government itself to the Comptroller and Auditor-General for Special Audit and I think that should satisfy the honourable Members and this House that all proper steps have been taken to see that nothing wrong is done.

Now, Sir, I would not take any more of the time of the House. I would quote from a statement which the then Prime Minister, the late Shri Lal Bahadur Shastri, made in Parliament in 1965, that is, on 22nd February, 1965. This concerns the allegations against some Chief Ministers and some State Governments which he had mentioned, (the three or four cases which I referred cursorily). He felt that some honourable Members would still like to examine these matters further. But this is what he says and I will quote :

“I would appeal to you that this matter be allowed to end there. We who are privileged to hold public offices and positions of responsibility should always realise the need for maintaining the right standards of conduct. Only then we will deserve public confidence and support. At the same time, we should give no encouragement to the creation of an atmosphere of distrust and suspicion. Effective administration then becomes difficult. If we bury the past and look ahead; feel confident, we will open a new chapter.”

SHRI T. N. SINGH : That is exactly the point.

SHRI RAM NIWAS MIRDHA : Sir, I commend this to the consideration of the honourable Members of the House. Thank you, Sir.

MR. DEPUTY CHAIRMAN : The House stands adjourned till 11.00 A.M. tomorrow.

The House then adjourned at eighteen minutes past seven of the clock till eleven of the clock on Saturday, the 31st March, 1973.