

them are pending with the Auditor General. I have indicated that they will be decided within two months or so.

**COMPLAINTS FROM STATE GOVERNMENTS
ABOUT REMOVAL OF FILES**

*378. SHRI BHUPESH GUPTA :f
SHRI RAJNARAIN: SHRI
NIREN GHOSH: SYED
NAUSHER ALI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the attention of Government has been drawn to the newspaper reports about the removal of certain files of the Home Departments of the State Governments of West Bengal and Madras on the eve of inauguration of the non-Congress Governments there; and

(b) if so, whether he has received any complaints from the State Governments in this connection?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): (a) Government have seen reports in a section of the Press about the transfer of certain secret records "from the custody of the Governments of West Bengal and Madras to that of the Central Government.

(b) No complaint but a request has been received from the West Bengal Government for the return of these papers.

SHRI BHUPESH GUPTA: May I know when actually the papers were taken from the West Bengal Government by the Central Government and; whether it is not a fact that the matter has been brought to the notice of the Home Minister and others by the Ministers of the West Bengal Government and they made a very humble request to get the files back? Is it not a fact that all the files belong to

The question was actually asked on the floor of the House by Shri Bhupesh Gupta.

the Home Ministry of the West Bengal Government and they relate to certain political matters? Is it not also a fact that Mr. Annadurai, Chief Minister of Madras, also made a similar complaint and complaints also were made in Uttar Pradesh by Ministers there that before they took over, the files were being taken away and/ or were being destroyed? I should like the Home Minister to throw some light on the subject because it does appear, that the Central Government has acted very improperly in this matter, illegally, because these are properties of the State, and they cannot be brought in in the manner in which they had been brought in.

SHRI Y. B. CHAVAN: I am certainly prepared to throw light on it if the hon. Member is prepared to see into it.

SHRI BHUPESH GUPTA: I will try.

SHRI Y. B. CHAVAN: I am glad. The facts are that some of the reports and papers go from the D.I.B., Director of Intelligence Bureau, to the State Governments such as daily report or weekly reports. It is the practice that those reports are returned back automatically, but there were certain papers which were considered to be papers involving national security which Government did ask the State Governments to return. The West Bengal Chief Minister passed order, not the present Chief Minister but the previous Chief Minister passed orders, and those papers were returned.

SHRI BHUPESH GUPTA: Date of the order.

SHRI Y. B. CHAVAN: Before he handed over charge.

SHRI BHUPESH GUPTA: Just before as he was being defeated.

SHRI Y. B. CHAVAN: The point

is that he was functioning as the Chief Minister. His orders are as Chief Minister. What matters is whether on that date he was the Chief Minister or not. He was the Chief Minister. The hon. Member made some reference to whether the West Bengal Ministers made a suggestion to me. As a matter of fact they wanted to know whether the Chief Minister's orders were passed or not. It appears that the Deputy Chief Minister of West Bengal, Mr. Jyoti Basu, did not know that those papers were returned with the orders of the Chief Minister of West Bengal, the previous Chief Minister of West Bengal. When that fact was pointed out to him, he did not say anything further to me at least.

SHRI BHUPESH GUPTA: Now, Sir, what he said you have heard. I hope the Presiding Officer here will help us in protecting the public interest as it is sometimes done by you and as it happened in the other House yesterday. The D.I.B. reports are sent to that Government and brought back. It does appear that they were lying there for some time, and only when they knew that another Government was about to take over, they were brought back. Therefore,

it is an open expression of lack of faith in a Government which has been constitutionally elected and returned to power in the State by the people and the electorate. Therefore, the date is very very important. I put it to the Home Minister that Mr.

Prafulla Sen was acting hurriedly when even the counting was going on in his constituency and defeat was almost certain, that in a hurried manner things were done. You will technically say that he was the Chief Minister. Yes, he was the Chief Minister, but how is it that all these months and weeks he did not take care to get them back and they were brought in this manner? Files of the West Bengal Government which did not go from the Centre to West Bengal, files emanating or made by the West Bengal Intelligence Bureau and

other authorities under the West Bengal Government, solely State matters, State papers, even some of these were taken away along with these D.I.B. things by the Centre without the proper knowledge of the authorities. Mr. P. C. Sen did certainly help in this matter. I should like to know, if that is so, why these things are not being returned, because it amounts to pure and simple theft according to us. Is it not a fact also that as the Congress was getting defeated in constituency after constituency in West Bengal and the results were coming in, certain other files were being burnt in the Writers Building, and the Congress papers, papers which support the Congress, reported the burning of files as the new Ministry was coming or the Congress was getting defeated? I should like to know whether it is not a fact that this was done at the instance of the Home Ministry here and also at the instance of Mr. Prafulla Sen.

Here, now we have also sources of information. Two-way traffic has opened up now. Therefore, Sir, I also should like to know why the files had been burnt in Madras and some had been taken away. Sir, this is a very, very serious matter. My other colleagues will ask questions. I think the Home Minister should clarify this thing. Mr. Chavan is a very blunt man in a good sense. But he knows how to kill by kindness. Kindly he should tell us, he should give a forthright answer, not in the usual Nanda style.

SHRI Y. B. CHAVAN: I will never hesitate to take the responsibility for actions and orders that I have passed. I am fully prepared to take the responsibility in this matter. We did ask for those papers; naturally we had to ask only with the consent and orders of the Chief Minister of West Bengal. If the papers were taken with the Chief Minister's consent, how can it be unfair? I think 'theft' and many other words of the hon. Member should undergo some change, is it not so?

SHRI BHUPESH GUPTA: You cannot change them.

SHRI Y. B. CHAVAN: You can have your own view about it. I am Hilling you the fact that we did ask for certain papers and those papers were returned by the orders of the Chief Minister of West Bengal.

SHRI BHUPESH GUPTA: Just when he knew . . .

SHRI Y. B. CHAVAN: You carry on with your own interpretation. But I am supposed to give facts here . . .

(Interruptions)

SHRI BHUPESH GUPTA: Give me the date when he passed the orders. There is nothing on record there.

SHRI Y. B. CHAVAN: You do not know; - that is your difficulty because you do not know that. I am telling you this that the present Chief Minister of West Bengal knows that those papers were returned by the orders of the Chief Minister . . .

(Interruptions)

SHRI BHUPESH GUPTA: I am not the Chief Minister.

SHRI Y. B. CHAVAN: Yes, that is why I say that you are half-briefed and you are not properly briefed.

SHRI BHUPESH GUPTA: I do not get briefed by the Chief Minister; I get briefed by <my own intelligence . . .

(Interruptions)

SHRI Y. B. CHAVAN: I do not know that he is having his own intelligence against his own party there. Are you having your own intelligence there?

SHRI BHUPESH GUPTA: You are meaning . . .

SHRI Y. B. CHAVAN: I mean the . . .

' SHRI BHUPESH GUPTA. Strange.

SHRI Y. B. CHAVAN: You said your own intelligence. I did not say

SHRI BHUPESH GUPTA: Wka about your intelligence?

SHRI Y. B. CHAVAN: Now abou* Madrai, we had also iequested tht Madras Government to return certain papers. But we have ^{not} passed any orders about burning of any papers, about which I have no informatiOH. So, I cannot give any information.

श्री राजनारायण : श्रीमन्, मैं मंत्री जी से यह जानना चाहता हूँ कि सरकार अगर यह उत्तर दे तो क्या ज्यादा सही नहीं होगा कि मद्रास और पश्चिमी बंगाल में चुनाव का नतीजा निकलने के बाद केन्द्र की सरकार बहुत ही आसानी से समझ चुकी कि गैर-कांग्रेसी सरकारों का गठन होगा और इसके पूर्व चूँकि वहाँ कांग्रेस की सरकारें थीं तो चौर-चौर मौसरे भाई होते हैं और कहा कि जब कोई काइल नहीं तो कोई बात नहीं, तो चूँकि गैर-कांग्रेसी सरकारों का गठन होना निश्चित हो चुका था इसलिये मद्रास में और पश्चिमी बंगाल में केन्द्र की कांग्रेस सरकार यह उचित नहीं समझती थी कि वहाँ की गैर-कांग्रेसी सरकारों के पास वे फाइलें रहें जिससे कि उन राज्यों की कांग्रेसी सरकारों और केन्द्र की कांग्रेसी सरकार की विरोधियों के दमन के सम्बन्ध में सांठ-गांठ के बारे में पूरी रोशनी सारे देश को मिल जाय इसलिये केन्द्र की सरकार ने उन फाइलों को मंगा लिया, अगर यह उत्तर सरकार दे तो सरकार का कोई कुछ बिगाड़ नहीं सकता जब तक कि बहुमत इसके पक्ष में है ।

डा० एम० एम० एस० सिद्धू : जरूर है ।

SHRI BHUPESH GUPTA: Dr. Sid-dhu, do not support the Government. You have not done it.

श्री राजनारायण : तो मैं जानना चाहता हूँ कि अगर सरकार यह उत्तर दे तो क्या यह सही नहीं है ।

और सरकार के उत्तर से निकलता हुआ प्रश्न। उत्तर प्रदेश में चंकि स्थिति साफ नहीं थी क्योंकि उत्तर प्रदेश में चुनाव के बाद कांग्रेस की सरकार बन गई थी इसलिए उत्तर प्रदेश में सरकार ने पहले से हिदायत नहीं की और जब ज्यों ही उत्तर प्रदेश में गैर-कांग्रेसी सरकार बनी उसी दिन फाइलों की चोरी शुरू हो गई, जिसकी कि संयुक्त सोशलिस्ट पार्टी के जेनरल सेक्रेटरी श्री राम शंकर गुप्त ने पकड़ा और पकड़ कर वहाँ की पुलिस को दिया, उन फाइलों की छानबीन हुई, बहुत से कागजात जला डाले गये तो क्या यह सत्य नहीं है। मैं सरकार से अदब के साथ जानना चाहता हूँ रिगमरोल करने की आवश्यकता नहीं, सदन में सत्य का छिपाने से कोई फायदा नहीं होगा। ईमानदारी से कहें, यह हमने सोचा था कि गैर-कांग्रेसी सरकारों के पास उन फाइलों को रखना हमारे हित में नहीं है, केन्द्रीय सरकार और भूतपूर्व जो कांग्रेसी सरकारें थी उनके हित में नहीं, इसलिये उनको मंगवा लिया, इसलिये उसी फाइलों को मंगवा लिया।

श्री अन्वर अली खान : आप ही जवाब कोजिये, उनको क्यों कहते हैं।

श्री राजनारायण : तो मैं यही जानना चाहता हूँ सरकार स्पष्ट ढंग से बताये, कि किस तारीख को केन्द्र की सरकार ने हिदायत की, किस तारीख को मद्रास की सरकार को हिदायत का और केन्द्र की सरकार ने किस तारीख को पश्चिम बंगाल की सरकार को हिदायत की, किन किन फाइलों की केन्द्र की सरकार ने वहाँ से मांग की और उन फाइलों में क्या-क्या बातें थीं, अगर सरकार यह बता सकती है और बताना चाहती है तो बताये, वरना फाइलों का नम्बर और नाम तो जरूर ही दे दे।

SHRI Y. B. CHAVAN: Sir, I think I have given all the facts and I was absolutely unambiguous in my statement. Now, it is a question of putting interpretation.

SHRI BHUPESH GUPTA: He answered some questions.

SHRI Y. B. CHAVAN: Now, U Rajnarain has his own interpretation* about it. He is certainly free to have his own interpretation. I have said that these papers were asked for or Those Governments know of what they were, etc. But I am not going to disclose what papers they were, and we do not think it new vary in the national interest to . . .

श्री राजनारायण : किस तारीख को।

SHRI Y. B. CHAVAN: I am coming to it.

SHRI BHUPESH GUPTA: Why national security? (Interruptions) it is safe in the hands of Mr. P. C. Sen who could be driven out, but it is not in the safe hands of the people who have been elected by an overwhelming majority of the West Bengal electorate? What type of national security are you protecting? Corruption of the Congress, double talk of the Congress, perjury, crime, and all involved in this.

SHRI VIDYA CHARAN SHUKLA: Are the rules to be thrown to wind* like this?

SHRI BHUPESH GUPTA: Why. the Home Minister has thrown them* to winds.

SHRI VIDYA CHARAN SHUKLA: Sir, if the hon. Minister is not allowed to complete his answer and there is an interruption like this, it is not possible* to answer; there should be no interruptions when we answer; otherwise*, we will not answer the question.

(interruptions)

SHRI BHUPESH GUPTA: It is if it is a question of fact*.

SHRI VIDYA CHARAN SHUKLA: If they are going to do like that, I am not making a running commentary like that ... (Interruptions)

श्री राजनारायण : हमारे सवाल का जवाब मंत्री जो सीधा दे दें ।

SHRI NIREN GHOSH: You are becoming a national risk.

श्री राजनारायण : श्रमन्, मैं आपसे प्रोटैक्शन चाहता हूँ ।

SHRI BHUPESH GUPTA: Sir, we will not disturb, we are in your hands.

MR. CHAIRMAN: Mr. Rajnarain, have you finished your question?

श्री राजनारायण : जी नहीं ।

SHRI ARJUN ARORA: Sir, on a point of order. I want to know whether in the Rules of Procedure supplied to them there is anything new—and we have not been supplied « the latest copy—because the Rules which we have in our possession go to show that when a supplementary question is put, the Minister will reply. Here what we find is that as soon as the Minister begins to reply, Mr. Bhupesh Gupta gets up and even before Mr. Bhupesh Gupta sits down, Mr. Rajnarain gets up. Sir, this new rule . . .

SHRI BHUPESH GUPTA: What are you talking?

SHRI ARJUN ARORA: ... is particularly favourable to these two Ministers . . . (*Interruptions*)

HON. MEMBERS: Two Members.

SHRI ARJUN ARORA: Yes, two Members.

SHRI BHUPESH GUPTA: What is it? He is confusing Ministers with Members.

SHRI ARJUN ARORA: I have not finished my point of order. But I am not a jack in the box that Mr. Bhupesh Gupta is. I want to know, *first*, why we have not been supplied with a copy of these Rules so that we could know that all Members are equal but Mr. Bhupesh Gupta and Mr. Rajnarain are more equal?

श्री राजनारायण : मैं अदब के साथ अपने मित्र श्रमन् अरुण को पालित आफ आर्डर का जवाब दे रहा हूँ . . .

MR. CHAIRMAN: You put your question.

श्री राजनारायण : मेरा प्रश्न यह है कि क्या घर मंत्री को इस बात की जानकारी है कि जब यहां ट्रान्सफर आफ पावर हो रहा था, जब अंग्रेजी राज का खातमा हो रहा था तो राज्यों और केन्द्र में भी 1942 के आंदोलन से संबंधित बहुत सी फाइलों को जलाया गया था जिसमें एक फाइल वह भी थी जिसको लार्ड एमरी ने लंदन में ब्राइकास्ट किया था गांधी जी के बारे में और काशी विश्वविद्यालय के विद्यार्थियों ने जो आंदोलन चलाया था उसके बारे में । मैं यह जानना चाहता हूँ कि क्या घर मंत्री श्री ब्रह्मण साहब को इस बात की जानकारी है कि अंग्रेजी राज्य में भी वही काम किया गया था जिसके पद चिन्हों पर आज श्री ब्रह्मण चल कर के विरोधी दलों के पावर में आने के खतरे ने उन फाइलों को अपने यहां बुला लाये ।

श्री वाई० बी० ब्रह्मण : बिल्कुल सलत बात कह रहे हैं ।

SHRI ARJUN ARORA: I rise on a point of order. This question of Mr. Rajnarain . . .

SHRI BHUPESH GUPTA: He has not got the latest rules. Under what rule is he rising?

SHRI ARJUN ARORA: On a point of order, Sir. This question relating to 1947 does not arise out of the question which has been supplied to us, printed and circulated, and to other Members. It relates only to something which happened in West Bengal and Madras on the eve of the formation of the non-Congress Governments. No non-Congress governments were formed in this country in 1947. So the question of Mr. Rajnarain should be ruled out. It does not arise out of this question.

MR. CHAIRMAN. He refers to a past history that may not be relevant but is interesting.

SHRI Y. B. CHAVAN: Sir, whatever Shri Rajnarain has said has absolutely no foundation, no basis.

SHRI NIREN GHOSH: Sir, the hon. Minister said that he called for certain papers on grounds of national security. From this, do I understand that these files pertaining to matters of national security were sent by Mr. Profulla Chandra Sen at the instance of the Centre, and did the Home Ministry think that they would not be safe in the hands of the non-Congress Governments and, therefore, they called on the erstwhile Chief Minister to return those files and papers? Further, Sir, may I know whether they would be prepared to return those papers to the State Government if the latter make a request to that effect? Then, may I know, Sir, whether the Madras files contain aspersions on the D.M.K. leaders in the language agitation that went on in Madras, and therefore, the Government did not think it wise that these files should fall into the hands of Mr. Annadurai? May I also know that the files referred to in the case of West Bengal contain materials about the Opposition leaders when they were conducting the food struggle on demands of food and the Government did not think it wise that these files should fall in the hands of the new West Bengal State Government? You answer these questions first. I have another question to ask.

SHRI Y. B. CHAVAN: The first thing that the hon. Member asked me is what was the consideration that prompted us to ask for these papers. We certainly did feel that these papers would be safer in the hands of the Government of India, and that is why we asked for them.

Secondly, Sir, he asked whether the Centre would return those papers if the Government asked for them, whether the Government would consider

this question. That is answered in the reply. They have asked for those papers and we are considering this matter.

About the Madras Government I have already replied that the orders regarding burning of papers were not issued by us. I have no personal information about that matter.

SHRI NIREN GHOSH: May I know, Sir, if the Minister is aware that this behaviour has created suspicion in the people of West Bengal and Madras that those governments—though duly elected, and are in office—are not trusted by the Centre and whether it is also a fact that not only Mr. K. K. Roy was not thought as a person fit to operate as the Home Secretary in West Bengal, but being their protegee of their stooge, they have brought him over to Delhi? And may I also know whether it is a fact that they are using the Central Intelligence to shadow the West Bengal and Madras Ministers and the Opposition parties? They have been detailed for this purpose.

SHRI Y. B. CHAVAN: To say that the political party leaders or Ministers are followed by the Central Intelligence is an absolutely wrong thing to imagine. These people—I do not know what has happened to them—have started suspecting their own shadows about it.

About the other matter, namely, suspicion in the mind of the people. I have no information about suspicion in the minds of the people, but I know that some people are trying to create suspicion in the minds of the people.

SHRI K. CHANDRASEKHARAN: May I know, Sir, whether in the case of the Madras files also, the order for transferring those files was made on the eve of his resignation by the former Chief Minister of Madras? I would also like to know whether any lies of this nature have been removed

under orders of the previous Government from the State Government offices of Kerala. I would also like to know, Sir, whether it was the decision or the opinion of the Government of India that in terms of national security the files which remained with the State Government should no longer remain with the State Government because the political complexion of those governments was bound to change.

SHRI Y. B. CHAVAN: AB I have said regarding Madras, about burning of papers personally we have not issued any such orders. I can tell you about one of the orders that we passed. We have been in correspondence with them. We can certainly take responsibility for it. About burning of papers, no order was issued by us. I have no personal information. Whether these were burnt actually, or whether they were burnt on the orders of the ex-Chief Minister of Madras I have no personal information.

SHRI N. R. MUNISWAMY: May I know. Sir, if this question about burning of documents and files by the former Chief Minister of Madras has been tabled with any ulterior motive? I would like, Sir, the hon. Minister certainly to make an enquiry whether it is a fact that these files have been burnt. And if there was no burning at all of these files, I would request that the questioner should be certainly reprimanded for having misled the House.

SHRI Y. B. CHAVAN: It is not for me to make enquiries, but it is entirely a matter for the Madras Government.

श्री सुन्दर सिंह भंडारी: यहां पर गैर-कॉंग्रेसी सरकारों—बंगाल और मद्रास का उल्लेख है। मेरा यह निवेदन है कि नयी सरकारें चुनावों के बाद और भी कई स्थानों पर बनती हैं तो क्या यह फाइलें मंगाने का काम और भी किन्हीं प्रदेशों से हुआ, या केवल इन्हीं क्षेत्रों से फाइलें मंगाई गईं ?

SHRI Y. B. CHAVAN: I want notice.

SHRI D. L. SEN GUPTA: May I know, Sir, if it is not a fact that both the Centre and the States are responsible for national security? Is it the opinion of the Minister here that the West Bengal Government, as it is today, is a danger to national security and that is why the files were ordered to be in the custody of the Central Government? That is the first question.

Secondly, my information is that the West Bengal Government has already asked for the files which were sent to the Centre under orders of the ex-Chief Minister, Mr. Profulla Chandra Sen. May I know, Sir, if they have taken any decision regarding sending them back to the West Bengal authorities?

SHRI Y. B. CHAVAN: The hon. Member is asking for an opinion. I thought he was asking for information. I can only say that I want to give co-operation and take co-operation.

SHRI D. L. SEN GUPTA: What about the second part of the question? That is a specific question, whether the West Bengal have asked for these files and what decision has the Government taken in this respect?

SHRI Y. B. CHAVAN: I have answered that.

SHRI D. L. SEN GUPTA: What is the answer? Please repeat.

SHRI Y. B. CHAVAN: I won't repeat.

SHRI D. L. SEN GUPTA: Won't repeat? Thank you.

SHRI TRILOKI SINGH: Sir, it appears that these files were with the State Government of Bengal. May I know what were the reasons for the hon. Minister to believe that the retention of some files with the newly formed Government of Bengal, formed as a result of elections held in a democratic manner, would endanger national security?

SHRI Y. B. CHAVAN: I have not given you a chance to take much time in putting questions. Therefore, you kindly excuse me.

(Shri Bhupesh Gupta stood up)

MR. CHAIRMAN: I have already given you a chance to take much time in putting questions. Therefore, you kindly excuse me.

(Interruption)

SHRI BABUBHAI M. CHINAI: Mr. Chairman, how many supplementaries a Member can ask should be decided. We have taken nearly half-an-hour on this question. I know the importance of the question, but that does not mean that the questions of others need not be taken up.

MR. CHAIRMAN: I agree with you.

SHRI BHUPESH GUPTA: I also appreciate the sentiment, but the fact remains that we are the most aggrieved party.

MR. CHAIRMAN: I have shown enough indulgence.

SHRI BHUPESH GUPTA: Sir, I would submit that I want to say something later on on the constitutional and legal issues. You kindly allot me a half-an-hour discussion.

MR. CHAIRMAN: No.

SHRI BHUPESH GUPTA: Why not?

(Interruption)

MR. CHAIRMAN: Next question.

R.M.S. OFFICE, SOUTHERN REGION

*360. SHRI P. K. KUMARAN: Mr. SHRI YELLA REDDY:

Will the Minister of COMMUNICATIONS be pleased to state:

(a) when the regional office, Southern Region R.M.S. was set up; and

•The question was actually asked on the floor of the House by Shri P. K. Kumaran.

(b) whether Government propose to abolish this office?

THE MINISTER OF STATE IN THE DEPARTMENTS OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (SHRI I. K. GUJRAL): (a) On 10th April, 1961.

(b) No decision has so far been taken in this regard. This matter is linked up with the general question of reorganisation of the R.M.S. Regionalisation Scheme which will be considered by the P & T Board very shortly.

SHRI P. K. KUMARAN: May I know what the functions of this regional office in Madras are and whether they have received complaints from different circles that this regional office is not in a position to function properly and also whether there are complaints that they are not in a position to supply adequate mail vans for the functioning of different sections in different circles?

SHRI I. K. GUJRAL: The hon. Member is right that we have received complaints about the non-effective functioning of this type of set-up. That is why there is a view now being taken that we might reconsider the entire scheme. So far as the functions of the regional office are concerned, there is a long list of functions that the regional directorate is supposed to perform including issue of due mail, sorting, lists and memos etc. It is a long list and if the hon. Member wants, I can supply a copy.

SHRI P. K. KUMARAN: May I know what the difficulty is in giving the functions of this office to the different circles so that the entire work of the R.M.S. in a particular circle is entrusted to the P.M.G. of that circle instead of distributing it to the regional offices?