

INDIAN OIL CORPORATION

*33. SHRI A. G. KULKARNI :f

SHRI V. T. NAGPURE:

SHRIMATI VIMAL PUNJAB
DESHMUKH:

SHRI VITHAL GADGIL:

SHRI B. S. SAVNEKAR:

SHRI PRANAB KUMAR MU-
KHERJEE:

SHRI SITA RAM KESRI:

SHRI VENIGALLA SATYA-
NARAYANA:

Will the Minister of PETROLEUM
AND CHEMICALS/^tfaxmssftTTmin

*f eft be pleased to state:

(a) whether the Commission in
quiring into the alleged pipeline
scandal involving the Indian Oil Cor-
poration has since submitted its re-
port: and

(b) if so, the salient features of the
report?

THE DEPUTY MINISTER IN THE
MINISTRY OF PETROLEUM AND
CHEMICALS/ tTJtfam tft THW* *3T-m * 3*
*Tft (SHRI DALBIR SINGH):

(a) No Sir.

(b) Does not arise.

SHRI A. G. KULKARNI: May I know
whether it is a fact that, as made out in this
House, the Takru Commission which is
looking into the pipeline scandal was
particularly asked to include in the terms of
reference other points like delay in the laying
of the pipeline and payments made to the
foreign companies? May I know whether
these points have been included and now the
Takru Commission is examining all these
points? The other point is . . .

MR. CHAIRMAN: Kindly put only one
question.

SHRI A. G. KULKARNI: The other point
is, it was reported that certain files before the
Commission

tThe question was actually asked on the
floor of the House by Shri A. G. Kulk^arni.

were missing. What is the nature of that
complaint?

SHRI DALBIR SINGH: Regarding the first
question on extending the terms of reference
of the Commission, I may read them out: "(1)
To investigate the circumstances that caused
considerable delay in the completion of
Haldia-Barauni-Kan-pur pipeline project. (2)
To investigate the circumstances which led to
the continuation of Shri Nittoor Sri-nivasa Rao
after his retirement as Vigilance
Commissioner to enquire into the laying of
Haldia-Barauni
pipeline....." There is one more,
"whether any undue favour was shown by the
Indian Refineries Limited or the Indian Oil
Limited or the Government in connection with
the award of the said contract and in
connection with the execution of the Gauhati-
Siliguri and Haldia-Barauni-Kanpur pipeline
projects under the aforesaid contracts."

SHRI A. G. KULKARNI: My first question
was whether these foreign companies and
other firms such as Bechtels were included in
the terms of reference.

SHRI P. C. SETHI: As far as Bechtels were
concerned, they were included in the original
terms of reference. Snam-sipem was not
mentioned in the original terms of reference
and therefore that has also been included now.

SHRI A. G. KULKARNI: It is now reported
that apart from the dummy files, a third file
has been found out in the garage of the Indian
Oil Corporation. I would like to know whether
the Government is aware how many files of
such surreptitious nature are maintained by the
IOC and whether the Government think that
the entire gamut of inquiry should also include
the working of the IOC itself.

SHRI P. C. SETHI: As far as the question
of dummy files are concerned, according to
the IOC the original file was not traceable and
therefore a temporary file was maintained. But
on account of a certain oversight, when the
files were traced, these

were not joined together. Further, the matter is *sab judice* before the Takru Commission itself. I would not, therefore, like to go into details. As regards finding another file in the garage, I have no information.

SHRI PRANAB KUMAR MUK-HERJEE: May I know from the hon. Minister whether it is a fact that Takru Commission has already taken *H* years because of the non-cooperation of the Ministry? Whenever a file is called for by the Commission, the Ministry takes the plea of privilege and on as many as eight occasions the relevant files were not submitted to the Commission as a result of which the commission is not in a position to submit the report within the stipulated period.

May I also know from the Minister whether two other committees have been appointed to do the identical work—one headed by Shri Chari and the other headed by Shri Tandon. If so, what was the purpose for which these two committees were appointed.

SHRI P.C. SETHI: It is not correct that the government has not cooperated with the Commission in submitting files. As a matter of fact, as and when required, we have co-operated with the Commission and we have assisted the Commission in all possible manner.

As far as submission of files is concerned, Takru Commission has observed that the Ministry should file all the relevant files. According to us, we have filed all the relevant files. Later on when it was brought to our notice that there were some more files, we filed them subsequently. Therefore, it is not correct to say that the Commission's work was delayed. However, the fact remains that the Commission's term has been extended now upto February, 1972. Actually, the affidavit and other things by other concerned persons are being filed now and government has to file replies for which we have sought an extension of time till December. As far as filing of government replies is concerned, it will be over by 10th December.

As far as other committees are concerned, I would like to say that they are different. Takru Commission has been appointed to go into the entire aspect as suggested by the CPU. That Commission was to give a finding with regard to the *prima facie* charges against Shri Nayak. On the basis of the report submitted by Takru Commission, Shri Nayak was suspended and a departmental inquiry has been taken up against Shri Nayak and he has been removed from service. These are two separate matters and are taken up at different levels.

श्री सीताराम केशरी : सभापति जी, इंडियन आइल कार्पोरेशन के संबंध में यह जो इन्वॉयरी कमीशन है, यह हम अक्सर देखते हैं कि बहुत सारे कमीशनों का टाइम बढ़ जाता है, जिसमें इस सरकार का बहुत पैसा खर्च होता है, तो हम मंत्रों महोदय से यह जानना चाहेंगे कि अब आगे भी इसका टाइम बढ़ेगा या फिर वहीं लास्ट डेट होगी जिस दिन आपका कमीशन रिपोर्ट देगा। दूसरी बात यह है कि इतने बड़े रिकेट में क्या कोई डाइरेक्टर भी इन्वाल्ड है? और तीसरी बात यह है कि...

श्री सभापति : नहीं, एक ही प्रश्न होगा।

श्री सीताराम केशरी : क्वेश्चन (ए), (बी), (सी), सर।

श्री सभापति : नहीं एक ही होगा।

श्री सीताराम केशरी : It is only one question, Sir.

श्री सभापति : यह (ए), (बी), (सी) में नहीं चलेगा।

SHRIMATI YASHODA REDDY: They are parts of the same question.

श्री सीताराम केशरी : तो मैं आपसे (क), (ख), (ग) में पूछना चाहूंगा। (ग) में मेरा यह पूछना है कि यह जो आपके यहां डाइरेक्टर प्राइवेट से या पब्लिक से लिए जाते हैं उनका क्या लाइफ-टाइम है। यह एक प्रश्न के तीन भाग हैं जिनका उत्तर मैं माननीय मंत्री जी से चाहूंगा।

श्री पी० सी० सेठी : सभापति महोदय, जहाँ तक टर्म के बढ़ाने का ताल्लुक है, हमारी तो कोशिश यही है और निवेदन भी यही है कमीशन से कि वह फरवरी 1972 तक अपनी रिपोर्ट दे दें, लेकिन अगर किसी बजह से उस काम को समय के भीतर पूरा नहीं कर पाए और टाइम के एक्सटेन्शन की मांग की गवर्नेमेंट से, तो उस पर अवश्य विचार करेंगे, क्योंकि कमीशन की नियुक्ति इस लिए की गई है कि वह समय के भीतर रिपोर्ट दें।

जहाँ तक प्रश्न है कि इसमें किसका इन्वाल्वमेंट है, तो कमीशन इसीलिए बनाया गया कि इसकी जानकारी निकालेंगे कि कौन-कौन इन्वाल्व्ड हैं।

जहाँ तक तीसरी बात का ताल्लुक है, नान-आफिशल डाइरेक्टर्स का, उनमें 2 ही नान-आफिशल डाइरेक्टर्स हैं। उसमें से 1 को अभी एक ही साल हुआ है और अरुण राय चौधरी चार-पांच साल से डाइरेक्टर हैं।

श्री सीताराम कंसरी : कुल कितने डाइरेक्टर्स हैं।

(Interruptions)

MR. CHAIRMAN : No other question, please.

श्री राजनारायण : सीताराम जी एक सवाल तो पूछ रहे हैं, आप उनको पूछने नहीं देते हैं। पूछ लेने दीजिये सीताराम जी को।

MR. CHAIRMAN : Yes, Mr. Chinai.

SHRI BABUBHAI M. CHINAI : Sir, irrespective of the fact whether the report has been received, or not, may I know from the Government whether they have drawn out any code of conduct for persons involved in such affairs and what steps the Government would take to take them to task? Otherwise, if you wait for 11 years for the completion of the inquiry or for the report, the man goes on either suspended or the man goes away from the job also. In some cases, the suspension orders are made and the man goes away. Have the Government drawn any code of conduct pending the inquiry when the

Government can take any action against such persons?

SHRI P. C. SETHI : Sir, even when the inquiry is going on, action has been taken against the senior most officer. As far as the code of conduct is concerned, it is there in all the Ministries; But, in this particular case, with regard to the instructions and the rules to be followed with regard to the maintenance of the records and the contractual obligations, the matter was referred to the Bureau of Public Enterprises in the Ministry of Finance and they have also issued instructions and they are being followed.

श्री राजनारायण : श्रीमन्, हमारा एक व्यवस्था का प्रश्न है, मुन लीजिए। क्या सरकार सचमुच जो वास्तविक रोड आफ कन्डक्ट है, उसमें अपने उत्तर में पर्दा डालेगी?

श्री सभापति : नो, नो।

श्री राजनारायण : सरकार ने एक कोड बनाया है। उनको बताना चाहिए कि जिस पर आरोप लगाया गया है, उसकी तरक्की होगी—जो भ्रष्टाचारी होगा उसकी उन्नति होगी।

MR. CHAIRMAN : No. This is no point of order.

श्री राजनारायण : अरे, यही तो सरकार का कोड आफ कन्डक्ट है।

SHRI K. P. MALLIKARJUNUDU : Sir, if I am not wrong, the Takru Commission was appointed in August 1970 and was asked to submit its report within six months. May I know the reason for the inordinate delay? It is now stated that the Commission is expected to submit its report some time in 1972. I want to know what the reason is for this delay.

MR. CHAIRMAN : Thank you.

SHRI P. C. SETHI : Sir, the reason for this delay is that the inquiry is very comprehensive and the number of files and the documents involved are very high and the Commission asked from time to time for these documents to be filed which have been

filed. Now, there are other parties who have filed their affidavits . . .

MR. CHAIRMAN: This you have already stated.

SHRI P. C. SETHI: ... and they have to be replied to by the Government. Hence the delay.

SHRI A. D. MANI: Sir, the Minister has stated that the preliminary report will be submitted by the Takru Commission on Shri Nayak's involvements in these transactions. One of the witnesses who appeared before this Commission made serious allegations against a large number of other officials, some of them belonging to the ICS and serving in very important positions. A man has gone on record saying that these people are involved in these scandals. Has the Government tried to find out through the CBI what their involvement in the scandal is?

Sir, my second point is this: Before this Commission, the Bechtel Corporation wanted their evidence to be taken in New York or California and they said they were not prepared to come here. Apart from what is happening before the Commission, they want the evidence to be taken there...

MR. CHAIRMAN: Please put your question.

SHRI A. D. MANI: May I ask whether this matter has been brought to the notice of the Government at Washington through our Embassy?

SHRI P. C. SETHI: No, Sir, this matter has not been brought to the notice of the Government at Washington through our Embassy. As regards the second question, this is the very-subject matter of inquiry . . .

SHRI A. D. MANI: You are conducting the inquiry yourself . . .

MR. CHAIRMAN: Please listen.

SHRI P. C. SETHI: The Commission of Inquiry has been appointed to conduct an independent inquiry into the whole matter.

MR. CHAIRMAN: Mr. Arora. Very short question.

SHRI ARJUN ARORA: I shall put my question in not more than 150 words which are permitted in the Rules of Procedure...

(Interruptions)

May I know if the Government has any basis for belief that the inquiry will be completed by the end of February, 1972? Secondly, may I know if the Government has found out whether the Board of Directors of Indian Oil Corporation is taking an interest in this inquiry as a body corporate or each Director is free to do whatever he likes and works at cross purposes? And, thirdly...

MR. CHAIRMAN: No, please. Sit down. .

(Interruptions)

SHRI ARJUN ARORA: These are not 150 words yet. But I obey you—as usual.

SHRI P. C. SETHI: Sir, as far as the completion of the inquiry by February 1972 is concerned, although I cannot definitely say, but it appears to me that in the way the proceedings are going on we will have to extend its term for some time more. It will depend on the position sometime in January. But it is certainly our earnest desire that the inquiry should be completed as early as possible.

With regard to the IOC's Board of Directors, the Board is certainly appearing before the Commission in order to assist them, because this being a Commission of Inquiry, everybody appearing before the Commission has to assist them. But one Director of the Board, Shri Arun Roy Chowdhury, in his individual capacity is also assisting the Commission according to the information that he has got available at his hand.

MR. CHAIRMAN: Dr. Bhai Mahavir. Last question. Very short question.

डा० भाई महावीर : श्रीमन्, अभी मंत्री महोदय ने बतलाया कि गवर्नमेंट 15 दिसम्बर तक एफिडेविट फाइल करेगी, तो मैं यह जानना चाहता हूँ कि एफिडेविट फाइल करने का विचार किस दिन पैदा हुआ और गवर्नमेंट कितने असें में एफिडेविट फाइल करने के फार्मलिटी पूरी करेगी क्योंकि आदेश में उन्होंने एक महीने के बाद का समय बतलाया है।

दूसरी बात मैं यह जानना चाहता हूँ कि इस इन्क्वायरी में जिन जिन अधिकारियों को सम्पेंड किया गया है, उसके सम्बन्ध में मनिस्ट्री ने कोई इस तरह की नीति बनाई है या नहीं कि जब कोई इन्क्वायरी शुरू हो तो सम्पेंशन आवश्यक है या नहीं? कुछ अधिकारियों के बारे में इन्क्वायरी होने के बाद उनको वहाँ पर बताया गया है, उनका ट्रांसफर किया गया है और उनके खिलाफ कोई ऐक्शन नहीं लिया गया क्योंकि इसके बारे में कहा जाता है कि इन्क्वायरी के रिजल्ट का इन्तजार है। गवर्नमेंट जब इस तरह के आफिसरों को सम्पेंड करती है या ट्रांसफर करती है, तो इसके बारे में कोई नीति है या फिर जैसा सूझता है वैसा कर दिया जाता है?

श्री पी० सी० सेठी : समापति महोदय, जैसा सूझता है वैसा नहीं किया जाता है बल्कि जैसा आवश्यक होता है वैसा किया जाता है। इसके बाद प्रश्न यह है कि जहाँ तक गवर्नमेंट का एफिडेविट फाइल करने का ताल्लुक है, गवर्नमेंट की तरफ से पहले भी फाइल किया जा चुका है। लेकिन चूँकि श्री अरुण राय चौधरी ने अपना एक एफिडेविट फाइल किया है जो काफी लम्बा चौड़ा है और करीब 400 पेज का एफिडेविट है, अतः स्कूटनी करने और उसका उत्तर देने में कुछ समय लगना स्वाभाविक है। इसलिए इस एफिडेविट को देने के लिए गवर्नमेंट ने समय माँगा है और इसका उत्तर देने समय जो गवर्नमेंट की ओर से पहले एफिडेविट दिया गया था जिसके बारे में कहा गया कि कास परपजेज है उसको रिप्लायमेंट किया जा

रहा है कि किस हद तक उसको देख कर नया स्टेटमेंट जो अब गवर्नमेंट की ओर से दिया जायगा उसमें दुरुस्ती या त्रुटि की जा सकती है।

जहाँ तक आफिसरों का ताल्लुक है आफिसरों के सम्पेंशन के बारे में, उसके लिए एक कमीशन को कहा गया था कि इन्क्वायरी करके अपनी रिपोर्ट दें कि क्या ऐक्शन किस आफिसर के खिलाफ लिया जाय और उनकी रिपोर्ट के अनुसार इन्क्वायरी के चलते श्री नाइक के खिलाफ कार्यवाही की गई है।

बाढ़ तथा भूखाग्रस्त क्षेत्रों के लिये योजनाएं

* 34. श्री जगदम्बो प्रसाद यादव :

श्री जगदीश प्रसाद माथुर :

श्री सुन्दर सिंह भंडारी :

श्री लाल आडवाणी :

श्री देवदत्त कुमर कीका भाई
पटेल :

डा० भाई महावीर :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) इस वर्ष देश के बाढ़ तथा सूखे से प्रभावित क्षेत्रों के लिए कुल कितनी राशि निर्धारित की गई है; और

(ख) केंद्रीय सरकार द्वारा पिछले तीन वर्षों के दौरान बाढ़ नियंत्रण तथा सूखे को समाप्त करने के लिए कितनी राशि व्यय की गई है ?

¹The question was actually asked on the floor of the House by Shri J. P. Yadav.