

RESOLUTION RE: RECENT DEVELOPMENTS IN EAST BENGAL

THE PRIME MINISTER OF ATOMIC ENERGY, MINISTER OF HOME AFFAIRS, MINISTER OF PLANNING AND MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI INDIRA GANDHI):

Mr. Chairman, Sir, the tragedy which has overtaken our valiant neighbours in East Bengal so soon after their rejoicing over their electoral victory has united us in grief for their suffering, concern for the wanton destruction of their beautiful land and anxiety for their future. I wish to move a Resolution which has been discussed with the leaders of the Opposition and, I am glad to say, approved unanimously.

Sir, I beg to move the following Resolution:

"This House expresses its deep anguish and grave concern at the recent developments in East Bengal. A massive attack by armed forces, despatched from West Pakistan has been unleashed against the entire people of East Bengal with a view to suppressing their urges and aspirations.

Instead of respecting the will of the people so unmistakably expressed through the election in Pakistan in December 1970, the Government of Pakistan has chosen to flout the mandate of the people.

The Government of Pakistan has not only refused to transfer power to legally elected representatives but has arbitrarily prevented the National Assembly from assuming its rightful and sovereign role. The people of East Bengal are being sought to be suppressed by the naked use of force, by bayonets, machine-guns, tanks, artillery and aircraft.

The Government and people of India have always desired and worked for peaceful, normal and fraternal relations with Pakistan. However situated as India is and bound as the peoples of the sub-continent are by centuries old ties of history, culture and tradition, this House cannot remain indifferent to the macabre tragedy being enacted so close

to our border. Throughout the length and breadth of our land, our people have condemned in unmistakable terms, the atrocities now being perpetrated on an unprecedented scale upon an unarmed and innocent people.

This House expresses its profound sympathy for and solidarity with the people of East Bengal in their struggle for a democratic way of life.

Bearing in mind the permanent interest which India has in peace, and committed as we are to uphold and defend human rights, this House demands immediate cessation of the use of force and of the massacre of defenceless people. This House calls upon all peoples and Governments of the world to take urgent and constructive steps to prevail upon the Government of Pakistan to put an end immediately to the systematic decimation of people which amounts to genocide.

This House records its profound conviction that the historic upsurge of the 75 million people of East Bengal will triumph. The House wishes to assure them that their struggle and sacrifices will receive the whole hearted sympathy and support of the people of India.

The question was put and the motion was adopted.

MR. CHAIRMAN: The Resolution is passed unanimously.

SHRI MAHAVIR TYAGI (Uttar Pradesh): Hearty congratulations.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

RESULTS OF THE ENQUIRY CONDUCTED BY THE DEPUTY CHIEF ELECTION COMMISSIONER ON THE SURPLUS BALLOT PAPERS FOUND IN CHANDIGARH—*contd.*

MR. CHAIRMAN: Mr. Gokhale may reply to Mr. Man Singh Varna's question.

SHRI H. R. GOKHALE : Sir, most of the things stated by the hon. Member have already been explained in my earlier statement and I do not wish to repeat them. But two things which the hon. Member mentioned were new. One was that I should give the number of the serial list constituency-wise. I would require notice for that. I can not give the number now. With regard to the wagons, I have not admitted that the wagons contained ballot papers.

[MR. DEPUTY CHAIRMAN in the Chair]

श्री निरंजन वर्मा : गोखले साहब को समझने में गलती हो रही है जो मान सिंह जी ने कहा। उन्होंने यह पूछा है जो सिलसिलवार नम्बर चल रहा है, वह नम्बरिंग कैसे डल गई। इकट्ठा छप सकते हैं फर्में के ऊपर, वह तो ठीक है, लेकिन नम्बर तो जितनी आवश्यकता होती है, उतने ही डाले जाते हैं। उससे अधिक कैसे डाले गए, यह भी बताएं।

SHRI H. R. GOKHALE : The numbers are also printed in the same way in which the forms are printed for ballot papers.

श्री निरंजन वर्मा : नम्बर एक के बाद एक डलता है।

SHRI LOKANATH MISRA : It seems the honourable Minister of Justice has absolutely no idea of how a press works, how a machine works.

श्री निरंजन वर्मा : नम्बर एक के पश्चात् एक छपता है।

SHRI H. R. GOKHALE : I think I have given the explanation that the forms are printed and these forms contain the ballot papers of more than one constituency, sometimes three or sometimes four

श्री निरंजन वर्मा : श्रीमन्, इसमें हमारा विरोध है। बात यह है कि श्री गोखले साहब बात छिपाने की कोशिश कर रहे हैं। यह बात समझ में नहीं आती है कि श्री गोखले साहब इस बात को समझते नहीं हैं। वे तो जानबूझकर इस बात का उत्तर देना नहीं चाहते हैं।

MR. DEPUTY CHAIRMAN : He has already replied to that question.

SHRI N. G. GORAY (Maharashtra) : This is a very grave matter and I would like to tell the Minister of Law that he should really go into this because when he said that the ballot papers are printed in the particular way, that is all right, but the numbering is done consecutively, one after the other and you know how many people are there who have right to vote. If you know that, there is no question of putting more numbers than are actually required by the voters.

SHRIMATI YASHODA REDDY (Andhra Pradesh) : Mr. Deputy Chairman, I have been waiting for a chance to ask.....

MR. DEPUTY CHAIRMAN : You will get a chance, but not now.

श्री ना० कृ० शेजवलकर : गोरे साहब ने इस बात को सपोर्ट किया है, लेकिन उनकी बात का जवाब नहीं दिया गया है।

श्री उपसभापति : वर्मा जी, आपका सवाल क्या है।

श्री निरंजन वर्मा : हमारा सवाल यह है कि इकट्ठे बहुत से वॉलेट पेपर्स फर्में में उतारे जाते हैं और नम्बर इकट्ठे नहीं छापे जाते हैं। नम्बर तो एक के बाद एक छपता है, यह बात समझ में आनी चाहिये।

श्री उपसभापति : आपका सवाल क्या है।

श्री निरंजन वर्मा : प्रश्न यह है कि श्री गोखले साहब जैसे विद्वान् व्यक्ति तक को यह बात समझ में नहीं आती है और न इस बात को समझते हैं कि जो नम्बर फार्म में डाले जाते हैं, वे एक के बाद एक डाले जाते हैं। तो हमारा प्रश्न यह है कि कांसीक्युटिव नम्बर कैसे डाले गये ?

SHRI H. R. GOKHALE : Such serial numbers are given for the whole sheet and not for individual ballot papers....

MR. DEPUTY CHAIRMAN : They say that one number will come after another. They cannot be printed simultaneously.

SHRI H. R. GOKHALE : Even if they come one after another for the whole sheet, only when one sheet is completed that another sheet is taken. I will have to find out all these details. I will find out those things and tell the House.

श्री निरंजन वर्मा : श्रीमन्, एक प्रश्न और है।

श्री उदयभाषित : आपके सवाल का जवाब तो मिल गया है। उन्होंने कहा है कि इस वक्त उनके पास जानकारी नहीं है और जानकारी करके वे इस बात को सदन को बतलायेंगे।

श्री निरंजन वर्मा : यह जानकारी देते समय इस बात को भी ऐड कर लें कि जो नम्बर होते हैं, पीछे की ओर होते हैं और वॉलेट पेपर जो मशीन में छापे जाते हैं उनकी स्याही अलग किस्म की होती है और जो नम्बर छापे जाते हैं उनकी स्याही अलग किस्म की होती है। इन दोनों बातों का उन्हें ध्यान रखना होगा।

SHRI M. K. MOHTA (Rajasthan) : The statement of the honourable Minister does not carry conviction inasmuch as it has already been brought to the notice of election tribunals and the relevant courts that it is not beyond human ingenuity... (*Interruptions*)... to take out ballot papers from the so-called sealed ballot boxes and substitute other ballot papers in the place of the taken-out papers. In the case of one of our own candidates, Mr. Dandekar, in an earlier election it was found that many ballot papers marked in favour of Mr. Dandekar were found thrown out and they were subsequently recovered whereas in their place some other ballot papers marked in favour of his opponent were kept inside the ballot boxes. Therefore, to say that just because the ballot boxes were sealed by the agents of the candidates does not mean that some unscrupulous persons would not succeed in indulging in such malpractices. What I would like to know from the hon. Minister is how is he so sure or what kind of inquiry has been made to find out whether these ballot papers were not

available to some unscrupulous persons before the date of balloting? If no such inquiry has been made, will he hand over the case to the CBI for making a proper inquiry?

In reply to Shri Verma's question, the Minister said that he would find out whether such numbering was done. It is clear for every one that the numbering appears on all the ballot papers, so, for him to say.....

SHRI G. A. APPAN (Tamil Nadu) : On a point of order. How did he get hold of those ballot papers? The possession of ballot papers is itself a punishable offence.

MR. DEPUTY CHAIRMAN : There is no point of order. Shri Mohta may complete his question.

SHRI M. K. MOHTA : I had asked whether the hon. Minister has made any inquiry about the actual date on which those papers were found missing from the authority. How is he so sure that they were not missing before the date of balloting? If such an inquiry is not conducted, would this case be handed over to the CBI for making a proper inquiry?

SHRI H. R. GOKHALE : The first thing that the hon. Member said was that papers can be taken out by unscrupulous persons even though the boxes may be sealed. Exceptional cases of unscrupulous persons operating can never be ruled out as the hon. Member himself referred to an earlier petition by Shri Dandekar and this matter had come in the form of an election petition before the court.

With regard to the general complain as to whether the fairness and purity and sanctity were maintained or not the statement I am making is that the system was such that ordinarily, invariably and in almost majority of cases, such a thing is not likely to happen. But if in individual cases it is said to have happened, hon. Members and the candidates aggrieved have the same remedy as Shri Dandekar had, namely, going to the court and filing an election petition.....

DR. BHAI MAHAVIR (Delhi) : I do not understand these 'invariably' 'ordinarily' and 'majority of cases,'

SHRI M. K. MOHTA : Sir, my question has not been answered still. I asked whether the Government had made any inquiry as to the exact date when these papers were missing from the godowns of the authorities and whether it was before the balloting or after that.

SHRI H. R. GOKHALE : I had not answered all the questions. There was some interruption when I was dealing with the other aspect of your question. The first question is whether these papers were available before the election. My answer is that they were not. My hon. friend wanted to know the actual date on which these papers have been removed. I have already made it clear in my earlier statement that the removal of waste paper from the printing press by the contractor was after the 15th, that is, the day on which the results of the election were declared.

SHRIMATI YASHODA REDDY : As the House is aware, I was also a candidate. But for the last 15 days I have been hearing about all sorts of rumours about rigging and chemical analysis. But, Sir I must tell you and the whole House, that as far as I am concerned, I have absolutely no doubt that there has been no rigging or any chemical process. My own prestige was involved in my election and I was all the time present at the polling booth, etc. First of all, I dispute this theory of rigging.....

MR. DEPUTY CHAIRMAN : Please put the question.

SHRIMATI YASHODA REDDY : How can I do that, unless I develop ?

SHRI BHUPESH GUPTA (West Bengal) : The hon. lady should be heard in silence because this is the only adventure in which she has been defeated.

SHRIMATI YASHODA REDDY : I may tell you that unlike Mr. Bhupesh Gupta, I take my defeat very gracefully. If he gets defeated, he loses his temper.

Secondly, Sir, it is a fantastic plea that there can be rigging, for the simple reason that every State Government printed it. I can tell you that I have absolute faith in the Chief

Minister of my State, and I am sure they could not have.....(*Interruptions*).....That is my personal opinion. Why do you doubt it ?

(*Interruptions*)

AN HON. MEMBER : She did not see to the papers being printed there.

SHRIMATI YASHODA REDDY : If the rigging had been taking place.....

(*Interruptions*)

I am telling you my personal feeling. Just as you have got a right to have your say, I am also having my say.....

MR. DEPUTY CHAIRMAN : Will you please ask the clarification ?

(*Interruptions*)

SHRIMATI YASHODA REDDY : I will come to the point. But, for the first time, rightly or wrongly, a suspicion has been thrown, and ballot papers have been brought by hon. Members here and they have been shown. For the first time people have brought some ballot papers. Some hon. Member says that he has seen bags full of.....

MR. DEPUTY CHAIRMAN : Please ask your question.

SHRIMATI YASHODA REDDY : I submit Sir, that I have absolutely no doubt. But it will be very correct on the part of the Government to discuss this for the sake of democracy. And this is for the Government to find out where this mistake happened and whether there was any mishap, or whether these ballot papers have been printed by some people who wanted to give prominence or background to this sort of rigging.....(*Interruptions*). One can do it also.....(*Interruptions*). I have stated both the sides : Whether there is a mistake or a fault has been committed by someone.....

DR. BHAI MAHAVIR : They have already admitted that lots of ballot papers were there in the godowns.....

(*Interruptions*)

SHRIMATI YASHODA REDDY : I agree.....

MR. DEPUTY CHAIRMAN : Please ask your question. You have taken enough time. Ask your question now.

SHRIMATI YASHODA REDDY : The Minister has promised that he would look into it for the sake of democracy. He must categorically say and explain this thing to the House fully.

MR. DEPUTY CHAIRMAN : Mr. Gurupadaswamy.

THE LEADER OF THE OPPOSITION (SHRI M. S. GURUPADASWAMY) : Sir, I heard the statement of the Minister. But I must say that his statement does not clear doubts in my mind. In any case, I am coming to those doubts.

Sir, he has said that these bundles of ballot papers covered nearly 23 constituencies...

(Interruptions)

Let me go on. So in terms of the number of constituencies they are very large. They spread out to three States. He said that because of the printing difficulty, some surplus ballot papers were printed. He said, Sir, that nearly 2 per cent extra ballot papers were printed.

I happened to meet the Election Commissioner. And the Election Commissioner was good enough to tell us that the Election Commission issued ten per cent more ballot papers than required by every polling station. That was his statement. Till then I did not know that this was the case. He said every polling station normally had more than 10% of the ballot papers and his statement says that only 2% of the surplus ballot papers were printed. I would like to know whether this includes 10% of the extra ballot paper supplied to each polling station. I want clarification on that. He said that the printing was done under strictest security. I would like to know about it because in every printing, the printing order is given or the strike order is given for a particular number of copies. May I know whether the strike order has been maintained in the Government printing press. The strike order is given by the man on the spot who is looking after the printing to print a particular number of copies. I would like

to know whether the strike order given by that particular official has been maintained and if it has been maintained, whether the strike order given tallies with the number of ballot papers printed. May I know if the tally has been made?

My third point is, he said that the ballot papers were kept safe till 15th March, that was the date when the notification was issued constituting the Lok Sabha. Under what rule, I should like to know, this order was issued that the ballot papers have to be preserved only till 15th March and why there was no instruction, if there was no rule as such, to the printing authorities at Chandigarh to preserve these ballot papers even after 15th March? The serial numbers on these ballot papers were stamped, not printed. On the back of all these ballot papers there was stamping. The Minister was making a mistake that on the ballot papers the numbers were printed on the back of these ballot papers. When I say they are stamped, they are stamped by hand. It is not done by printing press. If there had been stamping of the number by the printing press, it should have been on the same sheet, on the same page, on the same side but the stamps you find at the back and you will find these are done by hand-stamping. This statement was made by the Election Commissioner himself. He said that it is hand-stamping. If there is surplus ballot papers after printing, why there was need for stamping these papers at the back? These should have been destroyed. After taking the copies required for a particular constituency, these should have been destroyed or kept separately. No stamping was necessary. Why was stamping done? Finally I ask : On what authority, on what ground the Minister says that these ballot papers could not be used for rigging the election? He has not given any ground, except saying that it was not done. On what ground does he justify his statement that these ballot papers were not meant to be used or were not used? I very well agree with my friend that our democracy should not be tarnished by needless allegations and I am equally sharing his concern. I am equally concerned with it. May I ask him whether it is not a fit case for a proper probe, may be judicial or non-judicial? I would ask the Members on the other side, because they are interested and we are all interested in the fairness and impartiality of the elec-

tions. We are concerned with the preservation of democracy and all its values. Therefore, I would ask him whether it is not a fit case for enquiry. If it is not a fit case, I want to know what is a fit case. All the doubts are there. As I said, the hon. Minister's statement does not clarify these things at all. Doubts are still left and I think there will be more doubts here after because of the unsatisfactory statement. Our suspicions are confirmed more and more. With a view to clearing the atmosphere, in your own interest I say a proper enquiry is necessary. If they are cleared, I will be happy. I am not interested in blaming the Government or in tarnishing the image of the Government, or of the ruling party. That is not my purpose at all. I only say that such doubts should not be there and for that purpose a proper and immediate enquiry is necessary. If a judicial enquiry is held, well and good. If a high-powered body is set up for the purpose, that is all right for me, but these doubts have got to be cleared up in the interests of democracy itself.

SHRI H. R. GOKHALE : I think the hon. Member has misunderstood it. When he said that ten per cent. more ballot papers are printed and he referred to his talk with the Election Commissioner, there is obviously a clear misunderstanding. It is not ten per cent. Every polling station is given the number of ballot papers required by it. Suppose for a particular booth 593 is the exact number, then you raise it to the next hundred. It means 600 in this case. Additional ballot papers are required for wastage and other things. It is raised to the next hundred and ten per cent is not correct.

SHRI M. S. GURUPADASWAMY : This is the statement made by the Election Commissioner.

SHRI H. R. GOKHALE : Without meaning any disrespect to you, with all respect to you, I think you have misunderstood him. He could not have said that. The second is with regard to the strike order and the number of copies printed. The number of copies printed and the printing order are all in the record in the work order for the job. After a comparison, to which you referred, was made, no discrepancy was found. The third point is, what is the rule to show that ballot papers were to be preserved

only up to the 15th? As I have already made it clear in my statement, the directions are that after the elections the ballot papers are to be destroyed. The extra ballot papers are to be destroyed after cutting them into pieces. That has been done everywhere excepting in this constituency, where there was a slight irregularity. (*Interruptions*). Let me finish this. I will answer you later on. This irregularity, as I said, was caused by the contractor's mistake, who carried some of these papers to his own godown. They were removed by a number of people who came there and in spite of the protests of the staff, the contractor removed some of the ballot papers, which, as I said earlier, obviously are the papers which have been produced in the House and shown to the Election Commission. I entirely agree with you that although it might be a slight irregularity and although it has not affected the elections, I do not want to under-estimate because I understand that even slight irregularities should be prevented. I assure the House that the Election Commission will take further precautions to see that these things do not happen.

The next thing which has been referred to is with regard to the serial numbers, and I have already stated that I will get the information and supply it to the House as early as possible.

Now, the last question is whether they could not be used for rigging and with what authority the Minister says that they could not be used. Theft can always be a means for unfair practices in an election. Therefore if an unfair practice is used by somebody, nobody can make a categorical statement that they could never have been used. But the first thing is, if you take a rational view of the system operating and the precautions taken from the beginning to the end for the protection of the ballot papers, if you consider the fact that in this country the elections are on such a large scale and that on the large scale they are not held anywhere else in the world, if in an individual instance where rigging has taken place, some irregularity has taken place, or some errors or some misuse by theft or otherwise has taken place, that could form the subject-matter of an election petition. But I think it is wrong to suggest rigging when no such instances are shown. But, supposing they are shown, they cannot be the basis for

[Shri H. R. Gokhale :]

a general allegation that the whole election has been unfair.

SHRI KRISHAN KANT (Haryana) : Sir, may I know from the hon. Minister whether the Election Commissioner has told the Government, when the Leader of the Opposition met him, how the Jana Sangh or Opposition workers came to know that these ballot papers were lying in the godown of the contractor and the contractor was not there? Does that not show some conspiracy among some officials, the contractor and Opposition people to create something false to damage democracy? I want to know whether this is not true. Number 2 : May I know whether in the ballot papers which have come out from the gunny bags, Mr. Balraj Madhok's invisible ink has become visible on any of the ballot papers due to certain humidity and certain darkness in the gunny bags, as alleged by Mr. Madhok? Thirdly, Mr. Gurupadaswamy and others wanted a probe. I want to know from the Minister of Law and Justice whether they want to order some private political institution to have a probe as to why the opposition parties were simultaneously defeated; I do not want a probe or examination into the causes of defeat. Will the Minister of Justice order some organisation—maybe the Council of World Affairs or the Institute of Public Administration or anything else—to find out why the people in the country—the voters in the country—gave them such a routing defeat? Will the Government take some action in this respect?

SHRI H. R. GOKHALE : Sir, about the conspiracy that my friend has mentioned, I would like to leave it to the inference of the House. I would not say anything. I would leave it to the inference of the hon. Members.

SHRI KRISHAN KANT : I want to know whether on any ballot paper the invisible ink has become visible.

SHRI H. R. GOKHALE : I am not talking of the invisible or visible part of it because that question is not part of the present Calling Attention Notice...(*Interruptions*).

SHRI GODEY MURAHARI (Uttar Pradesh) : The answer of the Minister has made things, I should say, worse. I was expecting

that the Minister would come more categorically and say that the ballot papers that were found were either spurious or that the numbering that was done was spurious, but both the things were not said by the Minister. On the other hand the Minister has confirmed that the ballot papers are genuine and, as far as the numbering goes, I am sorry to say that the Minister has made the things much worse because, as far as we could see here, on the ballot papers the numbering was done by a numbering machine which has nothing to do with the printing. I can give that information to the Minister because he should know how numbering is done on a ballot paper. And the numbering is not done simultaneously on all the ballot papers. It is impossible because it is not the way. Numbering is done one by one on each ballot paper and the machine numbers them. Therefore, the system of numbering should also be known by the Minister. It becomes very intricate as to how these ballot papers, extra papers according to the Minister, got numbered and if it is spurious numbering, then the Minister should come out and say that the entire numbering that was found on the ballot papers was spurious. But if the numbering was genuine, then the whole thing is a mystery. I do not know how genuine ballot papers, duly numbered, could come out in the streets of Chandigarh. I have seen the numbering myself. It is not as if the numbering is above 5 lakhs or above 4 lakhs which would mean that they are the extra ballot papers. I have seen a ballot paper bearing number 45,000. I have also seen a ballot paper bearing number 10,000. Different numbers are there. I have still got the ballot papers. It looks as if the whole thing is a mystery. Government should order a high-probe enquiry into this or the whole thing will remain a mystery, because the numbering is not so simple. One wonders if a Constituency requires 5 lakh ballot papers, then how can the serial number 45,000 come out in the street? So, either the numbering is spurious or genuine. But something is wrong with the entire affair. More probe is required into this whole question, otherwise all sorts of doubts will be raised and the entire sanctity of the Parliament will be questioned. Therefore, I would request the Government not to treat this just as a little affair and agree to a judicial probe which the Members are demanding, so that these things are cleared once for all and to their entire satisfaction.

SHRI H. R. GOKHALE : Sir, about the numbering, as I have said, during the course of this Session I will obtain further information and clarify while intervening in the House on the Presidential Address. At this stage, I do not want to make any statement which ultimately might lead to giving a wrong statement to the House. I hope Members will appreciate it. I will look into it and satisfy the House.

With regard to the ballot papers, I have already stated the circumstances and the manner in which certain ballot papers were removed. I have also simultaneously made it clear that in spite of this, it could not have happened that the ballot papers were used in the election at all because the incident happened after the declaration of the results.

श्री ना० कृ० शेखवलकर : श्रीमन्, इस कालिग एजेंशन नोटिस में हमारी पार्टी के सात आदमियों के नाम हैं, लेकिन अभी तक एक ही आदमी को बुलाया गया है।

श्री उपसभापति : मैंने आपकी पार्टी की तरफ से दो सदस्यों को बुला लिया है। एक तो श्री निरंजन वर्मा और दूसरे श्री मान सिंह वर्मा।

श्री जगदम्बी प्रनाद यादव : श्री निरंजन वर्मा जी ने तो केवल स्टैंडिफिकेशन मांगा है।

श्री उपसभापति : आपको आखिर में चान्स मिल जायेगा।

SHRI BHUPESH GUPTA : So far as these ballot papers shown in this House are concerned, it is quite clear that really it is an act of negligence on the part of some people who sold them in 'raddi'. So far as the election results are concerned, nothing can be made out. Now, Sir, the hon. Minister has made various other statements in this connection. The irregularities show lapses on the part of the Centre. I have before me a cutting from 'Hindustan Standard' Calcutta paper of March 25. Here is a picture, a photograph taken by the Correspondent Photographer of the paper that shows that from a house of a primary school teacher at Hargobindapur village, 12 kilometres from Burdwan town, they discovered two empty ballot boxes, one seal for marking ballot papers, four guns and certain other things. After this we find that the local election officer, Burdwan, says

that these are all old ballot boxes. I should like to know why old ballot boxes should be there in the primary school teacher's house who was actually the polling officer in all Assembly constituencies in Burdwan. Why these boxes should be found in the house of a primary teacher who was polling officer in Memari Assembly constituency in Burdwan district?

MR. DEPUTY CHAIRMAN : This is connected with Chandigarh.

SHRI BHUPESH GUPTA : This irregularity is connected with it. Why it should be accompanied by four guns I cannot understand. Ballot boxes had found asylum in the polling officer's house and also in the company of four guns. The picture is shown. Also a seal is there. These are serious matters. Now it is sought to be explained away by the local polling officer that these are old ballot boxes which he bought. Why the primary teacher should buy old ballot boxes? Why the seal should be there and the guns? We are told that these are licensed guns. Do I understand that the primary teacher is such a wealthy man that he must have four guns in his house? These are matters which should be gone into. I say do not be sidetracked by the other thing which was propaganda. Serious irregularities have taken place in different parts of the country. In Bihar, for example, in Begusarai constituency where my friend Shri S.N. Mishra contested and won the seat, actually the polling booths were captured by hooligans of landlords..

MR. DEPUTY CHAIRMAN : That would be enough. Put the question.

SHRI BHUPESH GUPTA : Literally captured. Intimidations have gone on. In West Bengal, in some places it had gone on. The use of guns, weapons, everything, had taken place. I know of cases in West Bengal where the rival candidates' election agents were not allowed to enter, where the officers were captured by certain parties. All these things should be gone into all over the country.

I therefore demand before I sit down that quite apart from individual cases, for the sake of free and fair elections and for dealing with such malpractices, intimidation and corruption, the Government should *suo motu* appoint some machinery for proper examination of all these serious allegations, not the propa-

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ganda stunt, but the serious allegations that have been made in order that in future precautions could be taken to stop such things. Let us not try to comfort ourselves with the thought that everywhere the election was free and fair and that there was no interference, intimidation, corruption, manipulation and even elimination of rival parties and their agents, and so on from the polling centres. In this case I should like the hon. Minister to go into it. It has been reported in all the newspapers of Calcutta. This is a serious matter.

MR. DEPUTY CHAIRMAN : All right. You have drawn the attention of the Minister.

SHRI H. R. GOKHALE : I think there is only one point on which I can make a positive statement, and that is with regard to the removal of papers in Chandigarh. I have no doubt that the Election Commission will hold proper enquiries and punish those who will be found guilty. With regard to the allegations which are reported in the Calcutta papers and, as the hon. Member said, all over the country, elsewhere. I have no notice; I cannot give a detailed answer today, but I will examine this. But I will suggest to the hon. Member that he might take up this matter also with the Election Commission. So far as the machinery is concerned, the machinery is there, the Election Commission is there and I suggest if anything is to be brought to notice, it should be quickly brought to the notice of the Election Commission and I am sure the Election Commission will without delay go into it.

SHRI BHUPESH GUPTA : Sir, on a point of order.

MR. DEPUTY CHAIRMAN : We have had enough discussion.

SHRI BHUPESH GUPTA : There are two aspects. One is we can certainly go to the Election Commission. No doubt individual candidates can go. But Parliament also can be seized of the general policy.

SHRI H. R. GOKHALE : I said that I would examine it. The first thing that I said was that I would examine these two things. I did say that I would examine it.

SHRI LOKANATH MISRA : Sir, I will put only a very brief question. I will expect a categorical reply from the hon. Minister. Firstly, is it not a fact that ballot papers were sent to the presiding Officers in loose packets two days in advance everywhere? Secondly, is it not a fact that Mr. Shri Chand Goyal who was a sitting MP in the last Lok Sabha and who was a candidate intimidated the Chief Election Commissioner about the availability of 30 loose ballot papers somewhere in his constituency? And is it not a fact that the Cf. Electoral Officer in that particular State had assured him that all the ballot papers, loose ballot papers, had already been destroyed or whatever it is and any ballot paper hereafter would only be found either in the ballot boxes or in the sealed envelope? Thirdly, the Minister said that the Assistant Superintendent or some other officer who was in charge of destroying those ballot papers did not do it. What punishment has been meted out to that particular man? Or he is not being punished because he might divulge the entire secret? Fourthly, is it not fair that the Chief Election Commissioner should himself suggest an inquiry since his office is under a cloud? However senior Mr. Jacob may be in his office, he is only junior to him. The Chief Election Commissioner should himself suggest that a High Court Judge or a Supreme Court Judge should go into the matter so that in this democracy everybody has the feeling that there was no rigging of the elections, that anything that has happened has happened in a fair way.

SHRI H. R. GOKHALE : Sir, several new instances are referred to by the hon. Member. I have noted them and I can only assure him at the moment that I will have them examined.

SHRI N. K. SHEJWALKAR : What is the meaning of it?

SHRI LOKANATH MISRA : Would he examine whether any punishment would be meted out?

MR. DEPUTY CHAIRMAN : He has already replied.

SHRI LOKANATH MISRA : Sir, when he is coming to answer the Calling Attention Motion, is it not better for him to come prepared to say whether any punishment has been

meted out to the principal character who was responsible for not destroying the entire ballot papers and for selling them in the market. He is the principal character and if he is punished, he would come out with the truth.

SHRI H. R. GOKHALE : This country is under the rule of law and before punishment can be meted out. .

SHRI LOKANATH MISRA : What about his suspension ?

SHRI H. R. GOKHALE : The official should be given a chance and then action. .

SHRI LOKANATH MISRA : Suspension—does it come under rule of law ?

SHRI N. K. SHEJWALKAR : What is the step taken ?

SHRI LOKANATH MISRA : I want to know whether he was suspended or not.

SHRI DAHYABHAI V. PATEL (Gujarat) : Will the hon. Minister give the information before the House adjourns ?

MR. DEPUTY CHAIRMAN : He has said that.

SHRI H. R. GOKHALE : I have said that.

MR. DEPUTY CHAIRMAN : He will give this information.

SHRI LOKANATH MISRA : Is it not his duty to come prepared at least with this basic information whether the principal character in this notorious affair has been punished or not, whether he has been suspended or not ?

MR. DEPUTY CHAIRMAN : You will get the information during the next week.

[*Both Shri J. P. Yadav and Shri Shejwalkar stood up*]

MR. DEPUTY CHAIRMAN : Either Mr. Yadav or Mr. Shejwalkar, I can call only one of you.

SHRI N. K. SHEJWALKAR : I can assure you, Sir,...

MR. DEPUTY CHAIRMAN : I can allow Mr. Yadav because his name is in the list.

SHRI N. K. SHEJWALKAR : Sir,...

MR. DEPUTY CHAIRMAN : Mr. Yadav will be the last questioner.

SHRI N. K. SHEJWALKAR : It is very unfair, Sir.

MR. DEPUTY CHAIRMAN : I have called two Members from your group and still you say that I am unfair. I have allowed three Members from your group. How can you say I am unfair ? Mr. Yadav will be the last person.

SHRI N. K. SHEJWALKAR : It is not three...

MR. DEPUTY CHAIRMAN : You can refer to the record.

SHRI N. K. SHEJWALKAR : Only Mr. Man Singh Varma has been allowed.

MR. DEPUTY CHAIRMAN : If you put the question I would not call Mr. Yadav. It means I will be allowing four persons from your party.

DR. BHAI MAHAVIR : He is the second person.

MR. DEPUTY CHAIRMAN : Your refer to the record. Either of you can ask the question. I will allow Mr. Yadav to ask the question.

SHRI N. K. SHEJWALKAR : I will put the question. May I know from the hon'ble Minister whether any account of the excess ballot papers has been kept. And more, it is not clear how this ballot paper numbering 1,35,000 and something can come out when he said that every constituency had got voters to the extent of 4 lakhs or more. I concede there can be excess ballot papers beyond the number necessary, 4 or 5 lakhs. And beyond that the number can be found outside. But he said that interim numbers are also found outside.

Moreover, if these ballot papers have been deployed in a wrong way, is the Government

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thinking of keeping them locked till the enquiry or probe which the Government intends to have is over? Can the Government assure that they will all be preserved? For example, the Chandigarh ballot papers or the Sehere ones should be kept intact. He should assure the House that they will not be destroyed until and unless proper probe is held. May I know what are the steps which the Government is taking to collect all these papers which have been sent through this House? If they want to propose some steps, what are the steps they are going to take because the hon'ble Minister said that some reply would be given later. What I insist is that these things whether they are in the godowns or somewhere else should be kept intact. He should see to it that nothing goes out. It is necessary because everybody's anxiety is that whatever the charge right or wrong, it should be properly enquired into. Let them not say later on that this could not happen and that could not happen.

SHRI H. R. GOKHALE : With regard to the account to which the hon'ble Member referred, as I said earlier, the number of ballot papers which are printed would depend on the largest number in the constituency which is grouped together in the State for which ballot papers are printed in the form.

Now, with reference to a particular constituency it would not be possible to state what are the ballot papers which were in excess and which were there. He referred to some ballot papers. He asked how this number happens to be in excess. Whether or not it is an excess will depend upon the constituency to which the ballot paper refers.

SHRI N. K. SHEJWALKAR : You said that there is no constituency which has got only one lakh of ballot papers. For Ferozepur, according to your own information, the number is one lakh and something. Please explain.

SHRI H. R. GOKHALE : You bring to my notice. I will examine. I cannot tell you now. You can come and meet me, I cannot tell you here.

SHRI N. K. SHEJWALKAR : I can tell you the number. I can read out the number. उस एश्योरेन्स के बारे में तो जवाब आ जाय ।

MR. DEPUTY CHAIRMAN : We shall go to the next item of business.

SHRI N. K. SHEJWALKAR : Sir, he has not finished. एश्योरेन्स का जवाब तो आ जाय ।

MR. DEPUTY CHAIRMAN : He has already said that he would definitely enquire into the matter.

श्री ना० क० शेजवलकर : वह कहें तो सही ।

PAPERS LAID ON THE TABLE

PAPERS UNDER THE TARIFF COMMISSION ACT, 1951

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM, CHEMICALS AND NON-FERROUS METALS (SHRI D. R. CHAVAN) : Sir, I beg to lay on the Table a copy each of the following papers, under sub-section (2) of section 16 of the Tariff Commission Act, 1951 :—

- (i) Report (1969) of the Tariff Commission on the price structure of industrial alcohol. [Placed in Library. See No. LT-31/71]
- (ii) Government Resolution No. 4/4/70/Ch. I, dated the 30th January, 1971 (in English and Hindi) [Placed in library. See No. LT-32/71]
- (iii) Government Notification S. O. No. 577, dated the 30th January, 1971, publishing the Ethyl Alcohol (Price Control) Order, 1971 (in English and Hindi)
- (iv) Government Notification S. O. No. 578, dated the 30th January, 1971, publishing the Molasses Control (Amendment) Order, 1971 (in English and Hindi) [Placed in Library. See No. LT-34/71 (iii) for (iv)]