

MR. CHAIRMAN: Mr. Mani, have you confined your supplementary to this question?

SHRI A. D. MANI: Yes, Sir. It arises from part (a), Sir, because there the question of Tatas asking for an increase in the capacity of their plant. So the question I am asking—arising from part (a)—is what is the demand, and we are entitled to know what the country will require in 1970-80 and whether Hindustan Steel will meet the demand. These are very relevant questions, Sir, and I am asking him whether, if Hindustan Steel is not able to meet the demand, he will allow the private sector to expand in order that the demand may be met—a very relevant point. You are a jurist, Sir; even from the point of view of cross-examination these are all very relevant points, Sir.

MR. CHAIRMAN: Mr. Minister. Now please confine your answer to Tatas.

SHRI K. C. PANT: Sir, so far as the question of Tatas is concerned, I have actually replied to it already. (Interruptions) I have been directed by the Chairman to reply only to the Tatas part of the question. Now he is asking a broader question in relation to the demand and asking whether Hindustan Steel can meet it or not. I have attempted to reply to even that part. I can mention the figures if the Chairman allows me to do so.

SHRI A. D. MANI: We want to know what the figures are.

MR. CHAIRMAN: Can you just mention them?

SHRI K. C. PANT: The demand figure in 1978-79 is something of the order of 12 to 13 million tonnes. Hindustan Steel alone will certainly not be able to meet the requirements, but the public sector units as a whole—Bokaro and the other units under contemplation—will broadly cover the demand.

MR. CHAIRMAN: Next question.

REMOVAL OF DISQUALIFICATION FOR CORRUPT PRACTICES DURING ELECTIONS

*2. CHAUDHARY A. MOHAMMAD: Will the Minister of LAW AND SOCIAL WELFARE be pleased to state

(a) whether it is a fact that Government have taken a decision to remove the present six-year disqualification imposed on a candidate found guilty of indulging in corrupt practices during elections; and

(b) if so, the time by when this decision is likely to be implemented?

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI P. GOVINDA MENON): (a) No, Sir.

(b) Does not arise.

SHRI M. M. DHARIA: If he is not putting the supplementaries of course, Mr. Chairman, Sir, may I know from the Government whether Government is aware that there is a demand for radical changes in the election laws, particularly in the case of those who cross the floor after getting elected on political party tickets? Is the Government aware that such persons, who cross the floor, should either resign or, if they do not resign, they should be disqualified? May I know whether that proposal is before the Government or not, and whether the Government is contemplating the necessary changes in the law or not? May I know, Sir, from the Government how long this Government is going to allow this self-auctioneering for self-purposes by these representatives of the people in the country? (Interruptions) It is regarding the changes in the election law.

(Interruptions)

SHRI P. GOVINDA MENON: Sir, I have received from the Chief Election Commissioner a report regarding the various changes to be effected in the Representation of the People Act, 1950, and the Representation of the People Act, 1951. The recommendations are being considered. The defection aspect of the matter is not contained in the report of the Chief Election Commissioner but, as you know, Sir, there was committee appointed by the Home Ministry regarding the consequences of defection. And that Report has been placed on the Table of Parliament

SHRI M. M. DHARIA: Mr. Chairman, Sir, my question was how long this Government is going to allow this self-auctioneering by the representatives of the people and will the Government take some immediate steps in the matter or not. That was my question.

Why the Government should not say anything about it? Why should we not immediately move so that, those who are defecting and those who are shaking the whole foundations of our democracy, they are immediately prohibited from doing so?

SHRI P. GOVINDA MENON : It is a very good suggestion.

SHRI K. P. MALLIKARJUNUDU : May I know whether the Government considered the Report of the Committee on Defections and, if so, what are the conclusions arrived at by the Government and whether the Government is going to enforce the recommendations of the Committee on Defections?

SHRI P. GOVINDA MENON : It is the privilege of Parliament to amend the law. Regarding the Representation of the People Act we have received proposals. They are being examined, and as early as possible an amending Bill regarding these two Acts of 1950 and 1951 will be introduced by me.

SHRI K. CHANDRASEKHARAN : Sir, the hon. Minister stated that the question of amendments to the Representation of the People Act is being considered on certain suggestions being made by the Election Commission. May I know from the hon. Minister whether these suggestions are in relation to the aspect of corrupt practices in elections, or in regard to other matters, and, if it is in regard to corrupt practices in elections, would the hon. Minister take Parliament also into confidence and set up a parliamentary committee for the purpose of going into the increasing practices of corruption in our general elections which pervade the entire horizon of political life in this country? May I know, Sir, from the hon. Minister whether legislation would be immediately taken up in regard to the defections? For example, Sir, in the Legislative Assembly of Kerala, one particular all-India party had no representation at all.

MR. CHAIRMAN : Please put the question.

SHRI K. CHANDRASEKHARAN : There have been defections for a particular political party in the State, and a three-member Legislature Party has been organized purely on the basis of defections. May I know, Sir, from the

hon. Minister what steps would be taken to see that defections is completely stopped and defection is not recognised?

SHRI P. GOVINDA MENON : I will take into confidence not exactly a committee of Parliament, but Parliament itself, because an amending Bill will be brought here in Parliament and the suggestions made by the Chief Election Commissioner. . .

SHRI NIREN GHOSH : On what lines?

MR. CHAIRMAN : Please, let him answer the question.

SHRI P. GOVINDA MENON : The suggestions made by the Chief Election Commissioner to the Government cover almost all aspects of the election law.

SHRI M. M. DHARIA : Mr. Chairman, Sir, on a point of order. It is most strange that the Minister is all the while evading the question. . .

SHRI K. CHANDRASEKHARAN : My question has not been answered.

SHRI M. M. DHARIA : Should we not know what is the mind of the Government? Why is the Government protecting defections? The charge is being made outside that it is the Government which is encouraging defections. If not, what are the measures likely to be taken by the Government immediately? We would like to know it from the Government.

SHRI K. CHANDRASEKHARAN : I made a specific charge that the Government and political parties along with the Government are encouraging defections in the country.

SHRI P. GOVINDA MENON : I deny the charge.

SHRI DEVDATT KUMAR KIKABHAI PATEL : With regard to the power to remove disqualifications, have the Government laid down any principles and, if so, will the Government be prepared to take the House into confidence and say what are the principles for the removal of disqualifications?

SHRI P. GOVINDA MENON : Under the existing law, as you know, in section 11 of the Representation of the People Act, 1951, the Election Commission is given the power to remove

disqualifications and one of the suggestions made by the Chief Election Commissioner is that the particular power should be taken away.

SHRIMATI YASHODA REDDY :

The hon. Minister, while replying to Chaudhary A. Mohammad, has said 'No' to part (a) and 'Does not arise', to part (b). May I ask him whether in the past there has been any case where a Member of the Lok Sabha has been given exemption of the six-year limit and soon after the Supreme Court had given its judgment—it is in Madhya Pradesh—he was immediately taken into the Central Cabinet? What were the reasons why this limit was removed? If the House wants, I can give the name later.

SHRI P. GOVINDA MENON : I can only say that after 1967 March when I became Law Minister there has been no case of condonation of any corrupt practice or any ground whatsoever. If before that time something like that has happened and if a notice is given I will enquire into it.

SHRIMATI YASHODA REDDY :

On a point of privilege, I need your protection. Ministers keep on changing and Ministers are given new portfolios, but Parliament and the House is entitled to know if there has been any case where exemption has been given. Whether he has been a Minister or not at that time, it is for him to give us the information.

MR. CHAIRMAN : Please sit down. It is an old case and so he wants notice. Mr. Krishan Kant.

श्री राजनारायण : श्रीमन्, हमारा एक पौइन्ट आफ आर्डर है। हमारा पौइन्ट आफ आर्डर यह है कि मैटर ओल्ड हो या न्यू हो, मगर वह मैटर है या नहीं, मवाल यह है। सदन यह जानना चाहता है कि अनर्हता जो है और अयोग्यता जो है, उसको सरकार ने हटवाया या नहीं। इस मामले को पुराना या नया कह देने से ढाला नहीं जा सकता है।

MR. CHAIRMAN : He wants notice.

श्री राजनारायण : श्रीमन्, हमारा पौइन्ट आफ आर्डर यह है कि आपके पुखारविन्दु से जब ऐसे वाक्य निकलते हैं, तो हम बाध्य हो

जाते हैं अपने जज्बात का इजहार करने के लिए। गवर्नमेंट इस बात को जानते हुए भी कह रही है कि यह पुराना मैटर है।

श्री समापति : मैंने यह नहीं कहा कि क्वेश्चन नहीं पूछा जा सकता। जब मिनिस्टर कह रहे हैं कि 1967 में मैं मिनिस्टर हुआ हूँ और उस दिन के बाद से इस तरह का वाक्या नहीं हुआ है। He wants notice.

(Interruption)

MR. CHAIRMAN : I cannot hear anything.

SHRI A. G. KULKARNI : On a point of order. My point of order is this. You say that he was not the Minister at that time and he was allowed to ignore the question. Whether he was the Minister or not, it does not matter at all. It is in the Government of India files. He is expected to study it and reply. Why do you not protect Members? I do not understand why you are not protecting Members.

MR. CHAIRMAN : May I try to explain it? The Minister is not saying that he will never answer the question. He is saying that he wants notice in order to examine the details and facts. I have got no power to compel him to know what he does not know.

SHRI S. N. MISHRA : You are quite right that a Minister is entitled to ask for notice, but here the point is that a question has been asked specifically with regard to the removal of disqualification. You have functioned as a Minister and I too have functioned as a Minister. . .

SHRI ARJUN ARORA : No, no, Mr. Mishra was only a Deputy Minister.

MR. CHAIRMAN : Please sit down.

SHRI S. N. MISHRA : Why do you disturb me like this? Whenever a brief is prepared, I must give this much credit to the office that it has produced all the materials before the Minister. There must have been certain cases cited for the information of the Minister. In this regard we have got naturally a suspicion that the Minister is withholding information in order to protect the Government.

MR. CHAIRMAN All right, Mr. Krishan Kant.

SHRI KRISHAN KANT: He has been evading the central issue which has been raised. The central issue is that the biggest corrupt practice today is the crossing of floor or cross-voting. He has referred to the Committee on Defections. He has repeatedly replied that the question of amending the Representation of the People Act will be taken into consideration. May I know from the hon. Minister whether any defection or series of defections can be removed by merely amending the Representation of the People Act? Will it not require a change in the Constitution? May I know whether the Government has applied its mind and...

MR. CHAIRMAN Please put your question.

SHRI KRISHAN KANT: I want to know from the hon. Minister whether the Government has given any thought to this thing and, so, I want to know the various avenue or various proposals by which floor-crossing or cross-voting is made impossible.

SHRI P. GOVINDA MENON: I did not speak of defections, because, as you will see, the question as framed is regarding the changes in the law regarding corrupt practice. I said that no person against whom there has been a report of corrupt practice by the appropriate tribunal or court has been exonerated...

SHRI C. D. PANDE: This is wrong.

SHRI P. GOVINDA MENON: If hon. Members will not have patience to hear my completed sentences, it is very difficult. I say that so far as the removal of the consequences of corrupt practice is concerned, the Chief Election Commissioner is the person, authority, endowed with this power. He has not exercised that power ever since 1967. Not only that. He has now reported to Government...

श्री निरंजन वर्मा : 1967 की ही रट लगा रहे हैं और जो उसके पहले की बात पूछी जा रही है, उसको नहीं बतला रहे हैं।

SHRI P. GOVINDA MENON: One of the recommendations made by him is that this power should be taken away from the Election Commission and the

Government are looking into the matter. Regarding what may have happened before 1967, may I remind the House that this will not be a file in the Ministry of Law but in the office of the Chief Election Commissioner?

SHRI KRISHAN KANT: Sir, on a point of order. Here the question which I asked he has not answered. Mr. Chairman, he has replied all the points of order and everything, but my question he has evaded. What does he mean by it? Does he not know the answer? Does he not know the mind of Government? Has he not applied his mind...

MR. CHAIRMAN: What is it that he has not answered?

SHRI KRISHAN KANT: The biggest corrupt practice is crossing the floor or cross-voting. Has the Government of India applied its mind as to how it can be stopped? The Committee on Defections has merely given some report.

MR. CHAIRMAN: I have understood it. Please do not take the time of the House. Please sit down. There are other hon. Members.

SHRI KRISHAN KANT: Let him reply.

MR. CHAIRMAN: Do you wish to add anything?

SHRI P. GOVINDA MENON: No, Sir.

SHRI KRISHAN KANT: Sir, I want your protection. Why do you give protection to Ministers only? Mr. Dharia has asked a question. I have asked a question. Every time the Minister is evading the reply. Here is a question on which I want to know the answer, and you were explaining to him...

MR. CHAIRMAN: Now sit down. I will explain. He wants to know whether the Government is considering the question of how defections can be removed.

SHRI P. GOVINDA MENON: The report of the Defections Committee is being processed in the Home Ministry and the proposals made by that Committee cannot be met by amending the Representation of the People Act; the Constitution will have to be amended.

श्री ना० कृ० शंजवलकर : मेरा निवेदन यह है ..

MR. CHAIRMAN : No please.

श्री ना० कृ० शंजवलकर : इसी से सम्बन्धित है। डिफेक्शन्स के बारे में ही मेरा सवाल है। इसे बन्द करने के लिए कुछ करने वाले हैं ?

श्री सभापति : उन्होंने जवाब दे दिया।

उत्तर रेलवे में बिना टिकट यात्रा

*3. श्री राम सहाय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर रेलवे के अधिकारियों ने उस रेलवे पर बिना टिकट यात्रा करने वालों को पकड़ने के लिए 26 से 29 मार्च, 1970 तक एक अभियान चलाया था ;

(ख) यदि हां, तो इस सम्बन्ध में कितने व्यक्ति गिरफ्तार किए गए और क्या गिरफ्तार किए गए व्यक्तियों में कुछ रेल कर्मचारी भी थे; और

(ग) उनसे दंड के रूप में कितनी धनराशि वसूल की गई और कितने व्यक्ति दंड की राशि न चुका सके ?

†[TICKETLESS TRAVEL ON NORTHERN RAILWAY

*3. SHRI RAM SAHAI : Will the Minister of RAILWAYS be pleased to state :

(a) whether a campaign was launched by the Northern Railway authorities to detect ticketless travel from the 26th to 29th March, 1970 on that Railway;

(b) if so, the number of persons who were arrested in this connection and whether some railway employees were also among the arrested persons; and

(c) the amount of money realised from them as penalty and the number of persons who could not pay the penalty?]

रेल मंत्रालय में उपमंत्री (श्री रोहन लाल चतुर्वेदी) : (क) जी हां।

(ख) मुकदमा चलाने के लिए कुछ 423 व्यक्तियों को गिरफ्तार किया गया। इनमें कोई भी व्यक्ति रेल कर्मचारी नहीं था।

(ग) 171 व्यक्तियों से किराये, दण्ड और न्यायिक जुर्माने के रूप में 28,619 रुपये 35 पैसे वसूल किये गये।

लेकिन 252 व्यक्ति जुर्माने की रकम नहीं दे पाये, इसलिए उन्हें जेल भेजा गया।

†[THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI ROHANLAL CHATURVEDI) : (a) Yes, Sir.

(b) In all 423 persons were arrested for prosecution. There was no Railway employee among them.

(c) An amount of Rs. 28,619.35 was recovered from 171 persons towards fare, penalty and judicial fine.

However, 252 persons did not pay the dues and they were imprisoned.]

श्री राम सहाय : क्या मैं मंत्री महोदय से यह जान सकूंगा कि जो लोग पकड़े गए उनमें किस-किस श्रेणी के लोग थे, क्या रेलवे वालों के अलावा कोई सरकारी कर्मचारी थे, बच्चे और नवयुवक कितने थे ? 10 रुपए की जो पेनाल्टी आपने आयद की है, उसके बाद से इसमें कुछ कमी हुई है या बढ़ोत्तरी हुई है, यह बताने की कृपा करें।

श्री रोहन लाल चतुर्वेदी : इसमें कोई सन्देह नहीं है कि जब से जून, 1969 से अमेंडमेंट हुआ है- इंडियन रेलवेज ऐक्ट में तब से काफी कमी हुई है।

जो दूसरा प्रश्न माननीय सदस्य का है कि बच्चे थे या नहीं, सरकारी व्यक्ति थे या नहीं, उसके बारे में मुझे निवेदन करना है कि मेरे पास इतिला केवल रेलवे कर्मचारियों के सम्बन्ध में है, जो कि पूछी गई थी।