

Debaj, after all, has been accepted. I would request the hon. Minister, through you, to get us a copy, for the use of Members, or at least it may be kept in the library, a copy of the Food Enquiry Committee's Report about certain matters regarding the food administration in West Bengal. A committee was appointed by the West Bengal Government to enquire into certain allegations against the Food Department, and that committee, I understand, has submitted its report to the Chief Minister. But it is not available. I talked to him. So, I think before the debate on the food situation starts here this particular report may be made available—I don't see why it should be kept a secret—so that we may be able to make our contribution to the deliberations here.

SHRI SATYA NARAYAN SINHA:

I do not know whether the report has been sent to the Government of India. I will make enquiries.

SHRI BHUPESH GUPTA: The hon. Minister can write to the Government of West Bengal asking for it and saying that the Members here desire that the report should be supplied to them, the report of the committee which enquired into certain allegations against the Food Department.

MR. DEPUTY CHAIRMAN: He will just find out what is the matter.

The House stands adjourned till
2 30 P.M.

The House then adjourned for
lunch at one of the clock.

The House reassembled after lunch at half past two of the clock, MR. DEPUTY CHAIRMAN in the Chair.

**THE COMPANIES (AMENDMENT)
BILL, 1958—continued**

SHRI JASWANT SINGH (Rajasthan): Mr. Deputy Chairman, we were, in this House, treated this morning to an eloquence which is rarely

*

to be heard. Along with the eloquence which is characteristic of Mr. Bhupesh Gupta, he, particularly today, advanced arguments which were incontrovertible. It will be really interesting to see whether, from the Government Benches, any satisfactory reply would be coming in respect of these points. Sir, after Mr. Bhupesh Gupta, two speakers from the Congress Party spoke but it would have been better if they could have met the arguments which he advanced instead of attacking him personally or pleading for the help of the rich people in order to help the poor people and poor members of the Congress Party. Sir, it may be true that Mr. Bhupesh Gupta is a small fry amongst the international figures but, apart from . . .

DR. W. S. BARLINGAY (Bombay): Why insult him unnecessarily?

SHRI JASWANT SINGH: He can stand these insults very well.

But, Sir, apart from Mr. Nehru, on the other side also, many of our revered leaders would compare as small fries against the international personalities. That is, however, neither here nor there. As far as this House is concerned, truly and literally Mr. Bhupesh Gupta is a big whale which swallows so many fries; not only small fries but even big fishes also.

SHRI MAHESH SARAN (Bihar): Is the hon. Member speaking on the Bill?

SHRI JASWANT SINGH: Yes, I am speaking on the Bill. It was a 'small fry', it was said, and that 'small fry' had to be destroyed. That is why I am speaking on the Bill.

Now, Sir, coming to the other question. Mr. Basu referred to the trade unions and moneys coming from the companies. He compared the two and put the latter on par with the former. Sir, as far as the trade unions are concerned, there are trade unions

[Shri Jaswant Singh.] sponsored by the Congress Party, by the Communist and by other parties also. Therefore, if there is any provision for trade unions helping the political parties, this help goes to everybody and all the parties but we have these big business houses paying money to political parties and our experience in that regard is different. They help the party which is in power and in no circumstances would they help any party or individual who is not in power. Sir, presently I will give details in regard to this* but I would like to submit this. Our democracy is a nascent one. We have inherited certain values of life and certain virtues which are playing very big parts in international affairs. We are also cashing in a lot on this inheritance of ours. Wherever in our home affairs we fail to work up to what we profess, we suffer outside also and, therefore, if this democracy has to succeed, then it has to work as a real democracy. What is the position at present? The position at present is this. There is a democracy according to the Constitution but democracy in the real sense has still to come to the country. We are governed and ruled by one political party and if there is only one party, then there cannot be democracy in the real sense of the term because certain things happen by the policies conducted by a political party and even chaos takes place. Worse things also happen but then that party cannot be unseated because there is no other alternative party to take its place. I would like to say that considering the things that are happening in the U.P. today, if there was an alternative party, the present party could not have remained in office there. If this thing happens today in Kerala, the party can be unseated; if this thing happens in Orissa, the party can be unseated. The Orissa Government can remain in office only by the help of some other elements and those elements have constantly to be kept in a happy mood, but at the Centre and in other States this

thing cannot happen. Therefore, when there is one-party rule in any country, when you legally provide for big business houses to give help to the party, then that help can only go to the ruling party. The result would be that no other party would be able to come into power and there will be perpetual rule by one party. Therefore, the prospects of democracy prospering in the country will be very little.

Mr. Bhupesh Gupta quoted certain judgments of two very big High Courts, of two very eminent Judges. At least one of the speakers even went to the extent of saying that we cannot take note of what the Judges say. It is a very serious matter because, if we can be proud of anything in the country, we can be proud only of the independence of the judiciary*

DR. W. S. BARLINGAY: But that is not part of the judgment.

SHRI JASWANT SINGH: We can be proud of the independence of our judiciary, and if in the judgments strictures are made by the Judges of the High Court in the manner in which several judges have said it and we belittle them, then we are thinking very little of the Constitution which we have passed. Sir, the same thing happened when Mr. Justice Chagla had the unpleasant duty to give a report to the Government in regard to the Life Insurance Corporation enquiry. One of the senior Ministers had to be sacrificed. It was unfortunate that the Prime Minister made certain remarks but eventually, the great man that he is, he had to succumb to world opinion and the opinion of the country and this report had to be accepted. Therefore, in principle it is a very wrong thing for Members of the ruling party to criticise the judgments of the Judges of High Courts when the judgments go against their interests. But they feel very happy when the judgments go against the opposite parties.

MR. DEPUTY CHAIRMAN: What was read was only a part of the judgment.

SHRI JASWANT SINGH: Now, I shall come to the main point

MR. DEPUTY CHAIRMAN: I was telling you that what was read was only a part of the judgment. In those very judgments the same judges have held that it is nothing wrong if it is done publicly with the consent of the General Body and it is done there.

SHRI BHUPESH GUPTA: They have said 'legal. But the political and moral questions . . .

SHRI JASWANT SINGH: What I am saying is this habit of criticising the strictures and judgments of the Judges of the High Court or the Supreme Court is in very bad taste, especially when it goes against that particular party. That is all that I am submitting. What is being done is bribery is being legalised and Mr. Bhupesh Gupta wants to remove that. He does not want to say that it should be given to any particular party. What he wants in his amendment is..

MR. DEPUTY CHAIRMAN: That no contribution should be given.

SHRI JASWANT SINGH: . . .that no contribution should be made from the funds of business concerns or companies to any particular party and it is a very sound principle about which nobody can have any grievance or grouse.

Coming to these business concerns, I will have no objection—whether it is the Congress Party or the Communist Party or any other party—if they take money from their friends, rich or poor, from anybody, but if they take money officially and legally from the company's profits, it is not only those concerns and companies that contribute but even the shareholders, who also have a voice in their affairs but whose voices are drowned and who under no circumstances will

be willing to contribute to any political party, are made to contribute. Except for Tatas and I would say Birlas, there are several concerns and they are all from my place, from Bikaner. Except for Birlas who come from Jaipur, all the big businessmen come from Bikaner—Surajmull Nagarmull, Dagas, Rampurias and others. Take even this Mundhra; he is intimately connected with me. I can give you IOI big businessmen who come from my place and who control the big business in this country.

¹ MR. DEPUTY CHAIRMAN: We are concerned with companies; not with individuals.

SHRI JASWANT SINGH: I am talking of companies; I am not talking of personalities. Now, Mundhra for example, he controls about a dozen concerns. Similarly, Surajmull Nagarmull.

MR. DEPUTY CHAIRMAN: You need not go to personalities; you can mention any company, I have no objection.

SHRI BHUPESH GUPTA: They control the companies.

MR. DEPUTY CHAIRMAN: Your amendment is not an amendment relating to private persons; you are amending the Company Law.

DR. R. B. GOUR: We generally say the House of Tatas, the House of Birlas.

MR. DEPUTY CHAIRMAN: Order, order.

SHRI JASWANT SINGH: They are the Houses; they are controlling the business companies, sometimes six, sometimes ten companies. And from the profits of those companies they contribute to the political parties. I may be shareholder in some of the companies. I would not like to pay anything to any political party, but then my voice is not heard there. So there is fundamental objection to companies giving anything by way of

[Shri Jaswant Singh.] help to any political party. And my experience is, howsoever big a company may be, the mentality of the businessmen is such that if they do anything they will do it only for some consideration. Under no circumstances—even to their parents or to their children—will they do anything without some consideration. We have recently seen how this Life Insurance Corporation did some favour to the companies of Mr. Mundhra, Jessops, Richardson & Cruddas, British India Corporation, etc. I am very much interested in those companies because Mr. Mundhra is a very great friend of mine. He comes from my place. Can it be imagined for a minute that he would do it out of love for any political party unless his interest was served? Therefore it is demoralising for any political party to take anything from these concerns, from these business houses. I have no objection, as I said, if any private individual wants to help anybody. Let him do it.

I have got connections with these companies. They are my friends; most of them come from my place and I was in authority in Bikaner State for nearly a quarter of a century and it had always given me pleasure to oblige them. In 1951 when Mr. Jai Narain Vyas—he is not here now—became the Chief Minister of Rajasthan, I was a member of the Provisional Parliament. Then the question of land reforms came and therefore those jagirdars in Rajasthan wanted someone to represent them in the Rajasthan Cabinet. I was not a member of the Congress Party, and I was asked to join the Rajasthan Cabinet. I made it a condition that I would not join the party and they made an exception in my favour. And I was Minister in the Rajasthan Government when Mr. Jai Narain Vyas was Chief Minister and Mr. Paliwal who later on became Chief Minister was my colleague for a long time. We were on happiest terms. When the general elections came, with my

relations with these business concerns, I was offered money thinking that I would be a Congress candidate. They thought that I might stand on Congress ticket but the Jagirdars' Association withdrew me and I stood as a candidate for the Opposition. Thus my Congress friends and I parted as best of friends. They offered lakhs and lakhs of rupees to me but when they came to know that I was not standing on the ticket of the Congress, they withdrew all the help. I can tell you that we put up a very big fight and we made it a point to defeat the topmost Congressmen in Rajasthan, which we successfully - did in the first general elections. And we did get money also, but they made it a condition that under no circumstances should their names be divulged because, if the Congress came to know that, their business will be completely ruined.

MR. DEPUTY CHAIRMAN: So without the Congress knowing it you took money from them.

SHRI JASWANT SINGH: If the party in power comes to know, their business will be completely ruined. It happens; wherever party in power comes to know that a businessman or a concern has helped the opponent, very strong action is taken. We have seen a practical example.

Now, Mr. Madhava Menon is generally a reticent Member of this House. He does not generally lose temper. But because in Kerala the Communists have unseated the Congress Government or the P.S.P. Government, they are feeling the pinch, because it is a very bad thing to be dislodged from a position of

श्री पा० ना० राजमोहन (मुम्बई) : जागीर-
दार पहले क्या करते थे ?

श्री जसवंत सिंह : जागीरदार जागीरों से
अपना पेट भरते थे ।

influence and power. I understand he was also a Minister in Kerala . . .

SOME HON. MEMBERS: Not in Kerala, but in Madras.

SHRI JASWANT SINGH: I am sorry. May be Madras, very nearly the same thing.

SHRI T. S. PATTABIRAMAN: Not the same.

SHRI JASWANT SINGH: Then, which is inferior or which is superior, I do not know. However, the fact remains he was so angry too. I can understand his feelings and I must say to the credit of our Communist friends—if they feel that they are taking undue advantage of their position, well, certainly this will apply as much to the Communists as to any other party—that it is a very sporting spirit which they have evinced. As far as I am concerned, I have no affiliation with the Communists and there could never be any affiliation, because our ideologies are different. I was brought up in a very different tradition altogether. If anything, I have some affiliation with the Congress, because I was myself a small jagirdar and I do hope and pray that at least for the next 12 years the Communists will not come into power because even my compensation will be stopped, because the Congress will give compensation for 15 years. Three instalments we have received and twelve more we have to receive for my jagir. And if my friends come into power, I know that the first step they will take is to stop this compensation.

SHRI DEOKINANDAN NARAYAN (Bombay): The Communists will kill him.

SHRI JASWANT SINGH: The privy purse of the rulers will be stopped. But in fairness and justice if something good comes from the Communists, it becomes our duty that it should be supported. Apart from the example given of what is happening in America and the United Kingdom—which Mr. Bhupesh Gupta quoted with his knowledge of constitutional law and the references and the wide study he has brought to bear on whatever he speaks—I would

61 RSD—3.

submit that the position there and here cannot be compared at all, in this sense that two parties are functioning there. In the United Kingdom always two parties function. If one party makes a muddle or a mess, they are immediately deposed and displaced and, therefore, the help goes equally to the two parties from their supporters. Similarly, in the U.S.A. there are two parties and, therefore, the two parties are supported by these big business concerns. If one party makes a mess or muddle in its administration, then it is immediately replaced by the other party. But here as I was submitting, the position is very different and as long as only one party is in a brute majority and overwhelming majority, to legalise this sort of payments by business concerns to political parties it is dangerous for democracy. Therefore, I have cleared my position as to why I am supporting and I have said that on the merits of the arguments Mr. Bhupesh Gupta has advanced and the poor arguments that have been so far put up by the Congress party, it is absolutely clear that if we stand by the virtues which we profess—and if we feel that—we should not give legality to a sort of bribery. And we should not be demoralised by the bits of bread thrown here and there and we should not depend on the money given by these business concerns—which under no circumstances they would do without any consideration. I feel that if the Government opposes a Bill of this kind it will be a very big harm done to democracy.

SHRI T. S. PATTABIRAMAN: Mr. Deputy Chairman, I sympathise with Mr. Bhupesh Gupta for the great predicament in which he finds himself today. He has brought forward this Bill with the hope of improving the morals of the society and of the political parties in this country. This is indeed a very laudable object and it is worthy of consideration and support by almost all the Members on this side also. But Mr. Bhupesh J Gupta, while moving his Bill, has forgotten many things and, as he him-

[Shri T. S. Pattabiraman.] self admitted, has concealed many things which were not to his taste or in his favour. The position of the company law in this country before the recent consolidated Act came should also be taken into consideration. The action of the Government has to be justified by comparing and contrasting the situation before the enactment of this comprehensive Act with the present situation. That should be taken into consideration. Before section 293 was introduced in this Act, every company had the right to give whatever it wanted to any political party or charitable institution which it liked, even without the consent of the general body. This Act is clearly a proof that the party in power wants to restrict the power of the companies with regard to the distribution of its profits. Before the passing of the Act the directors and the managing directors had absolute power to give as much money as they wanted. But today it has been restricted to Ave per cent, of the profit or a maximum of Rs. 25,000, whichever is lower . . .

SHRI BHUPESH GUPTA: No.
Whichever is higher.

SHRI T. S. PATTABIRAMAN: I am prepared to admit that. Even Rs. 25,000, Mr. Bhupesh Gupta and his party-men will certainly support me in saying that it is a great improvement on the past and that it is certainly the outcome of the Congress's anxiety to keep out the big men from interfering with the day-to-day affairs of the party. But Mr. Bhupesh Gupta not only laid down certain morals for our consideration, but also went into the judgments of very respectable and very learned Judges of the High Courts of Bombay and Calcutta. I am very sorry that the Opposition wants to paint us all as bad people, always trying to criticise the High Court Judges and wanting to upset their judgments. It is an incorrect proposition. I am very sorry to say that the Opposition thinks that we are here to criticise the High Court |

Judges. But I would like to assure you that we have the greatest respect for these Judges. And we have in the Constitution given to them the highest position that any country can hope to give and we always respect their decisions. But our difference with Mr. Bhupesh Gupta and the hon. Opposition Member who just now spoke is that you should consider every judgment on its own merits. You should also consider not the personality of the Judges, but the judiciary as a whole. We are not prepared to consider X or Y or Z is a big Judge or a great Judge, but we would like to give the greatest respect to the judiciary. I would like to point out to him that in the same case, when the case came originally before Mr. Justice Tendolkar, he gave a completely different judgment. If Mr. Justice Chagla's opinion as a great Judge is to be respected, I as a lawyer, will give equal respect and equal consideration to another Judge who had differed. It is usual for brother Judges to differ from each other and that does not mean that one is bad and the other is good or one is of the lowest calibre and the other is of the highest calibre. There is no unanimity among the Judges. Then, with regard to this point, I should like to read out from Mr. Justice Tendolkar's judgment itself. Mr. Justice Tendolkar observed:

"I am not prepared to hold that the mere power to give a donation or a contribution to a political party has such a tendency to corrupt political life as to be considered against public policy. The harm to the public by permitting such contributions cannot, to us the words of Lord Atkin, be said to be substantially incontestable."

So, what I beg to submit is that there are differing opinions among the Judges themselves and we cannot but take the same into consideration. If Mr. Bhupesh Gupta has a right to quote one set of Judges in his support, I submit that I have another set of Judges to quote in

support of my viewpoint. We hold equal respect for all the Judges and that is our contention. So, let it not be the duty of the Opposition, hereafter at least, to present that they are the, only persons who respect the judgments and the Judges of the country and that we are not. I hope the Opposition Members will kindly bear this in mind whenever they speak about those things.

3 p.M.

Sir, the next point I would like you to consider is whether the aim and object with which Mr. Bhupesh Gupta was motivated to bring forward this Bill can be substantially met by bringing in an amendment to the Companies Act. The question is whether this particular giving of donations to political parties by big companies is itself a bad thing. I am not going into the merits of the case. If acceptance of donations from companies registered under the Companies Act is a bad thing, I must submit that it is equally a bad thing to accept donations from merchants, from big persons, from partners, from Isbour organisations and also from *zamindars*, *lambardars* and landowners. If acceptance of money by a party in power is unreasonable, then it must be equally unreasonable for others to accept money from other people who are in a position of influence. If that is so, why not my friend bring in a Resolution or an amendment to the Peoples Representation Act? There is a list of corrupt practices given there. You bring an amendment saying that acceptance by a political party, of which a particular person is a candidate of gifts or money or donations from individuals or from corporations is a corrupt practice. If that is done, you completely change the entire picture of the country. Mr. Bhupesh Gupta and the Communist Party cannot agree to it, will not agree to it. The whole thing is contrary to their notion. When the Representation of the Peoples Act was before the House, not once but

thrice, and amendments after amendments came up, they did not bring in this question at all. They did not refer to this. They did not try even to give a single amendment for declaring this as a corrupt practice.

So, Sir, I am only saying that Mr. Bhupesh Gupta and his friends are not very sincere in seeing that this sort of thing is prevented from happening. They want to make it a political issue and want publicity for themselves on a thing on which the Judges have made remarks somewhere. After all we will have to consider what are the facts. The Landholders' Association in my place in Tamilnad fought the (elections against the Congress, and they were even given support by the Communists. The Landholders' Association raised enormous amounts by subscriptions. My friend has nothing to say about that. After all what is a public limited company or a private limited company? The public limited company contains shareholders. They are also voters. If an individual shareholder can donate an amount to political parties informally, What is wrong in making donations collectively? Sir, there is really no obligation on the part of a limited concern to make a donation unless it is expressly provided in the memorandum of association or articles of association. So, if the shareholders of a company do not want their company to make any donation to any political party, it is open to them to incorporate it in the memorandum of association that it shall not give any donation. That one single sentence will serve the purpose instead of amending this Act. So, I do not want to go into the merits of the question whether it is right or wrong for a party to accept money. We know that without money no party can win an election. Even the Communist Party make no secret of it. They know that they require lot of funds for fighting the next elections. But they say that it is absolutely wrong on our part and that if we

[Shri T. S. Pattabiraman.] accept a certain amount from a certain person, we are indulging in a corrupt practice.

Sir, there is one instance I want to point out. The Communist Party is having a subsidiary concern called the People's Publishing House which has branches throughout India. They get books and periodicals to the value of several thousands of rupees from Soviet Russia and the People's Republic of China. During the period 1956-57 they imported books to the extent of about Rs. 36,000 from Russia and about Rs. 8 to 9 thousand from China. Who remitted that amount? They sold the books for Rs. 1,20,000, and they made a clear profit of Rs. 87,000, and this is according to their statement. Am I to say that because Soviet Russia and China have given these books they have given indirectly Rs. 87,000 to the Communist Party here and therefore these people are only camp-followers of those countries? I do not want to say that. I leave it to you to decide. So, just because they accept a certain amount or certain gifts, it does not mean that they are going to spread their ideology in this country. I do not think my friends will stop importing books from Russia and China. If that is bad, this is also bad.

Sir. I do not want to go into the merits of the Kerala affair. I do not have any personal knowledge but they say that if any person wants to have any licence or anything, a copy of his application is sent to the Government, and the Tehsildar never comes but the Party Secretary of the local unit comes and says, "if you are prepared to give two thousand rupees I will give the licence".

SHRI PERATH NARAYANAN NAIR: It is just a slander.

SHRI T. S. PATTABIRAMAN: It is not a slander. I do not want to go into a controversy. If I can prove to the hilt all these allegations, will

the Member be prepared to accept the appointment of an enquiry committee to go into them?

SRI PERATH NARAYANAN NAIR: You must prove it. Without proving you cannot bring in such an allegation.

SHRI T. S. PATTABIRAMAN: I have got enough proof. The local Party Secretary had already got a copy of the letter. How did he get it? Even then I don't say that if you accept the amount it is wrong.

DR. R. B. GOUR: Come out with your proof.

SHRI T. S. PATTABIRAMAN: I am prepared to prove whatever statement I make in this House. I am speaking after satisfying myself that I have enough proof of that. If that is so, I ask what is wrong in accepting the donation. There may be many other things, but I do not want to go into them.

I would like to tell the Communist Party Members that in 1952 in my own constituency of Tiruchengode the Communist candidate opened a subscription list and collected Rs. 7,000 from the merchant class, who paid sales-tax and income-tax, on the guarantee that he would fight for the abolition of the sales-tax. I am prepared to prove it from the notebook in which the collection was made and from the accounts of those merchants. I never considered it as a wrong thing. I never considered that the Communist Party was going to be influenced because they collected Rs. 7,000 on the promise that they would fight for the abolition of the sales-tax. I do not object to that. What I say is that you are not sincere in your move, you are not genuine in stamping out all these things. Otherwise you must stop import of books from other countries. You must do all those things. Instead of that, if you come forward with this Bill, it only shows

that after all you are not very much interested in eradicating all evil but you are interested in making propaganda—as though there has been much evil if a few companies had given some donations. On the other hand, I do not want to speak on behalf of the Congress organisation. It can take care of itself. But I can say from my knowledge that we publish all the accounts, all the donations received, once a year. It is all there in the annual report, in the balance sheet. Anybody can see it. Will the Communist Party do it? I know, for example, that we publish our annual report for the Tamilnad Congress complete with a balance sheet and then place it before the whole world to see which are the donations. Has the Communist Party ever done so? Will the Communist Party, in the interests of democracy for which it is fighting, ever do it? In the Amritsar session they made a cryptic remark that they had collected lakhs, but they did not give details as *io* who were the donors except the clue that there were about six or seven landlords who were representatives there. What was the clue? There were about six or seven landlords. Why don't they give details? Am I to say that, just because Mr. Bhupesh Gupta's partymen attended the *Pooja* festival in Mundhra's house and had a lot of celebrations and other things there, the Communist Party has been purchased by Mundhra's money or at least *rasa-gollas*? I cannot say that. So, just because a party gives money it does not mean that we have lost all our independence. A party is a corporate body here. It contains individual members. The members meet, the general body approves and then the donation is given. What is wrong? I do not agree. If mine is wrong, if this particular thing is wrong, all the other things are also wrong and my friends may also correct them. Instead of putting our houses in order, it is better that they start with their own houses first and try to put them right. After all, it is wrong to say that we should

put a ban on a particular business concern for making this.

I am again referring to another distinguished Judge of the High Court who has been made the Chairman of the Companies Act Amendment Committee. The company law needed some amendment. Therefore, Justice Viswanatha Sastri, an eminent Judge of the Madras High Court, was put in charge of that. The Government is not unaware of all those things. That Committee took into consideration this question and went into detailed discussion about the judgment of the Bombay and Calcutta High Courts. It will be interesting to know what their observations are and the document is now public property. The advisability of amending section 293 of the Act in the light of the observations of the Bombay and Calcutta High Courts was considered by the Committee and it has observed:

"(i) that, as the law stands, a general resolution of the company authorising the Board of Directors to contribute to charitable or other funds in excess of the limit prescribed by section 293(1) <e> would be sufficient and a separate resolution is not required in respect of each such contribution;

(ii) that a prohibition of contribution to political and party funds should not appropriately be considered in isolation under the Companies Act only;

(iii) that it is not desirable to impose on the Courts the duty to decide merits of contributions to political parties in each case."

That will be causing the courts embarrassment, embarrassment to the Judges who preside, to come to a decision on every contribution whether it be to the Congress, the Communist Party or the Jan Sangh. The Judges cannot go into party matters. That will be creating the most unprecedented, wrong situation

[Shri T. S. Pattabiraman.] for the High Court Judges and I am sure no Judge would like to find himself in such embarrassing situation.

"(iv) that full information relating to every contribution should, however, be incorporated in the accounts and circulated to the members before the next annual general meeting, so that if they so decide, they may give appropriate directions to the Board for future guidance".

So, after going through all this, the Companies Act Amendment Committee has itself suggested an amendment with which, I think, Mr. Bhupesh Gupta and his party-men will be able to agree. This is the amendment:

"that for this purpose, the following provision may be added as sub-section (6) of section 293 of the Act—

'Every company shall disclose in its profit and loss account every donation made by it during the year of account to any political party, giving particulars of the amounts given and the name of the person or persons, association or party to whom or to which, such donation is made'."

So, this amendment will certainly place all the facts before the general body and the public and there will not be any secrecy about it. If there is to be legislation, I must submit that the Companies Act amendment alone will not be sufficient. Whatever my friends may think of the United States of America, there they have separate Acts. There are certain laws in the U.S.A. apparently quite wide in their scope prohibiting the corporations and labour organisations from contributing funds for political purposes. If that is so, the proper forum will be to bring in a separate legislation or to amend the Representation of the People Act and as such, there is no point in

amending the Companies Act alone. It is useless to treat this isolatedly. Therefore, I submit that this amending Bill is unnecessary. It is only a propagandist in its nature and it will not serve the purpose for which my learned friend and his party are supposed to stand.

Thank you.

SHRI MULKA GOVINDA REDDY (Mysore): Mr. Deputy Chairman, Sir, I have great pleasure in supporting this amending Bill. Mr. Bhupesh Gupta, the mover of this Bill, made a historic speech today, historic for its high principles, historic for its sincerity of purpose, historic for its eloquence. I never expected that the Congress members opposite would try to contradict the salient features that have been brought before them. I never expected that they would stick to this obnoxious provision in the Companies Act. We all want high-principled parties. In fact, some months ago, Dr. Ram Manohar Lohia, leader of the socialist movement in India, wrote to all the political parties in India that they should have a code of conduct. It is unfortunate that some of the parties did not respond to that invitation and they did not agree to it. But all the same, the purpose with which he wrote, is still there. The Bill that now seeks to amend the Companies Act is very simple, but it involves very fundamental issues. We all value democratic institutions. All political parties which profess faith in democracy and democratic methods should accept this simple, innocuous, but high-principled amending Bill. We know it for certain that it has been laid down by the Election Commission that large sums of money should not be spent in elections. Because the Congress Party gets money freely from the big business people, big industrial concerns, they can afford to spend it recklessly. But it is not for me to question the veracity of the Election Commission in accepting the election returns tendered by the candidates.

This amending Bill provides that:

"In section 293 of the Companies Act, 1956, in sub-section (1) after clause (e), the following proviso shall be inserted, namely:—

'Provided that no contribution shall be made to the fund of any political party or to the election fund of any candidate for the purpose of election to Parliament, or a State Legislature, or a Territorial Council.'"

In most of the States, apart from what is being collected by the All-India Congress Committee, the Pradesh Congress Committees also collect funds from big business concerns and big industrialists. As has been rightly pointed out, when funds are collected from these big business concerns, 'our industrial policy and our export and import policy will, in most cases, be influenced by the interests of these big business concerns. In certain States, apart from what influence they have on the policies of the Government, these few industrial concerns try to bring about some changes in the very leadership of the political parties. They try to manoeuvre as to who should be put up as the candidate for the presidentship of the Provincial Congress Committee, who should be selected as the Secretary of the Congress Party and who should be selected as candidates either for Parliament or for the local legislature.

Sir, this is a very pernicious provision which should be done away with. You already know what one pseudo-industrial magnate tried to do with the affairs of the people of Mysore. It was an international financial squandering. He donated certain funds to certain charitable purposes and charitable institutions after his name and the then Maharajah of Mysore adorned him with the title of *Dharmaratnakara*. After the Congress Government came into office in the Mysore State, a committee was appointed to enquire into his financial dealings. He swindled

a huge amount to the extent of Rs. 7 crores in Mysore, and most of the big business people in Mysore and quite a number of officers did invest their ill-earned . . .

MR. DEPUTY CHAIRMAN: That has nothing to do with this Bill.

SHRI MULKA GOVINDA REDDY: Yes, Sir. I am only trying to bring out how the Government tried to patronise . . .

MR. DEPUTY CHAIRMAN: I do not think you are alleging that he interfered in any elections. So it is not relevant here, as far as this Bill is concerned. That was in the old days. We are not concerned with it now. We are now dealing with elections and contributions. Do not bring in unnecessary things.

SHRI MULKA GOVINDA REDDY: I am only bringing to the notice of this House as to how Government tried to patronise certain people who swindled the moneys of the public. And that is only one aspect of the matter. The other aspect of the matter is, as has been very ably put forth by the mover of this Bill, that many a time these industrial concerns try to influence the policies of the Government. Now and then we have been seeing how all of a sudden import and export licences in respect of certain articles or commodities are given, which indirectly enable some of these industrial magnates to make more and more money. And it has become a scandal. And, Sir, they must be having some motive in donating these funds to the parties. This has been clearly expressed in the statement of the Tata concern. They want to see that the present Congress Government continues in office for ever so that their interests can be safeguarded properly. And that is the motivating force behind all these big industrial concerns or companies donating funds to the political parties. Sir, here in this amending Bill there is no particular mention with regard to any political party

[Shri Mulka Govinda Reddy.] Just because the Congress party is in power today and because the Congress party has received huge funds from these concerns and companies, it has got to bear this attack.

This particular provision in the Bill, Sir, when accepted, will be beneficial to all political parties. Today, Sir, the Congress party may be in power. But we also know that today the Communist Party is in power in Kerala. Of course, certain allegations have just been made by one hon. Member that the Communist Party is trying to extract moneys from industrial concerns or companies in Kerala. Well, Sir, if they have done so, I condemn that practice. Whether it is the Communist Party or the Praja Socialist Party or the Socialist Party or the Congress Party, under no circumstances should we allow such things to happen. Otherwise, Sir, it will not be politics in the interests of the common people or in the interests of democratic principles or any high principles, but it will be helping the vested interests and we will be at the mercy of those vested interests. Sir, we have taken the pledge that socialist order should be established in India, and if we are really sincere about our profession, I do not see why our Congress friends should hesitate in refusing donations from these industrial concerns or big business people. You must establish certain high principles if you really want to build up some true democracy in India. Otherwise it will be a farce, it will be a mockery, and we will simply be deluding ourselves into a false position and we will be cheating our own people and our own conscience. But if you are really not serious about the high principles that you profess and if you believe in bogus democratic institutions, and also if you think that they are only a cover for you to continue your obnoxious rule, then, of course, I cannot help it.

Sir, this is a very important measure which will guide the destinies of not only political parties but

also the destinies of the people in the right direction. If today we allow the existing state of things to continue, if we allow ourselves to be influenced either directly or indirectly by the vested interests, tomorrow the same considerations might guide some other party when it comes to power. And that will be the end of democracy. Therefore, Sir, I am sure that nobody in this House, either in the Congress party or in any other party, wants to see that the democratic institutions and democratic principles are done away with. If, as I think, every Member wants to see that the high principles that we cherish are established and are attained, I am sure he will give his unstinted support to this simple but at the same time a high-principled amending Bill.

श्री राम सहाय (मध्य प्रदेश) :

उपसभापति महोदय, मैं इस बिल के विरोध में कुछ कहने के लिये खड़ा हुआ हूँ। लेकिन मैं इस बात से ज़रूर इतिफाक करता हूँ कि जो उद्देश्य श्री भूपेश गुप्त जी का है, वह अच्छा है। लेकिन जिस तरीके पर, जिस चाल और जिस गरज से उन्होंने यह बिल रखा है, मैं समझता हूँ वह बात अच्छी नहीं है। लोक सभा में इस बारे में पहले एक बिल आया था, उसके बारे में बहुत कुछ चर्चा हुई। वहाँ से निरुत्साह होने पर फिर इस बिल को उसी रूप में यहाँ लाया जाय, मैं नहीं समझ सका कि उनकी इसमें क्या गरज है। मैं समझता हूँ कि वह जिस तरह से कांग्रेस पार्टी को और कांग्रेस गवर्नमेंट को कुछ कहना चाहते हैं, उसके लिये एक जरिया उन्होंने ढूँढ़ निकाला है, ताकि वे अच्छी तरह से, दिल भरकर, जो कुछ कहना चाहें कह सकें। मैं समझता हूँ कि उस हाउस में इस तरह का आश्वासन दिया गया था कि कोई इसी तरह का सब को ही एक्सेप्टेड ला लाया जायेगा। इतना होने पर भी श्री गुप्त ने आज सदन के सामने फिर वह बिल प्रस्तुत कर दिया। इसलिये मैं निवेदन करना चाहता हूँ, जैसा अभी हमारे एक मित्र ने कहा था, कि उसमें कोई उनकी ऐसी गरज हो, जिससे

बे किसी बात को सुधारना चाहते हैं, ऐसी बात मालूम नहीं पड़ती है। इस बिल में जो बातें कही गई हैं कि वे इस प्रकार के अधिकार कंपनीज को नहीं देना चाहते हैं, इस सम्बन्ध में मैं यह कहना चाहता हूँ कि ऐसे अधिकार जो दिये जाते हैं, वे मेमोरेन्डम एंड आर्टिकल आफ एसोसिएशन से शुरू होते हैं—उसमें इस तरह के अधिकार होते हैं। उससे बाद उस अधिकार का उपयोग इस एक्ट के तहत में किया जाता है। मेरा ऐसा खयाल है कि शायद श्री गुप्त जी को स्वयं भी अपने ऊपर या अपनी पार्टी के ऊपर पूरा विश्वास नहीं है, आत्म-विश्वास नहीं है। वे यह समझते हैं कि ऐसी छोटी-मोटी बातों से वे अपने पथ से, अपनी निष्ठा से, हट जाते हैं। कांग्रेस पार्टी जो महात्मा गांधी के सिद्धान्तों में विश्वास रखती है, जिस की लीडरशिप आज एक बहुत बड़ी लीडरशिप है, उसे अपने में पूरा विश्वास है। वह ऐसी छोटी मोटी बातों की ओर, करप्शन की ओर, कभी भी नहीं जा सकती है।

पहले हमारे ऊपर तरह तरह के, कैपिटलिस्ट होने के, कैपिटलिस्टों का समर्थक होने के, और जागीरदारों और जमींदारों का पक्ष लेने के आरोप लगाये जाते थे, लेकिन लोगों ने देखा है कि हम जमींदारी एबोलिशन एक्ट लाये और हमने सारे देश में जमींदारी और जागीरदारी प्रथा को समाप्त किया। कैपिटलिस्टों के बारे में जो कुछ कहा जाता है, उसके बारे में मैं यह अर्ज करूंगा कि हम ने इल्कम-टैक्स बढ़ाया है, सुपर टैक्स लगाया है, एक्स-पेंडीचर टैक्स लगाया है, वैल्यू टैक्स लगाया है, एस्टेट ड्यूटी लगाई है, और हम एक्साइज ड्यूटी बराबर बढ़ा रहे हैं। इन सब बातों के होते हुए यह कहना कि हम इन छोटी-मोटी बातों से किसी प्रकार से जो हमारी अच्छी भावना है उससे हट जायेंगे, मैं समझता हूँ कि यह विश्वास करने की बात नहीं है। हर एक चीज के आने का समय होता है और हर एक चीज को लाने के लिये एक उपयुक्त स्थान होता है। जैसा कि हमारे मित्र पट्टाभिरामन्

साहब ने एक हाई कोर्ट के जज का हवाला देते हुए और एक रिटायर्ड हाई कोर्ट जज श्री शास्त्री जी का हवाला देते हुए बताया कि किस तरह से उन्होंने इस चीज के बारे में कहा है, मैं भी इस सम्बन्ध में वेस्टर्न एंड सदर्न ऑस्ट्रेलियन एक्ट का हवाला देना चाहता हूँ। उसमें भी यह बताया गया है कि कंपनीज को इस प्रकार का डोनेशन देने का अधिकार उसके अन्दर इम्प्लाईड रहता है। तो आपके सामने यू० एस० ए० की मिसाल है कि उन्होंने इलेक्शन ला में इस चीज को रखा है।

डा० राज बहादुर गौड़ : उसी मिसाल पर चलियेगा ?

श्री राम सहाय : जी, वह भी अर्ज करता हूँ। अगर हम उस पर चलेंगे तो उसमें लेबरर्स के ऊपर पाबन्दी लगाने के लिये कुछ करना होगा, लेकिन फिर आपके लिये कोई स्थान नहीं रहेगा। इसीलिये ही शायद आप वह चीज नहीं लाये हैं। यू० के० में भी जो कंपनी एक्ट है उसमें इस किस्म का प्राविजन है कि कंपनीज डोनेशन देने के लिये स्वतंत्र है। इतना ही नहीं, वहां तो अभी थोड़े दिन हुए जब कंजर्वेटिव पार्टी को सपोर्ट करने के लिये किसी शुगर सिंडिकेट ने कोई ऐडवर्टिजमेंट निकाला था, तो उस पर बड़ा वादविवाद चला था। फिर जब वह मामला वहां के हाउस आफ लार्ड्स में गया, जिसके रूलिंग्स और दूसरी बातें हम अब तक फ़ालो करते हैं, तो उन्होंने अपने जजमेंट में यह बात कही कि जब किसी कंपनी का कोई इंट्रेस्ट खतरे में हो, या उसे ऐसा खयाल हो कि वह कंपनी कायम रहने वाली नहीं है, और वह अगर ऐसे कामों के लिये कुछ पैसा खर्च करे तो वह बिजनेस एक्सपेंसेज ही कहे जायेंगे। ऐसा हाउस आफ लार्ड्स ने उस ऐडवर्टिजमेंट के बारे में त्रार दिया। मैं यह समझता हूँ कि केरल में जो हालत उत्पन्न हुई, उससे अपोजीशन के हमारे मित्रों के खयालात में कुछ तब्दीली आई और वे यह देख रहे हैं कि उन्होंने मजदूरों

[श्री राम सहाय]

से पैसा ले करके जिस तरह काम किया और लोगों की सुरक्षा और सुव्यवस्था की परवाह न करते हुए जिस तरह उनको कंसेशन देने पड़े, उससे सारे केरल में ही नहीं, बल्कि सारे देश में ऐसा वातावरण पैदा हुआ जिससे केरल के लोग अपने आप को खतरे में महसूस करने लगे। इस बात से शायद उनको यह खयाल होता है कि यह जो कांग्रेस पार्टी है, वह चन्दा वगैरह लेकर के इस प्रकार की बातें करेगी, लेकिन मैं उन्हें विश्वास दिलाना चाहता हूँ कि वह चन्दा ले या न ले, इस प्रकार की बातों से वह कभी अपने स्थान से डिगने वाली नहीं है। हम संविधान को पालन करने की शपथ ले चुके हैं और हम सारी बातों को अच्छी तरह से तय करने की कोशिश करते हैं। ऐसी दशा में, मैं नहीं समझता कि ऐसी छोटी मोटी बातों से कोई झलत चीज होने वाली है। इसके अलावा मैं यह समझता हूँ कि शासन इन सब बातों पर गौर कर रहा है। उन्होंने एक कमेटी बिठलाई थी और जैसा कि पट्टाभिरामन् साहब ने अभी बतलाया, उस कमेटी के चेयरमैन, शास्त्री जी, ने इस सम्बन्ध में कुछ बातें कही भी हैं। इतना ही नहीं, ला मिनिस्ट्री में यह मसला जेरेगौर है और वे यह देख रहे हैं कि इलेक्शन ट्रिब्युनल के फैसले हो जायें, और फिर उसके बाद जो जो बातें सामने आयें उन पर वे विचार करें और यह तय करें कि इस तरह की बात को इलेक्शन ला में किस तरह जोड़ा जा सकता है और किस तरह से इसको करप्ट प्रैक्टिस में लाया जा सकता है। जब इस तरह की बातें शासन के विचाराधीन हैं तो यह नहीं कहा जा सकता कि हम बेखबर हैं। वास्तव में प्रोपेगेंडा की दृष्टि से यह बिल हाउस के सामने लाया गया है। इसलिये, मुझे आशा है कि हाउस इस बिल को पास नहीं करेगा। इतना ही कह कर मैं अपना भाषण समाप्त करता हूँ।

श्री निरंजन सिंह (मध्य प्रदेश) : उपसभापति महोदय, मैं इस बिल का समर्थन करने के लिये खड़ा हुआ हूँ। मैंने उस तरफ से किये गये भाषणों को जो सुना उससे मुझे थोड़ा

सा ताज्जुब हुआ। यह बिल बहुत साधारण है और यदि कुछ ससपिशन होना चाहिये था तो हम लोगों को होना चाहिये था, लेकिन जो शासन में है और जो अपने आप को बड़ा समझते हैं उनको अब ससपिशन रहना चाहिये। इस विधेयक को ऐक्सेप्ट करने में उनको क्या कठिनाई हो रही है, यह अब तक मेरी समझ में नहीं आया। कम्युनिस्ट पार्टी क्या कर रही है, इसके ऊपर उनका ज्यादा जोर है। मैंने अभी दो भाषण सुने और उनमें भी यही बात थी। बड़े के नाते उनका क्या कर्तव्य है, यह समझने की उन्होंने कोशिश नहीं की है।

इसके सम्बन्ध में मैं पुराना इतिहास बताना चाहता हूँ और मैं समझता हूँ कि जो पुराने कांग्रेस के भाई यहां होंगे, उनको वह मालूम होगा। सन् १९२३ में बहुत थोड़ा रुपया मिला था। सन् १९२६ में जब स्वराज्य पार्टी इलेक्शन लड़ी थी, तो उसको तीन लाख से कम रुपया मिला था। एक कम्पनी ने भी रुपया दिया था और उसको इस बात की अश्योरेंस दी गई थी कि हम तुम को प्रोटेक्शन देंगे। उस समय यह सोचा गया था कि फारेन कंसर्न्स से जो सामान यहां आता है, उसके बारे में अगर हम असेम्बली में विरोध करेंगे और उसको रुकवा देंगे तो उससे हमारे देश का कल्याण होगा और हमारे यहां की इंडस्ट्रीज का डेवलपमेंट होगा। तो उस समय इस देश में पूरा चुनाव लड़ा गया और तीन लाख से भी कम रुपये से लड़ा गया। मुझे मालूम है कि मध्य प्रदेश को तीन हजार रुपये से भी कम मिले थे और उतने ही रुपये से वहां के सारे के सारे कैंडिडेट ने इलेक्शन लड़ा था। यही नहीं, सन् १९३१ में जब महात्मा गांधी इंगलैंड गये थे, तब वहां पर इलेक्शन चल रहा था। मैं समझता हूँ कि बहुत से लोग जानते होंगे कि उस समय उन्होंने एक दुःखभरी बात कही थी। उन्होंने यह कहा था कि यदि इलेक्शन में इस तरह खर्च होने वाला है, तो यह प्रजातंत्र हमारे देश में पनपने वाला नहीं है और हम ऐसे प्रजातंत्र को अपने यहां पनपने देना नहीं

चाहते। उसके बाद सन् १९३७ में भी वही हालत हुई। अब मैं अपने प्रांत की बात बताता हूँ। सन् १९४६ में हम ने दस हजार रुपया पूरे प्रान्त का इलेक्शन लड़ने में लगाया था। आज उसी चीज को हम देखें तो करोड़ों में बात पहुंच गई है। जहां ऐसे आदर्शों पर हमारे भाई चलना चाहते हैं कि हम सिम्प्लिसिटी से रहेंगे, कम खर्च करेंगे, वहां खर्चा कम होने के बजाय ज्यादा होता जा रहा है। जो गरीब है, जो काम करने वाला है, यदि वह आपकी पार्टी का सदस्य नहीं है, तो वह बिना पैसे के चुनाव नहीं लड़ सकता है। अब ऐसी हालत हो गई है कि सन् १९२६ में जो तीन लाख रुपये से चुनाव लड़ सकते थे, वे सन् १९५६ में तीन करोड़ रुपये से चुनाव लड़ते हैं। इससे आप अन्दाज़ लगा सकते हैं कि आज चुनाव में पैसे का कितना महत्व है। आज काम करने की कीमत नहीं है, व्यक्ति की कीमत नहीं है, यदि आपके पास पैसा है तो आप चुनाव लड़ सकते हैं। इंग्लैंड में भी ऐसा ही होता था। वहां के व्यापारी इस देश में और दूसरे देशों में आते थे और व्यापार करते थे। उसके बाद जिनके पास ज्यादा पैसा हो जाता था, वे पैसा ले करके अपनी कॉन्स्टिट्यूंसी में जाते थे और उस पैसे की सहायता से इलेक्शन जीत कर पार्लियामेंट के मेम्बर बन जाते थे। इस प्रकार जो रास्ते पर चलने वाला आदमी था, वह व्यापार से पैसा इकट्ठा करके जाता था और वहां पार्लियामेंट का मेम्बर बन करके अपनी सभ्यता की चोटी पर बैठ जाता था। उसी तरह से आज यहां पर हो रहा है। जिसका कोई जोर नहीं है, कुछ नहीं है, उसको केवल पैसे के द्वारा जिता करके आप ऊपर बिठलाना चाहते हैं। यह आज कांग्रेस की मनोवृत्ति है और इसीलिये इसका मुझे दुःख है।

उपसभापति महोदय, मैं एक दूसरी बात और भी कहना चाहता हूँ। वह यह कि जो काम बड़े आदमी करेंगे उसका दूसरों के ऊपर असर होता है। यदि घर का बड़ा आदमी जुआ खेलने वाला होगा, मुकदमेबाजी करने वाला

होगा या खराब आचरण का होगा तो उसके लड़के-बच्चों पर उसका बुरा असर पड़ेगा। यदि आज की शासक पार्टी इस तरह के जरिये अपनायेगी तो दूसरी पार्टियों के ऊपर भी—चाहे वह कोई भी पार्टी हो—उसका असर पड़ेगा। आप केरल की बात कहते हैं, लेकिन मैं जानता हूँ कि हम लोग जिस वक्त अंग्रेजों से लड़ते थे, उस वक्त हमारे में एक करेक्टर था, उस वक्त यदि हम किसी से पैसा लेते थे तो हमारे मन में यह होता था कि हम रिश्वत लेते हैं लेकिन आज इस कांग्रेस ने यह कर दिया है कि यदि कोई पैसा देता है तो कोई हर्ज नहीं है, चाहे वह अपने घर में चला जाय, लेकिन वे यह सोचते हैं कि हमने पार्टी के लिये पैसा लिया है और पार्टी के लिये पैसा लेना कोई गुनाह नहीं है, क्योंकि पार्टी हमें चलानी है, इसलिये पार्टी के लिये पैसा लेना कोई गुनाह नहीं है और उस गुनाह से बचने के लिये एक के बाद दूसरा गुनाह होता है। एक आदमी एक बार थोड़ा सा गुनाह करे तो धीरे-धीरे उसके बाद गुनाह करने की उसकी आदत हो जाती है और वह दिन प्रति दिन पतन की ओर जाता है।

यह बहुत साधारण सा बिल है और हम कहना चाहते हैं कि आप भ्रष्ट क्यों बनते हैं, फिर आप बनिये तो बनिये लेकिन कम से कम दूसरों को तो न बनाइये। आज दूसरों में भी वही मनोवृत्ति आती जा रही है कि अगर हम पार्टी के लिये लेते हैं तो कोई पाप नहीं करते हैं; क्योंकि हमें अपनी पार्टी को पन-पाना है। तो इस तरह से रिश्वतखोरी बढ़ती है और माया और ममता बढ़ती है। एक वक्ता ने कहा कि हम दबने वाले नहीं हैं, लेकिन मैं कहता हूँ कि कितना ही मनुष्य बड़ा हो, पर जब वह पैसा लेता है तो उसका कुछ न कुछ संकोच उसके मन में आ ही जाता है। आज दो या तीन आदमी हैं, जिनके हाथ में देश का सारा बिजनेस है, यह सारी दुनिया जानती है कि उनकी कितनी कितनी कम्पनियां हैं और कितने कितने मेम्बर हैं। इसको छिपाने की कोई जरूरत नहीं है। यदि यही

[श्री निरंजन सिंह]

सिलसिला आपको जारी रखना है तो यह आपको मुबारक हो, लेकिन यह देश के लिये एक बड़ा खतरा है। आप खराब होते हैं तो खराब हों; परन्तु देश खराब न हो; इस बात का ध्यान रखना होगा। यदि आप देश को बिगाड़ना चाहते हैं तो यह समझ लीजिये कि आपके ऊपर इसकी जिम्मेदारी आज ही नहीं, बल्कि सदियों तक रहेगी। आज इलेक्शन, चुनाव, केवल इस बात पर हो रहे हैं कि पैसा हो। इसका कोई सवाल नहीं है कि काम हो या नहीं हो, कैरेक्टर हो या नहीं हो। जिसके पास धन है, वह सब कुछ है। तो जो एक व्यापारी मनोवृत्ति है, उसको इस शासन ने अपने घर में बैठा रखा है। धन की कीमत है, कार्य की कीमत नहीं है, योग्यता की कीमत नहीं है। जिसके पास धन है उसको टिकट मिलेगा। मुझे अनुभव है, उपसभापति महोदय, सन् १९५१ की बात है, मेरे प्रान्त में एक आदमी ने, एक व्यापारी ने ५० हजार रुपया दे दिया और टिकट मिल गया। कल ही यहां कुछ आदमी आये थे, उन्होंने कहा कि एम० एल० ए० बनते हैं, किसलिये बनते हैं? केवल व्यापार बढ़ाने के लिये बनते हैं। उनको देश से प्रेम नहीं है, उनको सेवा से प्रेम नहीं है, उनको इसकी चिन्ता है कि उनकी पूंजी सुरक्षित रहे, उनका व्यापार सुरक्षित रहे। तो ऐसे लोग वहां पर आते हैं और ऐसे व्यक्तियों को आप टिकट देते हैं और ऐसे आदमियों को यहां बिठलाते हैं। इस तरह से रोज ब रोज करप्शन भी बढ़ता है और आपका नैतिक पतन भी होता है। तो इस नाते से यह बहुत साधारण सा बिल है और इसको मंजूर कर लेने में आपकी कोई खराबी नहीं है।

एक वक्ता ने कहा कि आप एक दूसरे कानून में इस तरह का अमेंडमेंट क्यों न लायें, समे क्यों लाये? ठीक है, आप यह आश्वासन दीजिये कि हम ही दूसरा अमेंडमेंट ला रहे हैं। हम सब बैठे हैं, लाइये न, कौन मना

करता है, आप पीपुल रिप्रजेंटेशन एक्ट में ही प्रोवाइड कीजिये या किसी दूसरे कानून में प्रोवाइड कीजिये, कौन मना करता है? दुनिया की नजरों में आप ही ऊंचे उठिये, नीचे क्यों गिरने जा रहे हैं? आप यह क्यों बताना चाहते हैं कि आप रिटवत को बढ़ा र : यह क्यों बताना चाहते हैं कि रुपये के बल पर ही चुनाव होता है, आप रुपये के लिये क्यों व्यापारियों को प्रोत्साहन दे रहे हैं? अगर आप ऐसा नहीं करना चाहते हैं, तो फिर आप पीछे क्यों हटते हैं, आप खुल्लमखुल्ला करें और हम सब आपको सपोर्ट करेंगे। मैं समझता हूं कि यह बहुत छोटा सा बिल है, इसलिये इसको मंजूर कर लेना चाहिये।

श्री देवकीनन्दन नारायण : आदरणीय उपसभापति जी,

डा० राज बहादुर गौड़ : अंग्रेजी में बोलिये, ताकि हमारी समझ में भी आये।

MR. DEPUTY CHAIRMAN: You want him to speak in English?

DR. R. B. GOUR: Yes.

SHRI DEOKINANDAN NARAYAN: He wants me to speak in English, but he understands both Hindi and Urdu.

SHRI BHUPESH GUPTA: I would like you to speak in English.

SHRI DEOKINANDAN NARAYAN: But Dr. Gour is there to explain to you. He is just there behind you, to help you and to prompt you.

DR. R. B. GOUR: Please speak in your sweet English, Mr. Deokinandan Narayan.

श्री देवकीनन्दन नारायण : उपसभापति जी, बात यह है कि मेरे दोस्तों को गुप्त दान पर विश्वास है।

श्री जसबन्त सिंह : वह सब से अच्छा होता है।

श्री देवकीनन्दन नारायण : जागीरदार साहब कह रहे हैं कि वह सब से अच्छा होता है; क्योंकि ये जागीरदार खास कर के गुप्त दान में विश्वास करते हैं। मैंने अपने छुटपन में देखा था कि गुप्त दान निकालने के लिये कुछ रोजगारी जमना में डबते थे और गुप्त दान पर ही निगाह रखते थे और वे जमना-डूबा कहलाते थे। जितने राजस्थान से आते थे, वे अक्सर गुप्त दान करते थे और उसको निकालने के लिये ये जमना में कूद पड़ते थे; क्योंकि गुप्त दान गुप्त हो कर ही प्राप्त होता था।

श्री जसवन्त सिंह : पुराने जागीरदारों ने ऐसा किया या नये जागीरदारों ने ?

श्री देवकीनन्दन नारायण : नये तो हैं नहीं, पुराने अब खत्म होते जा रहे हैं, परन्तु अभी भी वह मनोवृत्ति नहीं गई है, मनोवृत्ति वही है।

तो मैं यह कहने जा रहा था कि मेरे भाइयों का विश्वास गुप्त दान पर है और दुहाई देते हैं डेमोक्रेसी की। मैं भूपेश गुप्ता जी का भाषण सुन रहा था और उनके बाद में जो और बहुत से भाई बोले उनके भाषण भी सुने। हर एक डेमोक्रेसी की दुहाई देते रहे। मुझे आश्चर्य हुआ, मेरी समझ में नहीं आया कि ये मेरे भाई डेमोक्रेसी के क्या माने समझते हैं। मैं यह तो मान सकता हूँ, समझ सकता हूँ कि मेरे भाई भूपेश गुप्ता डेमोक्रेसी के माने शायद वह पीपुल्स डेमोक्रेसी समझते होंगे जो कि आज चीन में और सोवियत रक्षा में चल रही है, परन्तु उन्हें यह जानना चाहिये कि कांग्रेस जिस डेमोक्रेसी में विश्वास करती है, वह आपकी, चीन की और सोवियत की पीपुल्स डेमोक्रेसी नहीं है।

डा० राज बहादुर गोड़ : बल्कि सोने और चांदी की डेमोक्रेसी है।

श्री देवकीनन्दन नारायण : नहीं। हमारी वह डेमोक्रेसी नहीं है जिसमें कि दूसरे पक्ष का, दूसरे मत का, आदमी चुनाव के लिये खड़ा ही नहीं हो सकता। तो जहाँ चुनाव के लिये दूसरा खड़ा ही नहीं हो सकता, वहाँ खर्च का सवाल कहां पैदा होता है? खर्च का, मेहनत का, प्रचार का, सवाल तो वहाँ पैदा होता है, जहाँ कि दो, तीन या अधिक विचार के आदमी एकत्र चुनाव के लिये खड़े होते हैं। सच देखा जाये तो आप लोगों का इस तरह के चुनाव पर विश्वास ही नहीं है, आपका तो 'वन-पार्टी डेमोक्रेसी' पर विश्वास है। जब आप यहां डेमोक्रेसी की दुहाई देते हैं तो हम लोगों को कुछ शंका पैदा होती है कि आप कहां तक इसमें विश्वास करते हैं और कहां तक हम लोगों को धोखा दे रहे हैं।

तो सुबह डेमोक्रेसी की दुहाई दी जा रही थी, सच्चाई के नाम पर बहुत कुछ कहा जा रहा था, कांग्रेस को जितना भला-बुरा कहा जा सकता था कहा जा रहा था, और साथ ही साथ टाटा और बिरला का नाम राम-राम की तरह जपा जा रहा था। मेरे भाई भूपेश गुप्ता ने, शायद सवा घंटे के अपने भाषण में, टाटा और बिरला का नाम राम-राम की तरह अनेक बार लिया।

श्री वज्र बिहारी शर्मा (उत्तर प्रदेश) : १०८ बार लिया, पूरी माला हो गई।

श्री देवकीनन्दन नारायण : जी, हां। पूरी १०८ की माला जप ली। माला पूरी हो गई।

SHRI BHUPESH GUPTA: By taking these names, have I committed any sin?

SHRI T. S. PATTABIRAMAN: Now Birla is their *dost*.

SHRI DEOKINANDAN NARAYAN: Yes, I know. I am coming to the point.

[श्री देवकीनन्दन नारायण]

तो आपकी डेमोक्रेसी में और हमारी डेमोक्रेसी में बहुत अन्तर है। एक तरफ से पूँजी-पतियों को गाली देते रहें और दूसरी तरफ चुपके से उन्हें अपने पास बैठा लें, यह डेमोक्रेसी हमारी नहीं है, दुकान के सामने खड़े हो कर गाली दें और पीछे के दरवाजे से जितना मिले, उतना पार्टी के लिये ले लें, यह हमारी डेमोक्रेसी नहीं है। हमारी तो खुल्लमखुल्ला डेमोक्रेसी है। हम लोग डेमोक्रेसी को सिन समझते हैं। गांधी जी ने हमें सिखलाया है कि 'Secrecy is sin'. पब्लिक लाइफ में, पोलिटिकल लाइफ में किसी प्रकार की गोपनीयता रखें, यह सार्वजनिक जीवन के लिये खतरनाक है। यदि इस प्रकार की गोपनीयता को इस देश में किसी ने बढ़ाया है, या लाया है तो वे आप ही हैं। Secrecy is an article of faith with you.

Dr. R. B. GOUR: Have you . . .

श्री देवकीनन्दन नारायण : आप यहां सीक्रेसी को, गोपनीयता को, सेबोटैज को, जाने क्या क्या बलाओं को इस देश में ले आये हैं।

Dr. R. B. GOUR: Have you no secrets, Mr. Narayan?

श्री देवकीनन्दन नारायण : वे बातें आपसे बाहर करूंगा, यहां करना ठीक नहीं होगा, व्यर्थ में सदन का समय जायेगा। मैं मानता हूँ कि जितना हमें अस्तिथार है इस देश में रहने का, उतना ही जिन्हें आप पूँजी-पति कहते हैं, उन्हें भी अधिकार है। हो सकता है, कल पूँजीपतियों की कोई पार्टी खड़ी हो जाय, उन्हें मेजोरिटी मिल जाय, तो वे भी इस देश का राज्य चला सकते हैं। इंग्लैंड में देखियेगा, कभी कंजरवेटिव्हज आ जाते हैं, कभी लिबरल आ जाते हैं, कभी लेबर वाले आ जाते हैं। हम तो सम्पूर्ण विचार-स्वातंत्र्य से डेमोक्रेसी को इस देश में आगे बढ़ाना चाहते हैं। आप विचार-स्वातंत्र्य को मारना चाहते हैं, इतना आप में और हम में फर्क है।

इसलिये जहां हम डिमोक्रेटिक तरीके से स्वतंत्र विचार बढ़ाते हैं वहां वहां आप कुठाराघात करने का प्रयत्न करते हैं।

दूसरी बात, आप क्लास कन्फ्लिक्ट में विश्वास रखते हैं और मानते हैं कि पूँजी-पति खत्म किये जायें। यह भी आपकी बात कहने की ही है बहुत कुछ। आगे चल कर आप क्या करेंगे, जब अस्तिथार में आ जायेंगे, यह ईश्वर ही जाने। हालांकि आप क्लास कन्फ्लिक्ट की बात करते हैं और यह कहते हैं कि जितने भागवान् और पूँजीपति हैं ये महा शैतान हैं, परन्तु वगैर इन शैतानों की सद्द के आपका काम भी नहीं चलता। अभी मेरे एक भाई ने कहा था कि मुंधरा और एक दूसरे साहब, डालमिया, जिनका मुकद्दमा चल रहा है, उनकी कहां तक इनसे दोस्ती है। मुझे उससे मतलब नहीं, लेकिन दोस्ती एक बड़ी अच्छी बात है। लेकिन जहां दो ठग इकट्ठा होते हैं, एक कहता है कि मैं अपना मतलब निकालूँ, दूसरा कहता है मैं अपना मतलब निकालूँ। परन्तु कांग्रेस वालों के सामने यह कोई सवाल नहीं है। उनका विश्वास है कि 'क्लास कोलेबोरेशन' से ही काम होने वाला है, क्लास सहयोग से ही काम चलने वाले हैं, अर्थात् हृदय-परिवर्तन से काम बढ़ना है। मैं नहीं कहता कि पूँजी-पति सब परमार्थी हैं। स्वार्थी हैं, बहुत स्वार्थी हैं। परन्तु मैं यह भी कहता हूँ कि स्वार्थी पूँजीपति भी परमार्थी बन सकता है, वह मनुष्य है, उसकी उन्नति हो सकती है, वह भी सदाचार कर सकता है, सद्भावना पैदा कर सकता है और सत्कर्म कर सकता है। इसके अनेक उदाहरण हमारे सामने हैं। इसीलिये हम क्लास कोलेबोरेशन को मानते हैं, क्लास समन्वय को, सहयोग को, मानते हैं। आपके इस विचार को, कि एक क्लास को खत्म करने से ही देश का भला है, हम नहीं मानते। इसलिये, मैं आपसे कहना चाहूंगा कि आप डिमोक्रेसी की दुहाई तो देते हैं, लेकिन आपकी डिमोक्रेसी की परिभाषा

अलग है। मुझे इस सदन से इनके बार-बार डिमोक्रेसी की दुहाई देने की बातों में न आने की प्रार्थना करनी है। अमृतसर में एक प्रस्ताव पास करके इन्होंने एक नया देवता खड़ा करना शुरू कर दिया है—हालांकि ये मानते हैं पीपुल्स डिमोक्रेसी को, पर दूसरी तरफ आप से भी लाभ उठाना चाहते हैं और इसलिये अब आपकी भाषा भी कुछ-कुछ बोलने लगे हैं। अगर ये बातें, जैसा कि हमारे भाई ने कहा, ऐसी ही हैं जैसे कि हाथी के दांत खाने के और होते हैं, दिखाने के और होते हैं। मैं उनसे पूछना चाहता हूं कि ऐसी कौन सी पोलिटिकल पार्टी है, ऐसा कौन सा इलेक्शन है, जो बिना खर्च के चल सकता है? हर एक पोलिटिकल पार्टी का, जमात का कोई काम खर्च बगैर चलता नहीं और खर्च के लिये उसको रुपया इकट्ठा करना पड़ेगा और आम तौर से खुले तौर पर उसे करना चाहिये। मैं पूछना चाहूंगा कि गत इलेक्शन में कौन से मेरे कम्प्यूनिस्ट भाई ने दस-बीस हजार से कम खर्च किया? मैं आपसे पूछना चाहता हूं कि आपके लीडर डांगे साहब का कितना खर्च आया बम्बई में? श्री डांगे के लिये ४० या ५० हजार तक इलेक्शन में जो आप लोगों ने खर्च किया वह आप कहां से लाये थे?

श्री शीलभद्र याजी : डालमिया के यहां से।

SHRI BHUPESH GUPTA: Has Mr. Dange's election been declared null and void?

SHRI DEOKINANDAN NARAYAN: That is another thing. That is not my point. You ask the Judges because you are so much enamoured of the Judges today.

SHRI BHUPESH GUPTA: If he had spent...

श्री देवकीनन्दन नारायण : तो मैं यह कहना चाहता था कि बगैर पैसे के न इलेक्शन

होता है, न पार्टी चलती है। परन्तु मेरे भाइयों को अपनी डिमोक्रेसी न किसी को दिखानी है, न मेरे भाइयों को अपनी पार्टी का जमा-खर्च कभी पब्लिश करना है। इसलिये, पहले से ही यह तरीका कर रहे हैं कि लेते वक्त भी चुपचाप लिया जाय, ताकि कोई देखने वाला, कोई कहने वाला न मिले। हम तो खुल्लमखुल्ला लेते हैं, दुनिया को दिखाते हैं, अखबारों में प्रसिद्ध करते हैं और पैसे-पैसे का हिसाब रखते हैं। यह दूसरा फर्क आप में और हम में है। इसलिये, मैं आपसे कहूंगा कि आप यह जो बिल ला रहे हैं, माफ कीजियेगा, मैं किसी की दयानत के ऊपर अविश्वास नहीं करता, परन्तु आपकी बातों से और करतूतों से इस पर शक जरूर पैदा होता है।

डा० राज बहादुर : शक छोड़ दीजिये, हकीकत ले लीजिये।

श्री देवकीनन्दन नारायण : इन पर कुछ आरोप किये गये कि आप क्यों गलत काम करते हैं, तो आपने कहा साहब, 'प्रूफ' दिखाइयेगा। हमसे प्रूफ मांगा जाता है। मैं पूछना चाहता हूं कि जो चोर और डकैत पकड़े नहीं जा सकते हैं क्या वे चोर और डकैत नहीं हैं? यानी जो पकड़े नहीं जा पाते, जो दिखलाये नहीं जा सकते, जिनके खिलाफ कोई शहादत नहीं दे सकते, डर के मारे, तो क्या वे चोर या डाकू नहीं हैं? यदि वे चोर डाकू पकड़े गये होते तो मध्य प्रदेश में चोर और डाकुओं का वंश कैसे चलता?

SHRI BHUPESH GUPTA: I believe, Sir, the thieves and dacoits have been caught red-handed.

श्री देवकीनन्दन नारायण : मेरे कहने का मतलब यह है कि सिर्फ इतना कह देने से कि आप प्रूफ दीजिये, आपकी सच्चाई साबित नहीं होती, इसलिये कि हम प्रूफ नहीं दे सकते? आप अपने दिल से पूछिये और यदि आपका ईश्वर में विश्वास हो...

कुछ माननीय सदस्य : नहीं है ।

श्री देवकीनन्दन नारायण : . . . और शायद ही हो, तो ईश्वर से पूछिये कि यह प्रूफ जो आप मांगते हैं, वह किस लिये और किससे मांगते हैं ? क्या इसलिये मांगते हैं कि आपको पता है कि इसमें गवाही नहीं मिलेगी; क्योंकि उसमें इतनी गोपनीयता होती है कि वह सूरज को भी नहीं दिखाई दे सकती ? मैंने पोलिटिकल डैकाइटीज भी सुनी हैं . . .

डा० राज बहादुर गोड़ : बल्कि की हैं ।

श्री देवकीनन्दन नारायण : वह तो आपने की हैं और दूसरे के मत्थे मढ़ने की आपकी आदत रही है । कितनी की हैं, वह भी मैं कुछ कुछ जानता हूँ । पोलिटिकल डैकाइटी अगर आपने की नहीं हैं तो करवाई जरूर हैं । तब मैं नहीं समझ सकता कि आप कांग्रेस को किस निगाह से, किस मतलब से बदनाम करने के लिये इस तरह का एक निरर्थक बिल पेश कर रहे हैं । मैं नहीं समझ सकता कि इससे आपका क्या फायदा होने वाला है । हाँ, आप कुछ प्रोपेगेंडा जरूर कर लेंगे ।

डा० राज बहादुर गोड़ : आप भी कीजिये ।

श्री देवकीनन्दन नारायण : कुछ आपका प्रोपेगेंडा बाहर चला जायेगा । जो आप कहते हैं उसकी तो तरकीब आप ही को याद है । अभी मैं आपका सहयोगी नहीं बनना चाहता; नहीं तो मैं आपकी तरकीब सीख लेता ।

डा० राज बहादुर गोड़ : इसको मान लीजिये और आप अपना प्रोपेगेंडा कीजिये ।

श्री देवकीनन्दन नारायण : तो प्रूफ की बातें करना ही फ़िज़ूल है । इन भाइयों की तारीफ यह है कि इन्हें भी रुपया मिलता है

और अधिक मिलता है और उसी सोर्स से (इंडस्ट्रियलिस्ट्स से) मिलता है । परन्तु जो गुप्त मिलता है, वह तो जल्दी पचाया जा सकता है, जो खुल्लमखुल्ला मिलता है उसके लिये जेलसी दिखलाई जा सकती है ।

4 P.M.

एक बहन थी, वह विधवा हो गई, उसको दुःख हुआ । परन्तु एक जलन भी पैदा हुई; क्योंकि पड़ोसिन उसकी सुहागिन थी, सुशील थी, लज्जाशील थी, साध्वी थी, मर्यादाशील थी । उसके स्वसुर थे, सास थीं ।

डा० राज बहादुर गोड़ : आपसे मुलाकात किस तरकीब पर हुई ?

श्री देवकीनन्दन नारायण : उस विधवा की देखभाल करने वाला कोई नहीं था और वह जवान थी । वह अपनी साध्वी बहन से कहने लगी “बहन, तुम भी हो जाओ मो सी, तुम्हारा लाभ होगा ।” यही बात हमारे कम्युनिस्ट भाई, अपने प्रजा सोशलिस्ट, सोशलिस्ट और जागीरदारों से कहते हैं कि “तुम भी हो जाओ मो से ।” यह तरकीब ठीक है ।

SHRI MULKA GOVINDA REDDY: Mr. Deputy Chairman, he is making some allegations.

MR. DEPUTY CHAIRMAN: No allegation. He only says adversity makes strange bed fellows.

SHRI MULKA GOVINDA REDDY: I cannot understand.

SHRI DEOKINANDAN NARAYAN: I shall explain to you.

DR. R. B. GOUR: There is hardly any sense in what he says. Don't worry about it.

I SHRI DEOKINANDAN NARAYAN: j He wants to mislead you. Don't be misled for God's sake because you I have got enough experience of these friends, how they delude you and how they mislead.

MR. DEPUTY CHAIRMAN: Order, order.

SHRI MULKA GOVINDA REDDY: I request you to kindly speak in English so that I can follow.

MR. DEPUTY CHAIRMAN: Adversity makes strange bed fellows; that is what he is saying.

SHRI DEOKINANDAN NARAYAN: I want . . .

SHRI MULKA GOVINDA REDDY: There is no adversity here.

MR. DEPUTY CHAIRMAN: I am saying what he is saying.

श्री देवकीनन्दन नारायण : श्री मेरे किसी भाई ने कहा कि सन्-१९२६ में कांग्रेस का सर्फ ३ लाख का खर्च हुआ और सन् १९५६ में या १९५७ में ३ करोड़ का खर्च हुआ । मैं अपने भाई को एक बात बतला दूँ कि सन् १९२६ और १९५७ के बीच ३१ वर्ष का फेर है । उस समय रुपये में १०० सेर तक अनाज मिलता था । लेकिन आज केवल २ सेर मिल रहा है । उस वक्त असम्बली में, कौंसिलों में क्योंकि ब्रिटिश राज था, ब्रिटिश सत्ता के साथ हम नौग नह रहें थे, हमारा ताकत परिमित थी, हम चुनाव में आ ही कितने सकते थे ? मेरे जिले में सन् १९२६ में केवल एक सीट के लिये मैंने इलैक्शन नवाया और आज उस जगह से लिये १६ सीटें हैं । आज हमें कुल मिला कर चार हजार से ज्यादा सीटें नहनी होती हैं । उस समय रुपये की कीमत से आज की कीमत चौगुनी हो गई है । तीन करोड़ का खर्च होना आज की हालत में मैं समझता हूँ कि एक साधारण सी बात है ।

SHRI BHUPESH GUPTA: You want more.

श्री देवकीनन्दन नारायण : मोटर्स भी १५ करोड़ हो गये हैं । मैं आशा और प्रार्थना करता हूँ श्री गुप्त से कि वे कहीं कलकत्ते से या कहीं और जगह से असम्बली के लिये आइएँ और बिना खर्च इलैक्शन करने 61 RSD-4.

दिखाया है । अगर मेरे कन्सुलिट भाई घोष ने कर्म बिना पैसे के इलैक्शन लड़ने दिखलाया ? इस बिल को पेश करने की बनिस्वत अगर वे पुरा कर दिखलाएँ तो बहुत अच्छा होता है ।

श्री शीलभद्र साजी : वे गुप्ता हैं, जोक नहीं हैं ।

श्री देवकीनन्दन नारायण : इस बिल को पेश करने की बनिस्वत अगर वे इस तरह का आदर्श इलैक्शन करके दिखाएँ तो बहुत अच्छा होता है ।

SHRI BHUPESH GUPTA: Then I will miss the hon. Member's company.

SHRI DEOKINANDAN NARAYAN: I could not hear it.

तो मैं कहूँगा कि इस तरह का निरर्थक बिल पेश करने की बनिस्वत अगर मेरे भाई ऐसा मोडल देश के सामने पेश करते, जिसके बिना खर्च के इलैक्शन हो सकेंगे, तो अच्छा होता । उन्होंने मुझ कहा कि वह बिल एक आदर्श बिल है डिमोक्रेसी को बढ़ाने वाला है । हम आपकी नोक नीपट्टी पर विवबाह करते हैं, लेकिन साथ ही साथ आपसे प्रार्थना करते हैं कि आप इस तरह के कार्य करके भी दिखलायें । मैं उनसे कहना चाहता हूँ कि हम जो रुपया लेते हैं, वह खुल्लमखुल्ला इज्जत के साथ और कानून से लेते हैं । हम दूसरे और तीसरे पीछे के रास्ते से रुपया नहीं लेते, जिस रास्ते से आप लेते हैं । लेकिन हमारे भाई इस बिल के द्वारा हम से कहते हैं कि तुम खुल्लमखुल्ला रुपया लेना बन्द कर दो और जिस रास्ते से हम लेते हैं, उस रास्ते से रुपया लो । मैं इसको मानने के लिये तैयार नहीं हूँ । मैं कबूल करता हूँ कि वे हमसे होशियार हैं, जानाक हैं ।

श्री शीलभद्र साजी : रुपया लेने में ।

श्री देवकीनन्दन नारायण : वे गुप्त दान से रुपया लेने में होशियार हैं, मगर हम ऐसा नहीं कर सकते हैं । जो भागवान या सम्पत्ती वाले हमको रुपया देते हैं, वे बेजब्रम और देशहित को मानते हमें बचे

[श्री देवकीनन्दन नारायण]

हो शायद ही कोई ऐसा हो जो किसी आदमी से देता हो। अधिकतर लोग ऐसे ही हैं, जो यह समझ कर देते हैं कि यह कांग्रेस वाले देश का हित करने वाले हैं, देश को आगे ले जाने वाले हैं, देश में शान्ति और कानून का राज्य कायम करने वाले हैं, इसी वजह से हम को देते हैं। बिना इस विश्वास के वे मदद नहीं कर सकते हैं।

पूज्य गांधी जी ने भागवानों से करोड़ों रुपया लिया, परन्तु क्या कोई कह सकता है कि गांधी जी के ऊपर किसी करोड़पति का असर हुआ? कांग्रेस ने अभी से नहीं, सन् १९२१ से करोड़ों रुपया इकठ्ठा किया, किन्तु किसी भागवान का किसी कांग्रेस वाले के ऊपर न कोई अनुचित प्रभाव दिखाई दिया और न आज दिखाई देता है। आप यह कह सकते हैं कि हम तुम्हारी कई बातों को पसन्द नहीं करते, फलाने विधेयक को पसन्द नहीं करते, ट्रेड और कामर्स की नीति को पसन्द नहीं करते। पर यह कहना कि हम अपनी व्यापार पालिसी, फ़ाइनेंसियल पालिसी, किसी का प्रभाव से आ रहे हैं, यह बिल्कुल गलत है और मैं इसको नहीं मानता। मैं यह साफ कह देना चाहता हूँ कि देशहित के लिये, देश के लाभ के लिये, देश की करोड़ों जनता की भलाई के लिये हमारी आज जो पालिसी है, वही हमेशा रहेगी। हम यह नहीं कहते कि हम से कभी गलती नहीं होती है, गलती होती है, सब से होती है। किसी से कम होती है तो किसी से ज्यादा होती है। परन्तु कांग्रेस की यह नीति आज भी कायम है कि हमारा व्यापार, हमारे उद्योग धन्य, हमारी इंडस्ट्री, ये सारे इस देश की भलाई के लिये हैं। यह कहना कि किसी भागवान या किसी पूंजीपति के अहसान के लिये है और उसके अहसान में आकर हम कुछ करते हैं, यह कहना हेतुारोप है। आप लोग इस पर एक तरफ दोषारोपण करते हैं और दूसरी तरफ यह कहते हैं कि यह सरल बिल है, सीधा-सादा बिल है। एक तरफ तो

हमारी नकन्यायती पर दोषारोपण करते हैं और दूसरी तरफ यह भी कहते हैं कि नहीं साहब, आप तो भले आदमी हैं। इस तरह की दो बातें आपके मुँह से शोभा नहीं देती हैं। कांग्रेस वाले इस तरह की चीज को कभी भी पसन्द करने वाले नहीं हैं। मैं आप से, श्रीमान्, यह प्रार्थना करूँगा कि यह जो विधेयक है, इसको किसी तरह से भी मंजूर न किया जाय।

एक भाई ने कहा कि ये जो इंडस्ट्रियलिस्ट्स पसा देते हैं क्या आउट आफ लव या कोई खास प्रेम से देते हैं? मेरे खयाल से शायद हमारे जागीरदार भाई ने यह कहा और मुझे बड़ी हँसी आई। यदि मेरे भाई मानते हैं कि भागवान या पूंजीपति आउट आफ लव नहीं देते तो मैं पूछना चाहता हूँ कि मेरे भाई इस बिल को जो सपोर्ट कर रहे हैं क्या वे आउट आफ लव फ़ार गुप्ता या कम्प्यूनिज के लिये कर रहे हैं?

SHRI JASWANT SINGH: For right cause.

श्री देवकीनन्दन नारायण : तो फिर आप क्यों नहीं वह 'राइट काज' समझने का हक भागवानों को देते हैं? जो हक आप खुद के लिये चाहते हैं, उसको दूसरों को भी दीजिये। जो हक आप खुद को लेने के लिये तैयार रहते हैं, उसको दूसरों को भी देने के लिये तैयार रहिये, इसी का नाम डिमोक्रेसी है।

SHRI JASWANT SINGH: They have got a good advocate.

श्री देवकीनन्दन नारायण : जो हक आप अपने लिये चाहते हैं वही हक आप इंडस्ट्रियलिस्ट्स और पूंजीपतियों को देने के लिये तैयार रहिये, तब वहाँ पर डिमोक्रेसी चलने वाला है, नहीं तो "जिसकी लाठी उसकी भैंस" वाली कहावत होने वाली है, जिसको मेरे भाई कंशसली या अनकाशसली, देश में पैदा करना चाहते हैं।

इतना कह कर मैं इस बिल का...

डा० राज बहादुर गोड़ : समर्थन कर रहा हूँ ।

श्री देवकीनन्दन नारायण : देखिये, मेरे भाई किस तरह से बहकते हैं ? मेरे भाषण से अभी तक डा० गोड़ यह भी न समझे हों तो फिर खुदा ही बतावे आप को ।

तो मैं इस बिल का सख्त विरोध करता हूँ । यदि वे चाहते हैं कि कांग्रेस वाले और सब पक्ष वाले एकजुट हो कर और नैकनीयता से देश-हित में काम करें, तो मैं आशा करता हूँ कि हमारी नैकनीयता पर भरोसा करके वे इस बिल को वापस ले लेंगे ।

SHRI LAL BAHADUR: Mr. Deputy Chairman, I have heard the speeches of the hon. Members with great attention and I must say that Shri Bhupesh Gupta, the mover of the Bill, has made rather a forceful speech, which perhaps he often does. But what I want is that we should give a dispassionate consideration to this matter. I would therefore like to deal with some of the points referred to here very briefly. Firstly, it has to be recognised that the present provision, that is, section 293, to which an amendment has been proposed, was discussed when the Companies Bill was being considered, which is now an Act. There was a good deal of discussion both in that House as well as in this House. The points which were raised today by Shri Bhupesh Gupta and other Members in the Opposition, were put forward at that time too, and as I said, there was an elaborate discussion. The points were fully dealt with and considered and yet the House decided that section 293, as it is today, should be passed, and it was passed. So, we have not to ignore the fact that only some time back these matters were discussed and that a big majority of both the

House decided in favour of this provision. Secondly, it has also to be remembered that formerly there was no restriction on companies making any contribution they liked. Whatever may be the amount, they could contribute it to political parties and there was no restriction at all, whereas the present provision imposes a restriction and says that if the companies want to contribute more than Rs. 25,000 or more than five per cent. of their net profit, they will have to take the approval of the shareholders in general meeting. That is, there will have to be a meeting of the shareholders, and then alone it would be possible for the company to make a contribution higher than the limit which has been provided in the provision. If the promoters of the company have not provided in their memorandum of association that the company will have the right to contribute to political parties, they will have to make an amendment in their memorandum of association; and it was because of that that Tatas and others had to approach the High Court to get the amendment approved by the Bombay or Calcutta High Court. So, it is obvious that a restriction was imposed. I think, from the point of view of Mr. Bhupesh Gupta it was an improvement on the past position. Now, it is necessary that the board of directors should make the contribution but they have to consult the general body as well. If it is said, well, the general body just passes it, that some powerful directors are able to get their support, it is hardly fair to say that. While we are sitting here in this House, all the Members are not always present when important Resolutions or Bills are passed in the Rajya Sabha or in the Lok Sabha.

SHRI BHUPESH GUPTA: But two-thirds must be there when we change the Constitution.

SHRI LAL BAHADUR: Only Constitution, of course. But besides the Constitution you pass many important legislations every day and vital

[Shri Lal Bahadur.] legislations both for the people and for the country as a whole or for a particular section or class of people, and all the Members are *not* present here. And yet it does not mean that When a particular Bill or Resolution has been passed, it has not got the sanction of the whole Parliament. So, as some friends said here and at other places also—well, these directors are all powerful people and, therefore, they can obtain their support—it is hardly correct, in a democratic set-up. If there is a general body, the members of that general body are expected to be active and vigilant. They must be careful. They must know what that body is deciding, whether it is in their interest or not. In fact, I do want that we should create a special consciousness and awakening in the members of various public bodies and organisations to remain vigilant in so far as the interests of their company or other bodies are concerned. So, having provided this restriction, I thought it would be welcomed by this House and—especially by our friend Shri Bhupesh Gupta. But he seems not to be fully satisfied and suggests a further change to be made. It has also to be remembered that there is no compulsion involved in any company making a provision in its articles of association. When the promoters of a company set up a company, it is for them to formulate their memorandum of association. They may not make any provision that they will contribute, if they will not be able to contribute more than Rs. 25,000 or, say, 10 per cent, of their net profits. But since they have made that provision they must be deemed to have done it, having given full thought to the matter. As I was saying, if once they have done it, it is again up to them to make the contribution or not to make. If they want to exceed the limit, as I have said before, they have again to consult their shareholders, and then alone they can make the contribution. In the circumstances? I do not think it can be

just said that we are forcing the joint stock companies to make contributions to political funds.

Before I enter into other matter, I would like to consider this proposal from a practical point of view also. How are we going to fight the elections? The problem is before the Communist Party, the P. S. P. and other parties as well as the Congress. The election has become a very big affair. The constituencies, especially the parliamentary constituencies, are very very big indeed and sometimes so extensive that they cut across districts. Shri Bhupesh Gupta and other friends are aware that according to the election law which has been passed by Parliament, perhaps with the approval of the Members of the Opposition too, it prescribes that the election expenses in the case of a Parliamentary single-member constituency should be Rs. 10,000 and Rs. 15,000 for a double-member constituency. These two are for small Union Territories like Himachal Pradesh, etc. But for a parliamentary single-member constituency in a State the maximum election expenses would be Rs. 25,000, and in the case of a double-member constituency it would be Rs. 35,000. Similarly, you have for the Assembly elections Rs. 12,000 for a double-member constituency and Rs. 7,000 for a single-member constituency. Sir, it would be almost correct to say that these figures are not maximum figures. Rupees seven thousand to eight thousand expenditure for an Assembly constituency is almost a normal affair. I know there are some candidates who have fought elections with less than Rs. 7,000.

SHRI JASWANT SINGH: Some of them spent even Rs. 3 lakhs.

SHRI LAL BAHADUR: It does not depend upon parties. All the parties have spent quite a big amount. Congress may have done it as well as—I do not know—the Independents. They may have spent quite a lot. Unfortunately the Independent candidates generally incur a very high

expenditure because they have not got the support of any party, and therefore they depend . more . upon money. There is no other help or assistance for them. As I w,as saying, these figures which I have just now mentioned as maximum figures are almost becoming the minimum or the least that the candidates have to spend. How to get this money? I must admit—I do not know about Shri Bhupesh Gupta—but I must admit that I cannot find even the amount of Rs. 5 to 10 thousand for my election expenses. I have not got any bank balance with me. How am I to get this money? If I don't then I keep out. I don't take part in parliamentary activities.

DR. R. B. GOUR: Very soon you "will be dropped from the list of candidates.

SHRI LAL BAHADUR: I would like to include Mr. Bhupesh Gupta also with me. I think he has not got a bank balance. But in saying this I may be unfair or unjust to aim as he may be a rich person.

SHRI BHUPESH GUPTA: I get a few rupees as salary.

SHRI LAL BAHADUR: So it comes to this that the party has to find the funds, whether it is the Congress party or the P. S. P. or the Communist Party. They have to find the funds, the Congress party has set up the highest number of candidates. Perhaps, we may have left two or three seats uncontested because we honoured certain gentlemen of other parties and did not want to contest *hem*. But the Congress did set up about four thousand candidates and, saving a few who had enough resources with them, they had to find money for the other candidates. So, the party has to find the funds, and if it has to find the funds it has to collect money. I entirely agree that we should collect money from the peasants, from the workers, and from other sections of our people, Rs. 5, Rs. 10, Rs. 15 and so on. That has to be done and must be done.. If you want to remain a mass organi-

sation, collections will have to be done on a small scale. But I do not quite understand the argument of Shri Bhupesh Gupta that we should tax our peasants and labour, collect funds from them, but leave these Tatas and Birlas so that they can save their money without contributing anything.

SHRI BHUPESH GUPTA: We should make a pool of that fund and make a distribution of that to all parties.

SHRI LAL BAHADUR: The hon. Member can certainly take funds from Birlas and Tatas. I do not mind. What I want to say is, why should we leave them alone? Let them contribute if they so desire. Of course, there is no compulsion. If they want to contribute, if their companies want to contribute, let them do so.

SHRI JASWANT SINGH: But no coercion.

SHRI LAL BAHADUR: Absolutely ! no coercion. Does the hon. Member think that Tatas and Birlas could be coerced?

DR. R. B. GOUR: An individual pays out of conviction. But a corporate body is not paying out of any conviction. The difference is there, you must agree.

SHRI LAL BAHADUR: Therefore, I made it very clear in the beginning that if the promoters of the company clearly provided in their memorandum of association for such a thing, it means that every shareholder knows that that particular directorate or board wants to contribute for political purposes. So, I am purely considering it from a practical point of view. Therefore, I want to suggest that there is no harm if we take funds from rich people or moneyed people.

I ' Shri Bhupesh Gupta has attacked the Congress, saying that they collected funds here and there. He showed a cheque which was given perhaps

[Shri Lal Bahadur.] by some planter to the Assam Congress. Well, I candidly admit that Congress has collected funds from these rich people who wanted to give funds. I do not want to deny the fact, but we do not feel that we have done anything wrong. After all we collect funds from every person who is prepared to give them. In fact we put Tatas and Birlas in the same category. I mean, we put them on an equal level whereas you put them on a higher level. Why should we do like that?

SHRI BHUPESH GUPTA: It is a good example of democracy.

SHRI LAL BAHADUR: Then, there also, I would like to make it clear. We are prepared to accept contributions from them, but it is not going to affect our policies. Do you think, -Sir, that the Congress will ever stop from taking revolutionary steps in order to develop the economic conditions of our people? We have taken steps. My friend, Shri Jaswant Singh, sits there and he knows the *Jagirdari* has been abolished. I know about my own State—Uttar Pradesh—where there were about 18 lakhs of *zamindars*, big and small—and one day, the *zamindaries* were abolished and the peasants were given either proprietary rights or occupancy rights in the case of different types of peasantry and cultivators. Therefore, whether they are agrarian laws or industrial laws or nationalisation of banks or insurance companies, the Congress Government has never stepped aside and has never hesitated to take certain steps which they thought would be fruitful for our country as a whole. So, what is important is this. If hon. Members think, "Well, because Congressmen have taken money, their policies will be affected and they will show some favours to them", it serves no purpose and the proof is before you. If you say that I dine with somebody, with Birla, I have not dined with him personally. You say, "you have met him, you have talked to him, you have liked him." Are our peo-

ple so weak as to be affected by these things? That weakness should be eliminated. (Interruption.) You can see from my frail body that I am one of the weakest men.

Therefore, I would very much like to say that in the matter of our policies, we have stuck to our guns and we do want that we should pursue our policies despite whatever the Members of the Opposition might like to say with regard to the amendment that they have proposed or the collections we have made either before the elections or during the elections. It is not only during the elections or before the elections that collections are made; collections are made throughout the year. If Mr. Bhupesh Gupta will not get angry, I would say he should not throw stones at others while he himself is sitting in a glass-house. Unfortunately or fortunately—I shall say fortunately—the Communist Party has come to power in a State, Kerala, and now, they have to face the music. They have to face the same music there which we have to face here and what the hon. Member is doing here, our friends in the Congress and the Opposition are now doing there. (Interruption.) I shall not like to criticise anybody. But may I ask this? You have been talking of Birlas. We may have good relations with the Birlas. But what happened? Why did you and the Kerala Government come to an agreement with Mr. Birla in connection with the pulp plant? I have no objection . . .

DR. R. B. GOUR: Business and favour are two different things.

SHRI LAL BAHADUR: Very good. I remember, in this very House, when a question was put in connection with the plant which was to be set up by Shri Birla, there were some supplementaries and one of the supplementaries—it was either by Dr. Gour or somebody—was, "Who is setting up this plant?" It was said, "Birla". Then all of you laughed, yes putting your heads down or something like that. And immediately after that, the question came regarding the pulp plant

which the Birlas were going to set up in Kerala. There again, the same question was put, and someone asked, "Who is setting up this plant?" It was said, "Birla". And then . .

SHRI BHUPESH GUPTA: It is not I the Communist Party.

SHRI LAL BAHADUR: What I want to tell Shri Bhupesh Gupta is, he remembers the conditions of the agreement and those conditions of the agreement have been terribly opposed by the Communist Party itself. If I remember, the Kerala Communist Party . .

SHRI T. S. PATTABIRAMAN: All India.

SHRI LAL BAHADUR: Yes, All India. They have criticised the agreement which has been arrived at between the Kerala Government and Shri Ghanashyam Das Birla.

SHRI SHEEL BHADRA YAJEE: Now, they have been reconciled.

SHRI BHUPESH GUPTA: The State Communists . . .

SHRI LAL BAHADUR: The State Communists maybe.

DR. R. B. GOUR: Therefore, pass a resolution in the A.I.C.C. condemning the Congress Government for taking funds from the Tatas.

SHRI LAL BAHADUR: That we do. We will not do it in a half-hearted way. The hon. Member is not aware what kind of criticism is launched in our party when discussions take place on the various proposals that the Government want to put forward in the legislature.

DR. R. B. GOUR: I know now it is stifled.

SHRI LAL BAHADUR: Please do not talk of stifling. I do not want to criticise the hon. Member. Stifling is

done in other places. We need not go into that now.

Then, something was being asked the other day in the Lok Sabha. Perhaps, our Deputy Minister, Shri Satish Chandra, was replying. "Why did the Government of India or the Commerce Ministry agree to that condition?"—some P. S. P. Member was enquiring. The vanguard of the proletariat revolution—I do not know if I am using the correct phraseology; anyhow, I read it in jail . .

SHRI BHUPESH GUPTA: Having regard to the proletariat functioning under the Indian Constitution and under constant threat of the Central Government, it has to deal with the law.

SHRI SANTOSH KUMAR BASU: And also of the Communist Party of India.

SHRI T. S. PATTABIRAMAN: The cow has become an ass now.

SHRI LAL BAHADUR: Anyhow, if that vanguard took the decision, 'it was hardly necessary for the Commerce Ministry and the Government to go further into that matter. We thought that the best things for labour would have been provided in that agreement. How can we think that conditions would have been agreed to which the Congress Government would never agree? But, anyhow, that is the position. After all, you have to work and function.

DR. R. B. GOUR: In such matters, the Congress Government does not believe in written agreements.

SHRI LAL BAHADUR: After all, so long as the hon. Members have merely to function as an opposition, the position will always be different from that when the same party has to function as a Government. It makes all the difference.

[Shri Lal Bahadur.]

As I said, we might also be sometimes going beyond what we should do. It is not like that. But anyhow, about this question of Birlas and Tatas and mentioning their names all the time and saying that we are trying to get everything from them or trying to make them help or trying to assist them, there is hardly any truth. What about you? In connection with that plant to be set up in Kerala you have had no other person to approach but Birla and you have come to an agreement with him.

I won't only say that this kind of provision for the joint stock companies making contributions to political funds is nothing new—I mean, it is in other countries also, for example, the United Kingdom, Australia, etc. There is no restriction at all. Even those restrictions which I have just now said—those provided in section 293—are not there in the United Kingdom and Australia. In fact, in some of Australia, in the Third Schedule, they say that—

"To give donations, subsidies or contributions to any association, union or body, whether industrial, social, political—patriotic or otherwise—or for any public, general or useful body . . ."

It is a long thing; I will not read it.

SHRI BHUPESH GUPTA: I will read it; give me the reference.

SHRI LAL BAHADUR: In the United Kingdom as well as the Australian Acts and in other Dominions also perhaps, they clearly provide for this kind of contributions. There is no restriction at all. I am at the present moment considering only one aspect of the problem. After all it is not such an easy matter as to give a very categorical answer to the points concerning this provision. Well, I would not like to go into this matter very much, because Mr. Pattabiraman has already mentioned about this. I am not quite certain that the Judges

have completely ruled out or said "Well, this provision should not be there at all." What their personal opinion is, I do not know. But from their judgement I have formed the impression that they have not opposed the principle of contribution to political parties. They have laid stress on two matters; one is that there should be full publicity to the effect that the company is contributing some of its money to the political funds, and secondly, in case any large amount is paid by the companies, they should take the sanction of the court before doing so. Just mark the words 'large amount' and 'approval of the court or sanction of the court'. So the principle in the judgement of the Bombay High Court is also in a way, accepted. Of course, they have made strong remarks, but still as I said they have not opposed it in principle. I do not say that whatever Mr. Justice Mukerjee has said should be ignored. The Government in fact had considered this matter when these two judgements were delivered. Soon after that, the Government appointed a committee, and the chairmanship of that committee was given to one of our High Court Judges who had recently retired and that committee has submitted its report. I shall say something about that at the end. But I must with due deference say—of course, the hon. Judges are very eminent and distinguished people—that I beg to differ with them in regard to one matter. And really I am very much surprised that one of the Judges should say that when any contribution has to be made by a company, reference should be made to the High Court and its approval obtained. Well, that is something very surprising indeed. Of all the people, why should Judges be involved in political wrangles? If each case is to be referred . . .

SHRI BHUPESH GUPTA: I can tell you what they mean by that observation. It will afford an opportunity to them to look to the interests of the shareholders. They have

looked at it from that angle. They are not looking at it from any political angle as such.

Swati LAL BAHADUR: Well, whatever may be the interpretation of the hon. Member, somehow or other, I feel very strongly about it. I think the courts should never come near these things. They should remain out. And about the other thing that there should be no secrecy, as I have said, I entirely agree with that. There should be no secrecy about these matters. The contributions made should be shown in the balance-sheets and in the account books, and necessary particulars may be given. I am not opposed to that idea. Well, if there is no secrecy, if there is no compulsion or coercion, and if the shareholders know it beforehand that their company is going to contribute something to political funds, I do not see what objection there can be in accepting the present provision which is already there in the company law, namely, section 293. Of course, I would say that every question has two sides. But for the time being where is the harm? Even then, Sir, as Mr. Pattabiraman rightly pointed out. Mr. Justice Tendolkar of the Bombay High Court himself differed with his brother Judges. He said:

"I am not prepared to hold that the mere power to give a donation or a contribution to a political party has such a tendency to corrupt political life as to be considered against public policy. The harm to the public by permitting such contributions cannot, to use the words of Lord Atkin, be said to be substantially incontestable."

So, Lord Atkin also seems to hold the same opinion. This is why I suggest to the House that this matter should be carefully considered in all its aspects, and considered in a dispassionate manner.

Well, Sir, I shall not take more of your time. In the end, I would like to say that this matter deserves our serious consideration. It should not

be looked at from any party point of view or from any party angle. If there is anything which creates demoralisation in any section of the people, we should try to root that out completely. Of course, I would like to say that so far as I am concerned, I shall never stand for anything which will lead to any kind of corruption. Of course, corruption is still there and it is prevailing everywhere, but one must always try to resist it. I have merely this to say that the report of that committee has come to the Government and there are several suggestions made in that report. Of course, one of the recommendations is that there should be no secrecy about these contributions, and as I said before, they should be clearly shown in the balance-sheet, and necessary particulars of the donors should also be given. Therefore, Sir, as I said in the other House, I would like to say that here too, this matter is already engaging the attention of the Government, and we are, in fact, almost in the midst of finalising the draft of the company law amending Bill, and in a few days' time perhaps the first draft will be ready. Naturally, it will have to be considered by the Law Ministry and therefore it may take some time to introduce it. In fact, we wanted to introduce it in this session itself. Of course, we are going to propose some major changes in that measure. Therefore, we would like to give our full thought to the various matters contained in this measure. And I think we should be able to introduce that Bill in the next session of Parliament.

In these circumstances, it is hardly necessary that we should discuss this matter separately. In connection with that Bill the House will have ample opportunity to move any amendment or to examine the Bill and the provisions therein on merits. If they think they are satisfied, so much the better but if they feel that they are not satisfied, they will have ample opportunity to move fresh amendments and discuss the matter thoroughly.

Sma BHUPESH GUPTA: Amendments cannot go beyond the scope and we can only relate to those sections.

SHRI LAL BAHADUR: True, here in the Rajya Sabha, but still, the hon. Member will perhaps be in the Select Committee or his colleagues will be there.

SHRI BHUPESH GUPTA: If you have any amendments to offer to this particular section it would be open to us whether in this or the other House to suggest amendments and if you do not touch section 293, it would not be, as the rule stands, open to us to offer an amendment to that particular section.

SHRI LAL BAHADUR: I follow it. Then as I have indicated to the hon. Member, on this Section the Sastri Committee has made several recommendations and whether the amendment which has been moved by Shri Gupta will be accepted in *toto*, whether we will accept it or not is a different matter—and that provision will have to be amended. So there will be enough opportunity for him to move his amendment if he is not satisfied with it.

SHRI BHUPESH GUPTA: If you accept it now, you can amend it in that Bill, if necessary.

SHRI LAL BAHADUR: I leave it to the good sense of the hon. Member but again I shall appeal to Shri Bhupesh Gupta in all humility and I don't want to criticise or attack the Communist Party or other parties which have taken part in this debate but I would like to request him to consider very coolly over this matter. It is a matter which has to be discussed by the political parties themselves. Other political thinkers should also give thought to this. It is essential that this matter should be discussed in a friendly spirit and then we come to conclusion. The hon. Member may not be aware that some Members of our party may hold different opinions. So, I would very- much

like that the proa and c.is and various aspects of this problem should be carefully taken into consideration and if necessary, I shall be prepared to consult the hon. Member outside the House too. So, in these circumstances this is a political problem. Let this political problem be discussed at a political level. Later on it will take the form of legislation and it may be presented to the House*. That stands on a different footing altogether, but I will very much beseech him not to, through this Bill, make political propaganda against the Congress Organisation. I have said that I don't deny that the Congress have accepted funds but may I tell him also that I don't know whether there is any other party which has not collected funds from outside the members of their party?

SHRI BHUPESH GUPTA: All parties do it outside the members. Mass collections take place.

SHRI LAL BAHADUR: Mass collections take place and sometimes in that mass are included Messrs. Birlas, Tatas, Dalmias—they are all there.

SHRI BHUPESH GUPTA: Unfortunately we don't come in contact with them.

SHRI LAL BAHADUR: May I say that I was really surprised by the statement which Mr. Gupta made. He said Mr. Dalmia contributed Rs. 8 lakhs. I don't know . . .

SHRI BHUPESH GUPTA: Before the earlier case. That is what he said. . .

SHRI LAL BAHADUR: . . . and recently Dr. Roy collected some funds from some others. I don't know the details.

SHRI BHUPESH GUPTA: Rs. 2½ crores.

SHRI LAL BAHADUR: It is not fair to mention names unless they have been carefully verified but then he said Dalmia took over charge of the whole elections in Bihar. . .

SHRI BHUPESH GUPTA: That is what he said.

SHRI LAL BAHADUR: And he is prepared to accept that statement. Coming from Dalmia he will accept that statement but . . .

SHRI BHUPESH GUPTA: I said 'This is what he said*.

SHRI LAL BAHADUR: But then— of course it is no pleasure—what has happened to Mr. Dalmia and what kind of investigations are going on against them. He was put in jail . .

SHRI BHUPESH GUPTA: After Rs. 2½ crores.

SHRI LAL BAHADUR: Regarding that figure of course I don't know but anyhow it is quite obvious that we don't take individuals into consideration when the question of public interest is involved and perhaps the difference might be, as my friend Shri Deokinandan said, that some members of other parties make collections in hiding whereas we do it in the open. That difference may be there and you say "You give us proof". Where from can we give proof? We make collections in public, and we are not afraid of taking or accepting contributions from anybody whereas the Communist Party, the P.S.P., Independents and others make collections from the same party, same people, and yet they will never publish it. They will never make it public. That is a fact put your hands on your heart . .

SOMK HON. MEMBERS: They don't have any heart.

SHRI LAL BAHADUR: I challenge the Members of these parties making . . .

DR. R. B. GOUR: The difficulty sometimes is we collect funds from him and we cannot publish his name.

SHRI LAL BAHADUR: Why not? I shall give money if it is for a good cause.

SHRI BHUPESH GUPTA: Sometimes Ministers' sons contribute in the Communist Party. That cannot be published because the Ministers may lose their jobs.

MR. DEPUTY CHAIRMAN: So you don't publish the other names?

SHRI BHUPESH GUPTA: They don't lose anything . . .

SHRI LAL BAHADUR: If Ministers do contribute, then some element of coercion is there by your party. The Communist Party can very well exercise coercion and in a very clever way. Without hitting them, the party can exercise coercion in a very beautiful manner.

SHRI BHUPESH GUPTA: How?

SHRI LAL BAHADUR: That you know better. I am just finishing in half a minute. Every party tries to collect funds and may I say that these big people are not fools? They are very wise people, very clever people. I am told that at Amritsar—I don't know whether Mr. Gupta was there . . .

SHRI BHUPESH GUPTA: I was there.

SHRI LAL BAHADUR: Perhaps the hon. Member knows and perhaps Shri Gopalan knows. A welcome address was presented by the traders and industrialists of Punjab to them. What for, why? It is good that they did it but as I said, they are very clever. They know . . .

SHRI T. S. PATTABIRAMAN: Was any cheque presented?

SHRI BHUPESH GUPTA: In Punjab we have only 4 Members in the Assembly and if they made an address to us, it means they are wanting us to fight against the injustices against small traders and businessmen by way of all sorts of taxes.

SHRI LAL BAHADUR: Of all the people, the businessmen and industrialists of Amritsar and Punjab though it is advisable . . .

SHRI BHUPESH GUPTA: Because you have let them down.

SWA LAL BAHADUR: . What about the big businessmen of Amritsar? They were also there . . .

SHRI BHUPESHI GUPTA: Birla will run away . . .

SHRI LAL BAHADUR: Mr. Birla is going to Kerala and he has gone to U.S.A. to finalise that scheme and as soon as he returns—in fact he has written that he has almost finalised and when he returns—he would be able to set up that plant in Kerala. Therefore, he is going there very gladly.

SHRI DEOKINANDAN NARAYAN: Is he bringing machinery from U.S.A. (or Kerala)?

SHRI LAL BAHADUR: I will not take more time of the House but I would merely say that there is no point in accusing the Congress like this. There are differences. I shall accept what I do. Sometimes my friends opposite may not do it. You need not bring in these matters and if you want to take political advantage out of it or make political propaganda saying that the Congress has done this and thus create misunderstanding among the people, it is hardly fair. Let us discuss it at an academic level and if the House so feels that this particular amendment is desirable, this House can certainly pass that measure when the major Bill, the pending Bill, is placed before the House. Thank you.

MR. DEPUTY CHAIRMAN: The debate will continue on the next day. Of course there will be a ballot. There is a Message.

1 P.M.

MESSAGE FROM THE LOK SABHA

THE DELHI RENT CONTROL BILL, 1958

SECRETARY: Sir, I have to report to the House the following message

received from the Lok Sabha, signed by the Secretary of the Lok Sabha:—

"I am directed to inform Rajya Sabha that Lok Sabha, at its sitting held on the 12th September, 1958, adopted the annexed motion in regard to the Delhi Rent Control Bill, 1958.

I am to request that the concurrence of Rajya Sabha in the said motion, and also the names of the members of Rajya Sabha appointed to the Joint Committee, may be communicated to this House.

MOTION

That the Delhi Rent Control Bill, 1958, be referred to a Joint Committee of the Houses consisting of 4 members; 30 from this House, namely:—

1. Shri Radha Raman.
2. Choudhry Brahm Perkash.
3. Shri C. Krishnan Nair.
4. Shri Naval Prabhakar.
5. Shrimati Sucheta Kripalani.
6. Shrimati Subhadra Joshi.
7. Shri N. R. Ghosh.
8. Shri Vutukuru Rami Reddy*
9. Dr. P. Subbarayan.
10. Shri Kanhaiyalal Bherulal Malviya.
11. Shri Krishna Chandra^
12. Shri Kanhaiya Lal Balmiki.
13. Shri Umrao Singh.
14. Shri Kalika Singh.
15. Shri T. R. Neswi.
16. Shri Shivram Rango Rane.
17. Shri Chandra Shanker.
18. Shri Bhola Raut.
19. Shri Phani Gopal Sen.
20. Sardar Iqbal Singh.
21. Shri C. R. Basappa.
22. Shri B. N. Datar.
23. Shri V. P. Nayar.
24. Shri Shamrao Vishnu Parulekar.