

(b) if so, the total quantity of such stocks; and

(c) whether investigations are being carried out to find additional export markets for those stocks?

THE MTNISTER FOR COMMERCE AND INDUSTRY (SHRI T. T. KRISHNAMACHARI): (a) and (b). Our principal exports of tobacco, grown in Andhra, are of the Flue Cured Virginia type. Other varieties have very limited export demand. According to information available, the unsold stocks of Flue Cured Virginia Tobacco in the Andhra area are understood to be negligible. The total stocks of tobacco in the Andhra area has been estimated at 175 million lbs. on 30th September 1955.

(c) As there is hardly any accumulation of the exportable types of tobacco in the Andhra area, the question does not arise.

CZECHOSLOVAKIA'S OFFER TO SET up A STEEL PLANT IN INDIA

189. SHRI M. VALIULLA: Will the Minister for IRON AND STEEL be pleased to state:

(a) whether it is a fact that Czechoslovakia has made an offer to set up a steel plant in India; and

(b) if so, what are the terms of the offer?

THE MINISTER FOR IRON AND STEEL (SHRI T. T. KRISHNAMACHARI): (a) No, Sir. There was no specific offer from Czechoslovakia.

(b) Does not arise.

HANDICRAFTS EXHIBITIONS AND SHOW-ROOMS ABROAD

190. SHRI M. VALIULLA: Will the Minister for COMMERCE AND INDUSTRY be pleased to state:

(a) the names of the foreign exhibitions in which the handicrafts of India have been displayed during the year 1955-56;

(b) the names of the cities abroad in which show-rooms are maintained by the Government of India; and

(c) how many show-rooms Government propose to open during the years 1955-56 and 1956-57?

THE MINISTER FOR COMMERCE AND INDUSTRY (SHRI T. T. KRISHNAMACHARI): (a) and (b). A statement is attached. [See Appendix XI, Annexure No. 55.]

(c) Three during the year 1955-56 and two during the year 1956-57.

THE PREVENTION OF CORRUPTION (AMENDMENT) BILL, 1955—continued.

SHRI H. C. MATHUR (Rajasthan): Mr. Chairman, you know I have never spared any opportunity on the floor of this House to dead for the cause of the Government servants whenever it was necessary. I have advocated that they must be given a full sense of security, that their conditions of service must be improved, that necessary and adequate steps must be taken to give them a sense of independence and to draw the best out of them. I have also never hesitated to say that we have in Government service persons who have transparent integrity and ability. But the unfortunate fact remains that they are very few and corruption is rampant among the Services. Now, we have had before us this Prevention of Corruption Act for a long time and here is this Amendment Bill. I would like to know from the hon. Minister whether he feels that he will be able to handle the situation in hand in an adequate manner with these provisions in the Bill. The undisputed fact is there that corruption is rampant. The various enquiry committee reports

[Shri H. C. Mathur.] are in our hands. The Railway Corruption Enquiry Committee has placed in our hands very authenticated material which leaves us absolutely in no manner of doubt. It tells us how wide-spread Corruption is. And the sadder part of the story is that this corruption among the Services, like indiscipline among the students, has been growing ever since 1947 when the Congress Government took the reins of the Government in their hands.

What are the reasons? How can you combat it? How far will this Bill help us in this matter? That is the question. Mr. Chairman, we used to be inspired when the leader of the Congress Party—you may call him leader of the country with all pride—used to tell us that the black-marketeers would be hanged by the neck. But now the Congress has been in power for over seven or eight years and that great leader is at the head of this Government. Nobody can deny that charge. After all, what are the reasons?

The fact is that instead of hanging the black-marketeers or profiteers or racketers, instead of punishing them, the Government hugs them. They hold office in the Congress organisation.

SHRI H. P. SAKSENA (Uttar Pradesh) : May I know, Sir, whether Congress and corruption are synonymous?

SHRI H. C. MATHUR: That unfortunately is so and we very much regret it.

MR. CHAIRMAN: He will answer all those things.

Mr. Datar is noting them.

SHRI H. C. MATHUR: I do not care whether the Congress Party goes corrupt or not. But the future of this country at the present moment is tied

to the apron strings of the Congress and we cannot permit the country to go down that way. I want to bring all these facts to the notice of the House. Will the hon. Minister who sits there deny this fact? This is the treatment which is being meted out to the profiteers and the racketeers. That is the entire difference which has come in the conduct of affairs and which is responsible for the present state of affairs. These Bills would be absolutely of no avail whatsoever. My faith in the integrity of the Congress in its earnestness to combat corruption was rudely shaken when we were discussing the Companies Bill in this House and about party funds.

SHRI H. C. DASAPPA (Mysore): May I rise on a point of order, Sir? Is it open to an hon. Member of this House to speak of any political party? The Bill brought by the Government is before the House. It is open to the hon. Member to take the Government to task and to divert all his attacks against the Government? Is it open to him to refer to the working of a political party?

SHRI H. C. MATHUR: I am referring to the Companies Bill which was brought by the Congress Government. I will just give you reasons how this matter is directly connected with the Bill before us.

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MR. CHAIRMAN: I am anxious that you must be responsible in your statements and not indulge in generalisations and attack political parties.

SHRI H. C. MATHUR: Every Session we get some piece of legislation which is intended to give the country the impression that the Congress Government is going all out to combat corruption, while the fact is the

•Expunged by order of the Chair.

other way. It is the most unfortunate experience. We have been wanting to strengthen the hands of the Government. Whenever they come with such piece of legislation, we give them the fullest support on the floor of this House. We have strengthened the hands of the Government in all fields. And we have certainly a right to know whether these are only just to cover their misdeeds behind corruption, because that has been our experience and if you will permit me, Sir, I can place before you concrete instances.

PROF. G. RANGA (Anhdra): That is much better instead of mentioning names.

MR. CHAIRMAN: You should avoid such statements.

PROF. G. RANGA: Not personal. He can mention the number of cases instead of generalisations.

MR. CHAIRMAN: There are other people to speak; let him go on.

SHRI H. C. MATHUR: Sir, what I submit is this. Let us not fool ourselves and the country. You cannot befool all people for all time. It should be obvious to anybody with a little sense in his head that these pieces of legislations play a most insignificant role in combating corruption. What is necessary is dynamic effort on the part of the people who are in a position to do that on the one hand and the administrative machinery on the other. Then only can you catch hold of a few cases here and there and bring them under the operation of these laws. But if you have an efficient machinery on the administrative side, you can do tremendously. You were not here, Sir, and I was just pointing out on the floor of this House that this is exactly what the Government will not do. I gave a concrete instance about the Railway Corruption Enquiry Committee. They made a very healthy suggestion to combat corruption and most unfortunately, that

suggestion has not been accepted. I asked a question here on the floor of the House the other day whether they have accepted the recommendations of the Railway Corruption Enquiry Committee on this particular matter on the administrative side. They wanted that there should be an officer equivalent to a senior administrative officer who should be drawn from other Departments, who should not belong to the Railway so that he can be independent and can have no fear of the General Manager. He can take action against the senior and junior scale officers and against departmental heads and he can go on independently. Let him be transferred from another ministry and be subordinate only to the Railway Board. But that recommendation is not accepted. And what has the hon. Minister done about it? A senior scale officer who is under the General Manager, who is junior to all the departmental heads, who is junior to the senior administrative officer, who is junior to the Deputy General Manager—do you expect that that officer will be able to act with any real independence and combat corruption? What is the use of all these blessed enquiries which you are conducting? With all the high dignitaries and important Members of Parliament, high officers, put on it, the Enquiry Committee, submits the report, but this is the fate that it meets with. So I have got reasons with me to say that the Congress is not at all earnest in combating corruption and they are only coming with these measures just to delude and deceive the country.

12 NOON.

SHRI J. S. BISHT (Uttar Pradesh) : Mr. Chairman, I wholeheartedly support this Bill which is a continuation of the previous two Bills—Criminal Law Amendment Bill of 1952 and the Prevention of Corruption Bill. I was very much surprised to hear the speech of Mr. Mathur. If I remember correctly, he is an ex-

[Shri J. S. Bisht] official of the Jodhpur State. He has a pretty long experience of 25-30 years of bureaucratic machinery. I thought that he would bring a judgment to bear on this Bill in a constructive manner. But, I believe, sitting on the opposition benches the temptation was too strong for him and he went on making all sorts of irresponsible remarks, not only against the Government officials, who are not present here, but also against the Congress Party which has nothing to do with this Bill so far as corruption is concerned.

In this connection I would invite his attention to the report written by an American expert, Mr. Appleby, who made a thorough investigation into our administrative machinery. Honestly demands that he should study that report and see what. Mr. Appleby says about it. In his report, Mr. Appleby says that the Government of India is one of the 12 best and least corrupt Government's in the world. Well, Mr. Appleby was not bound to give that report _____

SHEI H. C. MATHUR: It is a certificate.

SHRI J. S. BISHT: or that "certificate" to India. I do not say that there is no corruption in this country. We know that there is corruption in this country, but that is another point. Much of what Miss Mayo said in her book 'Mother India' about India was not wrong; it was correct, as Mahatma Gandhi very correctly said that it was a drain inspector's report. While I was listening to Mr. Mathur I was reminded of that report. If all the officers, all the heads of Departments, all the Secretaries and all the Ministers are corrupt, I wonder who is running the administration of these 360 million inhabitants of India! It is not running as efficiently as your Jodhpur or Rajasthan States?

If you look to the figures of report of crimes—how many crimes are committed, how many of them are reported—you will find that ours is a record which comes within half-a-dozen of the best world records so far as the committing of crimes and the bringing to justice of the criminals is concerned. Even countries like the United States of America are far behind. Even France is notorious for the bad criminal administration of the country. In the face of all these figures, to say that the whole system is corrupt, is defamatory. In fact, we may differ on political grounds, we may differ on ideological grounds, we may have different approaches to a certain problem, but to pass defamatory remarks against our Government is defaming the whole country. No legislator will bring such charges against their countrymen in the various branches of the Government.

Now coming to corruption, as far as we know, about A class officers, *i.e.*, officers of the All-India Services whether in the Army, Police or Civil Service, there is very little complaint. There may be cases here and there, one out of a thousand. You cannot help that. In no system of Government can you find 100 per cent, honest people. So far as the Provincial Services are concerned—which are known as State Services—there too the complaint is very little. Only in certain subordinate ranks corruption is found. These cases of corruption may also be called cases of ordinary tipping. It is not corruption; it is a sort of 'Bakhshish'. To give an example of such cases. You go to a court of law. You want the copy of a judgment. Ordinarily the rule is that you make an application and in your turn you get your copy. For any urgent copy also you can give an application. But there are a number of people who want urgent copies. Now the typist is sitting there. Some people are so impatient to get their copies on that very day, and they have so much money that

they pay something and get a copy that very day. This is just an illustration of corruption. You go to the Railway Booking office. You want a First Class or Second Class reservation. When nobody asks for it you give some money to secure a seat as soon as there is a vacancy. This sort of corruption, I admit, there is, but it is not real corruption. It is just a sort of tipping. Where-ever there is real corruption, I think, the hon. Deputy Minister will be able to give facts and figures about it.

I know of Uttar Pradesh, for instance. In one single year, I think, about 150 officials of the Police Department were either suspended, punished or prosecuted in courts of law. What more do you expect from the Government?

Formerly, offences under sections 161, 162, 164 and 165 were non-cognisable, but now the Government, after passing this Criminal Law Amendment Act, has made all these offences cognisable. Not only that, Government has gone further by adding Section 165A to the Criminal Law Amendment Act of 1952, which says, "Whoever abets an offence punishable under Section 165 in consequence of abetment shall be punished with imprisonment of either description, for a term which may extend to three years" and so on and so forth. So that not only offence of corruption but its mere abetment has been made an offence.

Over and above that, instead of the offences being tried by ordinary Magistrates, Government has appointed special courts with Special Judges to try those cases as warrant cases. This new Bill brings in also those people who were not roped in by the previous Bills, namely people who abet, that is to say, agents or go-betweens and other people who want to exercise their influence over public servants and induce other people to pay them for exercising that influence. All these people are being roped in into this law. Mr. Mathur

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completely forgot that India is not a dictatorial or totalitarian regime when he recalled somebody saying that an offender should be hanged by the lamp post. How does he say that? Nobody can be hanged by the lamp post unless you establish a dictatorial regime. Is it the policy of the democratic party of which he is a prominent member? Is it proper in a democratic regime to hang any body alleged to be corrupt? What is the method by which you are going to say that such and such a person is corrupt? You should have some ten or twelve people who should say that such and such person is corrupt and you should hang him. The Constitution of India lays down

SHRI H. C. MATHUR: I never asked for hanging them but I do not wish to embrace them.

SHRI J. S. BISHT: You made a reference that the great leader of this Party had once said that the man would be hanged by the lamp-post. What I say is our country has a Constitution and we are all governed by that Constitution. There are certain fundamental rights. Even the corrupt man has got a right to be tried by a proper court of law. Then there are courts of appeal. However anxious a Government may be to punish an offender, you have to follow certain procedure. You have got to have certain reports, you have got to make certain investigations, you have got to have certain evidence, and you have got to present that evidence before a special judge, and then only the judge can be able to find out whether there has been really corruption or not. Sir, I have had the privilege or the honour of conducting many of such criminal cases, and I know how very difficult it is to conduct such cases. It is all very nice to say here in Parliament that we should catch hold of the people and send them to jails. But you just go to a court of law and prove

[Shri J. S. Bisht]

and establish by evidence that a particular man has committed that offence of corruption. It becomes almost impossible to do it, because of a very-simple reason. Take the case of the engineering department. The contractor stands to gain by the amount of money he pays to the overseer or to the engineer. Now do you expect that man to come before you and say "Oh, I am going to pay him so much, you please come and witness it."? It never happens. It only happens when somebody falls out, just as in the case of dacoities sometimes some dacoits fall out on the question of division of the spoils. It only happens when a contractor does not pay the promised amount of money. It is only in such cases where there is a fall-out among those people that you can get them as witnesses. Then, Sir, there is another difficulty. On account of certain enmity between them, it sometimes becomes very difficult to convince the judge that the man who is going to be an approver or who is going to help the prosecution side in getting that man convicted is a disinterested witness. Out of hundred or even one thousand cases, it will be almost difficult or impossible to get ten cases where people go to the authority or the police *bona fide* to help the public administration or to eradicate corruption. That never happens. They go only when they themselves lose, because they were in conspiracy with those people and were expecting something from the illegal gratification. Therefore, Sir, I submit that the difficulty does not lie with the Government or with the machinery for the prosecution of these cases. The difficulty lies only in the fact that in these matters of corruption, it is almost difficult to get the necessary evidence. I have seen cases where the magistrates themselves were present behind the purdha, and the money was marked. And even in those cases the judges were not satisfied with the prosecution case. And in fact, the Allahabad

High Court has definitely ruled that it is wrong for the magistrates to be involved in the investigation of these cases, because they will, later on be called upon to try those cases, and it is wrong for the judiciary to get itself implicated in these investigation proceedings and become part and parcel of the prosecution machinery. These are the difficulties in a country which is governed by a constitution, which is governed by the rule of law, and where there are proper courts to bring these types of offenders to book. I therefore totally repudiate the charges levelled by Mr. Mathur with regard to the lapses of the Government in this matter.

The second point is that he was referring again and again to the Railway Corruption Enquiry Committee's Report. I believe, that Report came into^riands only very recently, about two or three months ago. Well, the Government have not got a magic wand to be able to eradicate all corruption within two or three months' period. The Report is being examined, and I believe, as the hon. Railway Minister made it clear in his speech here at the time of the Railway Budget, they are going to have a special police cadre for that very purpose to investigate these points, and special officers are being deputed to get hold of all those cases. But even so, I submit that it will take some time. It may take five years or it may take ten years, because much depends on our social structure. Things will be easier when we have attained the goal of the socialistic pattern of society, when people have got better education and a better social structure, and when people are provided everything, from cradle to the grave, and they have got no anxiety that if they are ill, their families will not be looked after properly.

[MR. DEPUTY CHAIRMAN in the Chair]

Then, Sir, my hon. friend, Mr. Mathur, was making an allegation that corruption has increased since

the Congress Government came into power in 1947. Well, that allegation is totally incorrect. I think he knows that the corruption has increased in this country no doubt, but it has increased with the advent of the war, when there were shortages and controls through rationing. And the then Government had to recruit people on a mass scale. There was no time to test those people and find out their past and all that. And moreover, those people had to be recruited on a temporary basis. That was the misfortune about it, which could not be helped at all. The staff of the Rationing Department and the other temporary departments was to be recruited on a temporary basis by the then British Government, who were only anxious to win the war. There were all kinds of shortages and there was also inflation, and those things helped to increase corruption. Corruption has nothing to do with the Congress Government which came into power in 1947. And I think it was Sir Jagdish Prasad, a Member of the Executive Council, who once remarked that the worst thing that the war had done was that it had corrupted the youth of the country. That was the only point, and now to put that blame of the war on the Congress Party is very unfair indeed for a political opponent of that Party. As I said, it was _____

SHRI T. BODRA (Bihar): Since how long are the Ministers having palatial buildings worth lakhs of rupees in Bombay and Madras?

SHRI J. S. BISHT: Sir, if there are any specific cases, let them go to the police and make a report. Why do they take shelter on the floor of this House? Why do they take advantage of the immunities and privileges granted to them here in Parliament? They can go and get the cases investigated into.

SHRI T. BODRA: It is being investigated into.

SHRI J. S. BISHT: If Mr. Mathur has got any case in view, let him

go to a court of law and face the defamatory proceedings, or make an allegation in a newspaper. But just to take shelter behind these immunities and privileges and make general and vague remarks against the Congress Party or against the big officers is, I say, quite unfair.

SHRI H. C. MATHUR: Mr. Deputy Chairman, I strongly object to the observations that I am here taking shelter.....

PROF. G. RANGA: And why should we not take shelter behind the privileges? These privileges are intended for some purpose.

SHRI J. S. BISHT: To make an attack against the whole Party is, I say, wrong. To say that all the Heads of Departments are corrupt.....

SHRI H. C. MATHUR: Who has said that?

SHRI J. S. BISHT: Anyway, that is a matter of opinion. But I think such general remarks should never be made.

MR. DEPUTY CHAIRMAN: Mr. Bisht, this Bill has a very limited scope. It only seeks to amend certain procedural sections. You are going far beyond the point.

SHRI J. S. BISHT: Sir, I would never have made that reference, but the hon. Member from the Democratic Party benches made those sweeping charges against every body, in spite of the warning given by the Chairman that such general and irresponsible remarks should not be made. That is why, Sir, I was compelled to make these remarks.

Now, Sir, with regard to this Bill, I must say that it is a very simple Bill and all that it does is that it brings in these two or three sections that were left out before. Now these offences have been made cognizable and they will also be tried by the

[Shri J. S. Bisht.] courts of the special judges, that the State Governments are entitled to set up for the trial of these cases. And I have no doubt that in £Ourse of time—it may take ten or fifteen or twenty years—corruption will be eradicated from this country. But in any case, it is not so bad and horrid as my hon. friend tries to make out.

SHRI R. P. N. SINHA (Bihar): Sir, on a point of elucidation Mr. Bisht has told us that he was connected with many corruption cases. I just want to know whether he was connected with them as a defence lawyer or.....

MR. DEPUTY CHAIRMAN: That is not necessary.

SHRI J. S. BISHT: I was prosecutor on behalf of the Government.

SHRI H. P. SAKSENA: May I submit, Sir, that my friend, Mr. Ranga, is anxious to speak before I speak, and therefore you may kindly allow him to speak first.

MR. DEPUTY CHAIRMAN: You are the loudest to complain that you do not get a chance to speak.

SHRI H. P. SAKSENA: If you had thought that I had any manner of complaints, I am afraid you misunderstood me. It was not a complaint.

MR. DEPUTY CHAIRMAN: It does not matter. Let us hear you first.

SHRI H. P. SAKSENA: I read the proverb long ago that those who live in glass houses should not throw stones at others. I feel that it is very appropriate and applicable to this moment while we are discussing the Prevention of Corruption (Amendment) Bill. I am not here to defend the Congress Party which was assailed in the most merciless butchering and slaughtering manner, because it is only the truth that pinches; untruth or falsehood does not produce any effect at all, and

even if some effect is produced, it is only temporary and it does not last long. Sir, I invite al) those who complain of corruption in the Congress administration to have a little bit of introspection and see how far they themselves are corrupt and how far they contribute towards the increase of corruption in the present-day society. If I succeed in getting a thousand maunds of cement and sell a few hundred bags in the blackmarket and make money out of it, I am happy, but if I see my friend, Mr. Mathur, for instance, doing the same thing, I become very angry with him and say that he is a black-marketeer. For this reason, I submit that we should try to exercise a little bit of introspection and see how far we ourselves contribute towards corruption. I think that some time ago we passed a law that both the giver and the receiver of bribes are punishable, and I am told that that Bill will be brought into effect very soon. It will go a long way towards preventing corruption. Corruption has its roots in the present-day social conditions. The problem of the unemployed educated men who get nothing to work on, who are denied even the primary necessities of life, who get no work to do, who are labouring under very great frustration, is the root cause of this corruption. They are educated, they are competent in many respects, they want work but work is denied to them, and their frustration leads them to do all sorts of things like toutism, things which they themselves believe to be undesirable, but they have got to live somehow or other, and that desire for living leads them to do many things which they themselves believe and know are not proper and good. So, this little piece of legislation which makes certain types of offences cognizable and tries to set up a few additional courts for the trial of certain types of people will not solve the problem, but if any tinkering was ever correct, it is correct in this Bill. To

make a sweeping statement and say

that all officials are corrupt, that all Ministers are corrupt, that all Members of Parliament are corrupt is nothing but an infantile performance. One who holds himself to be responsible should never make a statement like that. One can very properly quote concrete examples, concrete instances and point out the spot where the trouble lies but to make a sweeping generalisation is a sign of folly, if I may say so. This corruption can only be stopped if individuals in their own way of life take a sort of pledge that they will never allow any corruption to be indulged in through them, by them or with their help. They themselves should take a pledge that they will remain incorruptible. What did we do when we took a vow of temperance or to wear khadi alone? We took a pledge that we shall neither purchase any foreign cloth ourselves nor..... shall permit anybody to purchase it. Similarly in the case of.....

DR. P. C. MITRA (Bihar): Pledge before whom?

PROF. G. RANGA: Before God.

SHRI H. P. SAKSENA: Before Divinity. Anyway, we took that pledge. If this measure is not thought to be proper, in this year of Grace 1955, we can ask for some other measure to be brought forward. Some time ago I suggested to the hon. the Railway Minister that all future entrants into the Railway Administration might be required to sign a form in which they should declare that they would never indulge in any kind of bribe-taking, a very simple form, a universal form for the entire Railway Administration for each new employee to sign. That will produce a psychological effect on his mind and whenever he unfortunately and subsequently tries to enter into any corrupt practice, he will think of that form which he had signed, just as we also think of our having taken the oath of allegiance to the Constitution. That sort of pledge would

have served the purpose of preventing corruption to a very large extent, but unfortunately my suggestion was not accepted by the Railway Minister.

Sir, this Bill, as the Deputy Minister for Home Affairs himself said, is a very simple one. Except for the fact that the matter behind it is very important, the Bill itself has got only a few clauses in it. I hope it will to some extent remove corruption which, as my friend, Mr. Bisht, said is in existence but which is not so horrid, which is not so much that it is bringing disgrace and ignominy on the administration. We don't have anything good to say for what the Administration has done. Unfortunately we have been accustomed to looking at things with jaundiced eyes. All that we see is that this Administration is full of corruption, has no good points in it which is indeed unfortunate especially when such remarks come from the mouth of those persons who are sharers, who are co-sharers, in the administration of the country. If there is corruption in the administration of the country, all our countrymen including my friend, Mr. Mathur, are responsible for that corruption. So, I invite him to do some self-introspection. I believe that the best method of preventing corruption is the psychological weapon of each and every individual observing the rule of not indulging in any corruption himself, and thus, when all individuals are incorrupt and incorruptible, then the entire nation will become incorrupt.

SHRI T. BODRA: Mr. Deputy Chairman, I am very thankful to you for giving me this opportunity for expressing my opinions also on this Bill. I was not 'surprised to hear the good speech of my learned friend, Mr. Bisht, who has been a famous lawyer and has defended anti-corruption cases and perhaps he has won in all of them to his credit.

SHRI T. S. PATTABIRAMAN (Madras): He was a public prosecutor. He has no choice.

SHRI T. BODRA: He could not have been a public prosecutor. Had he been a public prosecutor, he would not have been here in this House. His name will have been struck off.

MR. DEPUTY CHAIRMAN: You were also a lawyer, Mr. Bodra.

SHRI T. S. PATTABIRAMAN: He cannot refuse engagement if a man comes to him to take up his case. That is an elementary principle that my friend does not understand.

(Interruptions.)

MR. DEPUTY CHAIRMAN: Order, order.

SHRI T. BODRA: This Bill does nothing but make Sections 162, 163 and 164 cognizable. That means a police officer can arrest those touts and agents without any order in writing from the Magistrate. That means *ab initio* the police officer has got the power to arrest any person he likes. I don't think this amendment will serve the purpose for which the hon. Minister has brought it here on the floor of this House. I would like to know if there is any step taken about the Indian Copper Corporation of Ghatsila in Singbhum district who take out Kyanite from the mines, whose price is £20 per ton, as this Company is having so much of profit and they have been avoiding payment of sales tax. Who is responsible for it—whether it is the Superintendent of the Sales Tax Department or the District Magistrate of the District of Singbhum? Who has taken the bribe? Your honour will say that they are honest but then it is palpably clear that the State Government of Bihar is losing heavily to the tune of crores of rupees—and when this thing came to light, certainly the Government of Bihar went into it and have been

doing all that is possible to get the money back; but under this Bill, how do you prevent that corruption? How does this Bill help you to put a stop to such a thing? I don't understand it. Whom will the police officer arrest? Is it the Manager of the Company or the people who are at the sales office in Calcutta or whom? Who is the tout and who is the agent, and do you think that the officials or the District Magistrate of Singbhum or the Sales Tax Department do not know all this? Why are they keeping silent or why did they keep silent all along?

In my opinion corruptions are of so varied a nature that it is very very difficult to stop it with a Bill like this. I wish the hon. Home Minister had come forward more boldly with some more drastic and effective Bill to stop corruption. An officer becomes corrupt not because he is born corrupt but because his superior officers make him corrupt. An officer who is best in the office, an officer who is working hard to the best of his ability, an officer who comes in time and leaves his chair in time, an officer who has been exerting all his brains to prove himself worthy of the post will not be promoted. Why? Because he cannot bribe the superior officers. His immediate boss is his demi-God. An officer who will all the time go about oiling or who will resort to all sorts of corrupt practices is the man who will be promoted every three years.

SHRI LAVJI LAKHAMSHI (Kutch): May I know why the superior officer is corrupt?

SHRI T. BODRA: I want to know from the hon. Minister how this Bill is going to prevent such corruption. When there are about 20 officers working in the same Department and you find that they were all recruited in the year 1940, one is now getting Rs. 400 because of all these tactics and the other is just in his

initial pay and perhaps has not even been allowed to cross his efficiency bar because he is not stooping down to corrupt methods to please his superior boss. I don't know how, if sections 162, 163 and 164 are made cognizable, they are going to help us and to bring about efficiency in the Government service or even in the Railways or other services. In my opinion, the whole thing appears as waste of time and waste of paper— not worthy even of the paper on which it has been printed. By making these sections cognizable you don't improve upon the whole thing.

SHRI LAVJI LAKHAMSHI: What is the positive suggestion of the hon. Member?

SHRI T. BODRA: I am not a member of the ruling party to give you my suggestions or to draft the Bill for you.

DR. R. P. DUBE (Madhya Pradesh) : It does not prevent you from suggesting. It may not be implemented—that is a different matter.

SHRI T. BODRA: My suggestion is to appoint a Committee of persons belonging to the All India Service and they should be vested with the powers of going round to each and every State independent of the State Governments and to make enquiries with the help of the Intelligence Department, with the help of the District DIB and SIB and other Anti-Corruption Departments in the State Government and they should submit their report to this House, to the Parliament, for discussion and for action. That will be an effective method to prevent corruption. I have nothing more to submit.

PROF. G. RANGA: Mr. Deputy Chairman, on a number of previous occasions Bills dealing with the question of corruption had come up before this House as well as the previous Houses. I did not wish to

take part, although I feel strongly, in those debates because there was so much to be said on both sides— from the side of the public, there was also the wrong-doer—and from the side of the service also, there was also the wrong-doer. Now it was always very difficult really to condemn either of these parties outright and it is not just also and I am not surprised that my hon. friends Mr. Bisht and Mr. Saksena took our friend Mr. Mathur so seriously to task. I don't think Mr. Mathur really wanted to make such sweeping remarks but evidently on the spur of the moment the strong feelings that he has, which we all share, against corruption seemed to have impelled him to make those remarks. It is necessary, as has been said to us several times by successive Home Ministers, that we should not say or do anything which would discourage honest officers and we are glad to find that we have a large number of honest officers,—not only in the higher reaches but also among the subordinate staff? It would be wrong really for anybody to make an outright condemnation of all our officers, whether they are subordinate or of superior ranks and it is unfortunate that some of our friends in their anxiety to say something fine about the superior staff, lightheartedly condemn the junior staff. I don't think it is right but at the same time has 'not come when we should have the heart-searching whether all these legislations that we have been passing all these years, ever since we have become free, in our legitimate and righteous anxiety to put down corruption, have succeeded in achieving the desired end, and if so to what extent, and if they have failed, why are they failing? That is the direction in which I would like the Government of India, and especially the Home Ministry to really study this particular problem and give it their best possible thought and then come to this House with their considered solutions and ask this House to give them every

[Prof. G. Ranga.] possible support. I am sure that this House -as well as the other House and also Members of different parties would only be too willing to give their wholehearted support to Government for the measures that they would like to take.

Some of our friends have been wondering what could possibly be the solution. There cannot be any one, sovereign remedy for this evil. But there are plenty that could be suggested. One suggestion was made by my hon. friend over there, from Bengal. I was glad to learn just now that he was himself one of the senior officers and he has resigned his post because he did not agree with the manner in which the administration was being carried on in that Department. All credit to him. Now it is easy to pick holes in that suggestion. But we have to think on those lines. We know only too well how many people approach Members of Parliament, people who are themselves applicants for jobs before the Public Service Commission, or the Railway Recruitment Office or the P. and T. Department and various other bodies. They come with the expectation that if we put in a word in their favour, whatever might be the rules for recruitment, these Commissions would give them jobs. Many of us who are extremely anxious not to interfere with these Commissions run the risk of becoming unpopular and yet we tell these men, "You cannot reach the Commission. It is wrong." Then they say, "No, Sir. We have known of cases where by influence some people were able to get through, in spite of the fact that there are competitive examinations and all those high-level selections and so on." Now, this is how corruption starts. Just as my hon. friend Mr. Saksena said, before we ask anybody else to take this kind of a vow, we, Members of Parliament must first of all start and say we are not going to allow ourselves this kind of thing, but would keen our-

selves off all these various independent commissions of recruitment, and also Government officers who are entrusted with the responsibility of making appointments.

We have known of a number of Commissions and committees; but of what earthly use are they? My hon. friend Mr. Bisht who generally makes such good speeches and makes valuable contributions to our thoughts, said: "We have had, the Appleby Report." There were a number of other reports also. There was the Gorwala Committee's Report. But we do not want any of these commissions or committees. Do we not know that there is corruption in the Railways? There was also a Committee for it. Do we not know that there is a terrible amount of corruption in the Registration Department, in the Land Revenue Department, in the courts, whether they be the High Court or the upper or higher or top one?

AN HON. MEMBER: The Public Works Department.

PROF. G. RANGA: Yes, and in the Central Public Works Department and the local Public Works Department, *off* the Import and Export Control offices, in fact wherever there are offices where some favours have got to be distributed as between some people and against various others. Corruption has got into this country. But I cannot appreciate these sweeping remarks and the impression created by the speech of my hon. friend Mr. Mathur, that suddenly corruption has sprung up at once and that it has increased specially after we became free. I am not going to go with him in that direction and to that extent.

One thing is clear, that there is corruption in this country. Merely because it is much less now than what it was before freedom came, we cannot be satisfied with it. Merely because, it is much less here than in many other countries, we cannot be satisfied. We

are classed by somebody who came to this country and stayed here for about three months and looked at things from the top, as one of the fifteen very efficient governments, but we cannot therefore, be satisfied with the manner in which our Government is being run.

SHRI LAVJI LAKHAMSHI: Not fifteen, but twelve.

PROF. G. RANGA: May be twelve or even ten or three, that won't do, we have got to be the very first government, if we want to be really honest, if we want our Government to be very efficient. Much more is the need here than in the case of America, England or other countries, because they are rich and we are a poor country. It is from the poor people that the money has got to come into the coffers of the Government. And from the Government coffers the money has got to go back to the people. It is an ordinary axiom in public finance that a rupee in our own pockets yields much better social help than a rupee in the Government's hands. It has been so. But we would like to achieve the socialism in which each rupee that goes into the Government's coffers will be more valuable, will yield more social help and welfare than a rupee in the individual's pocket. We should aim at that. And as I said, the need here is very great, because we are poor, one of the poorest countries of the world. The need here is greater than in the richer countries and that is all the more reason why we have got to see the difference whether it is a tip or a *bakshish* or a bribe. I do not know how my hon. friend Mr. Bisht committed himself to that very wrong statement of his, when he was talking about the railway bookings and first and second-class coaches, and so on. Surely, if that is the way in which we are to look at corruption, then we can excuse any amount of corruption in this country. But we cannot really go away like that. Between a tip, a *bakshish* and a bribe there is a

great distance. It is not so much a difference in the quantity of the money. It is a qualitative difference. Should we not be prepared to make this distinction and say here that we do put down corruption in this country?

Sir, we have got our own Ministers. I am glad to say, after having seen the way in which Ministers are behaving in very many countries, that by and large, the largest percentage of our Ministers are remarkably honest in our country. Here and there there are a few black sheep and that is where I would like to make a remark. In England, Sir, as we all know, there was Dr. Hugh Dalton. He made a vicarious mistake. As he was going into Parliament, he chanced to have a short talk with a journalist and without knowing it he seems to have revealed just a very slight bit of a secret of the Budget. He never knew it. He made his Budget speech and went out. And then he found that the report was already there in the evening papers. Immediately he placed his resignation in the hands of the Prime Minister, Mr. Attlee. Mr. Attlee accepted the resignation. Now, that is the standard that ought to be maintained by us. And that standard has been maintained by us at the Centre, in a similar case. The late Mr. Shanmu-kham Chetty was found fault with, not by Parliament, but by his own party which my hon. friend Mr. Mathur was prepared to condemn outright in such a sweeping manner. But the Minister came to Parliament, made a statement and resigned his job. That is the level to which we have reached. We have raised ourselves to the level of the Mother of Parliaments.

We behaved like that so well but we have not been able to maintain that standard in so many other cases and that is a great pity. Therefore, I want the Ministers also to take the same kind of vow that I want the M.Ps, too to take, that they should not ever knowingly or

[Prof. G. Ranga.] unknowingly commit such a mistake as to possibly be arraigned in this House or in the other House publicly and repeatedly by M.Ps., even if it be only under the shelter of the privileges of the Houses. We only know too well that some such accusations were made and shelter was taken behind the approval of the Prime Minister. What could the poor Prime Minister or even this Parliament do? It must be within the individual judgment of right or wrong of each one of these Ministers and each one of them should be in a position to say, "This is not right. I seem to have made a mistake in doing things in that fashion. Now that my attention is being drawn to this, I feel that I should not have made this mistake. I give in my resignation". It may then be the privilege of the Parliament or of the Prime Minister to give back the same office to him. He should be able to set such an example. Unfortunately, we have not yet reached that standard. We have had one example in Punjab where the Minister for Education was accused by the Opposition as well as by some of the Members of his own Party of having been involved

SHRI H. P. SAKSENA: Jagat Narain.

PROF. G. RANGA: in some mala fide transactions. Although he took a little bit more of time—I felt so at the moment and he need not have taken so much of time—he offered his resignation and placed it in the hands of his Chief Minister. That is the standard which we should aim at. I am proud of such instances. Therefore, we are making some progress. It is not as if I am talking without my book when I say that corruption is much less now. Fortunately for us, in spite of the obstruction offered by so many of these administrative officers, high and low, controls were removed. With the controls removed, people are living at peace with Government and with society. They feel happier

because they do not find so many occasions when it is necessary for them to offer some bribe in order to get the minimum of social conveniences. So, to that extent, that is visible evidence for us to say that corruption is much less. Nevertheless, it is not so much less as to induce in us a sense of complacency; it is still a considerable evil in this country. We all know that all over the world, the Orient has been said to be notorious for corruption, not only in the recent past but from the days of Tamerlane, Babur and the Moghuls. From the very beginning it has been like that. May be so or may not be so but today we only know too well that in this country there is too much of corruption. We have got to get rid of it. How? One suggestion was made by my hon. friend here. He said that an honest officer is really finding it difficult to get promotion. Not that a very honest officer is being demoted or kept down but generally speaking, an honest officer is finding it very difficult to get promotion. Honesty coupled with independence seems to be proving fatal. A way has got to be found out to help and assist and even encourage honest and independent officers. I cannot venture to make any suggestion; it is for the Home Ministry. They must make some researches into this matter. My friend, Mr. Bisht, was unnecessarily assailed by the other friend and he was said to be defending corrupt officers. No, it is not so. A question was put to him and he was good enough to volunteer information. He gave the information and yet what has been the experience? The experience of so many people is that in spite of so many officers being prosecuted by the Government, we are not able to get so many convictions, as many convictions as there ought to have been. Not that I am condemning the courts but the courts have also got to work within certain regulations, staff orders, standing orders, etc., so that even if they swerve even by the width of a string, by a hair's breadth,

my hon. friends here—and even ourselves—would pounce upon the courts saying that the livelihood of these people is being endangered whereas, according to the common law of our land and of England, the rule of law, we have to consider everyone to be not guilty until he is proved *to* be guilty. All that is true but we are unable to get as many convictions as we ought to in order to be able to strengthen our services. But the^ is there no remedy? There is the departmental action. There is the question of not promoting him, transferring him to out-of-the-way places, punishing him departmentally, etc., etc., without coming within the mischief of the usual law. Then there is the departmental punishment that could be written about, that could be pleaded and defended. This kind of thing is not being done as well as it ought to be.

When my hon. friend was sitting here, it came to my mind. There was a lot of noise even in this House in regard to the Hirakud Project. Members of this House rose in revolt against it and the hon. Minister had to go into the matter as a result of which efficiency there has improved, honesty has improved and the administration has also been speeded up. Similarly, if only the Governments were to really take it into their heads to get all the estimates sent up to them and have them properly scrutinised, it would lead to a lot of improvement. By doing that, they would be able to discover how much money is going out through their fingers. Valuable money that is being placed in their hands by the poor people in this country is being spent that way. Take the Cuddappah-Kurnool Canal scheme. Large areas to be covered by this scheme consist of rock and yet the scheme is to provide a rivettment with cement flooring for the whole of that canal even where there is rock. This is how money is being pocketed by the contractors. If one

were to go and see the villages, villages in the neighbourhood, one would be able to see thousands and thousands of bags of valuable cement which has been paid for by the Government. How does this happen? Why is it that Government are not able really to turn the searchlight on their own C.P.W.D., as well as on this P.W.Ds. of the States.

MR. DEPUTY CHAIRMAN: Why not pass on that information to Government? It is also the duty of public men.

PROF. G. RANGA: When" a thing like that happens, a man like me finds it more difficult than a junior. That is why I take this opportunity. My passing on that information does not end there; I will have to correspond with the authorities and pursue the matter. It is not a job for a senior Parliamentarian like me; it is the job of a junior and a younger man to take up all such cases. At my own level I have plenty of cases.

DR. SHRIMATI
NAND (Madhya
Parliamentarians

SEETA PARMA
Pradesh): Senior
should have secre
taries.

PROF. G. RANGA: My hon. lady friend would provide me with a secretary and also the wherewithal. Unfortunately, I am obliged to be the secretary for myself.

The Five Year Plan can produce much more result if we can only stop many of these leakages and we would have to take steps. One of them is what I have suggested now. At the same time, Government will have to do some research. We have been making so many suggestions in this House, not once but many times. All these things have got to be specially studied. It may not be possible for my hon. friend, the Minister, in his individual capacity to study all these things and to come to some kind of a conclusion but he should have a research organisation.

MR. DEPUTY CHAIRMAN: Start a research institute also?

PROF. G. RANGA: They should. We are spending hundreds of crores of rupees and I do not see why we should not have a research organisation. My hon. friend has a number of these C.I.D. officers. I do not know what exactly they are called, but they are all over India.

DR. P. SUBBARAYAN (Madras): Central Intelligence Branch.

PROP. G. RANGA; I have come across quite a number of very decent people but they are not being given all the help by the State Governments at least not as much as they ought to get. When they collect information and send it up to my hon. friend straight, I find that in many cases proper action is not being taken because some Interested people prop up these officers thus trying the hands of the Central Government. That is no excuse for the Central Government. They have got to devise ways and means.

DR. P. SUBBARAYAN: They will say, "autonomy of the States".

PROF. G. RANGA: They can't leave it at that. If necessary, lei; them come forward with a proposal for a suitable amendment of the Constitution. If the so-called autonomy of the States comes in the way, let some such amendment of the Constitution be brought forward thus preventing the States coming in the way of these officers who collect information without any casteism, parochialism or linguism or relationism or cousinism —whatever they call it—or nepotism. It should be within the powers of the Centre to see either through the Governor or through friendly approach to the Chief Ministers or the other Ministers of the States that the officers against whom reports are sent are not given any promotion. On the other hand, they should see to it that such officers are punished in a suitable manner or kept down. It is only by soma such method that it would

be possible for them to make use of this legislation; otherwise, this legislation will be a dead letter.

MR. DEPUTY CHAIRMAN: What time do you want for reply, Mr. Datar?

SHRI B. N. DATAR: Only about 15 minutes.

MR. DEPUTY CHAIRMAN: Order, order. There are flive more speakers. Only one hour is left for the Bill. The hon. Minister will take 15 minutes and the other speakers six to seven minutes each.

The House stands adjourned till 2.30 in the afternoon.

The House then adjourned at one minute past one of the clock till half past two of the clock.

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

MR. DEPUTY CHAIRMAN: Mr. R. P. N. Sinha. I will give seven minutes each.

SHRI R. P. N. SINHA (Bihar): Sir, I will take less than seven minutes. I heard with rapt attention all that Mr. Bisht said—Mr. Bisht is not here

SHRI JASPAT ROY KAPOOR (Uttar Pradesh): I will convey to him all that you say.

SHRI R. P. N. SINHA: _____ in the speech that he delivered, I was reminded of a famous bird that is found in the deserts which refuses to see reality and hides its head in the sand, called ostrich. Sir, we all know that corruption in the country has been increasing in rapid strides and for that we have not to go a long way. We can see the signs of it here in Delhi and at other places. During the last rains we have had bitter experiences and we all know what trials and tribulations we underwent in our flat?

and in our bungalows due to leaking roofs, soaking walls and all that. We all know that this is all the doing of the C.P.W.D, contractors. That is one evidence of how things are being done in the C.P.W.D.

Now, in my own State I have often noticed that officers of the Provincial Civil Service, when they retire, retire with a big fortune. In Patna, if anybody cares to see, he will find big palatial buildings built by retired Deputy Magistrates and I want to ask the Government whether they have cared to ask such persons wherefrom they got all this money with which they have built such big palaces. I had once suggested in my Budget speech about two years back that a Commission should be appointed to investigate into the assets of all Government officers who are found to live beyond their means. If such a Commission was appointed many interesting things will come out, more interesting than the Man Singh Road affairs. That is one suggestion that I wanted to make to the hon. Deputy Home Minister that an enquiry into the assets of such officials must be made, if he is really earnest—and I believe he is really earnest—in rooting out corruption from this country.

Now, I welcome this Bill because, after all, this is an attempt on the part of the Government to stop corruption and it is an evidence of the earnestness with which they want to tackle the question. But the whole thing is that in trying to do so, as Mr. Bisht said, if you go by that roundabout method which so far you have been following, it will mean a long delay and the way in which corruption has been increasing in the country, it cannot be stopped as we desire.

I am sorry that Mr. Mathur—he is also not here—made certain references to the Congress Party and to the Ministers. So far as the Congress Party members are concerned, either here or in the local legislatures, I must say that they are

more earnest about wiping out corruption than the opposition. I am not here to cite instances but I could cite several instances in which I have myself in my capacity as Chairman of the House Committee come across things that probably the Opposition Members would not relish. With these words, Sir, I accord my support to the measure.

श्री वृंकीनंदन नारायण (मुम्बई): जसभापति महोदय, जो विधेयक हमारे सामने है मैं उसका समर्थन करने के लिये खड़ा हुआ हूँ हालांकि मुझे कुछ आश्चर्य हुआ कि १९४७ में जिस वक्त एंटी करप्शन का यह कानून बना था उस वक्त ही कानून बनाने वालों की निगाह में यह बात कैसे नहीं आई, क्योंकि आप जानते हैं कि जो रिश्वत ली जाती है वह ज्यादातर, मैं तो यहां तक कहूंगा कि ७५ फीसदी, सैंकड़ा पीछे ७५, इन एजेंटों और टाउट्स की मारफत ही ली जाती है। यह ऐसी साधारण सी बात थी जो कि कानून बनाने वालों के ध्यान में आ जानी चाहिये थी। उसके लिये आठ वर्ष तक क्यों बाट दूँसी गई, यह मेरी समझ में नहीं आया। परन्तु "Better late than never" और आज यहां इस बात को आपके सामने लाया जा रहा है कि जिस तरह से रिश्वत लेने वाले को सजा होती है उसी तरह से उनके जो टाउट्स हैं, एजेंट्स हैं, उनको भी सजा होनी चाहिये। मैं तो यहां तक कहूंगा कि रिश्वत लेने वाले को कम सजा हो और इन टाउट्स और एजेंट्स को अधिक सजा हो। उसका कारण यह है कि रिश्वत लेने वाले थोड़े होते हैं और उनके दलाल अधिक हुआ करते हैं। हर एक धंधे में, हर एक व्यापार में, हर एक राजगार में यह दूँखा गया है कि दलालों की संख्या अधिक होती है और इस रिश्वत के मामले में भी टाउट्स और एजेंट्स की संख्या कोई कम नहीं है। तो उनके बारे में जो यहां तजवीज की जा रही है वह बहुत ठीक तजवीज की जा रही है।

मैं एक बात और कहना चाहता हूँ। मेरे अधिकतर मित्रों ने कहा और अभी मुझ से पहले जो भाई बोले उन्होंने भी कहा कि रिश्वतखोरी

[श्री रविकीर्तन नारायण]

बढ़ रही हैं। माफ कीजिये, मैं इन भाइयों से सहमत नहीं हूँ। मैं नहीं मानता कि रिश्वत बढ़ रही है। हाँ, रिश्वत की संख्या बढ़ रही है। आप सोचिये कि जिस वक्त हम गुलाम थे उस वक्त क्या रिश्वत कुछ कम थी। यदि आप ऐसा मानते हैं तो मैं नम्रतापूर्वक कहूंगा कि यह गलत है। आज जितनी रिश्वतखोरी है उससे ज्यादा रिश्वतखोरी उस जमाने में थी। परन्तु उस वक्त डर था और कोई कह नहीं सकता था, कोई बतला नहीं सकता था। चारों तरफ दहशत थी इसलिये वह बात बाहर नहीं आती थी। अब हम स्वतंत्र हुये हैं, जागृत हुये हैं, समझने लगे हैं, और सब दबी हुई बातें सामने आने लगी हैं इसलिये हमें मालूम होता है कि रिश्वतखोरी बढ़ रही है। आप यह भी जरा सोचिये कि गवर्नमेंट सर्वेयर्स की संख्या कितनी पड़ी है। उनकी तादाद करीब दूनी हो गई है। तो अगर रिश्वत लेने वालों की संख्या कुछ बढ़ गई हो तो इसका मतलब यह नहीं है कि रिश्वतखोरी बढ़ गई है। इसके अलावा यह भी आपको ध्यान में रखना चाहिये कि हम वेलफेयर स्टेट में हैं और बहुत से सुधार करना चाहते हैं, जैसे कि प्रोहिबिशन को ही ले लीजिये। मैं उस राज्य से आ रहा हूँ जहाँ कई वर्षों से प्रोहिबिशन जारी है। तो इस प्रोहिबिशन से भी रिश्वतखोरी बढ़ी है। एक अच्छा काम करने हम गये, हमने बहुतों को शराब से बचाने का उद्योग किया लेकिन जो शराब पीने वाले हैं और चोरी से पीने वाले हैं वे रिश्वतखोरी को बढ़ा रहे हैं। इसका मतलब यह नहीं हुआ कि रिश्वतखोरी इस तरह से बढ़ रही है जैसी कि पहले कभी भी ही नहीं। रिश्वतखोरी नहीं बढ़ी और अगर परसेंटेज देखा जाय तो माफ कीजिए कि रिश्वतखोरी पहले से कुछ न कुछ कम हुई है। यह स्वाभाविक ही है क्योंकि सोचने की बात है कि क्या स्वराज्य प्राप्ति के बाद हमारे जिन नेतागण के हाथ में राज्यों की डोर है वे रिश्वतखोरी बढ़ाना चाहते हैं, क्या वे उस पर किसी तरह का बंधन या निर्बन्ध या कंट्रोल नहीं लगाना चाहते और क्या आज तक के कानून, आज तक की गई व्यवस्था

सब बंकार जा रही हैं? यदि हम ऐसा कहें तो फिर हमको खुद को भी निक्कम कहना होगा। हम तो चाहते हैं कि रिश्वतखोरी कम हो और देहातों में भी हम चाहते हैं कि रिश्वतखोरी न रहे, इन तमाम तजवीजों के बाद भी अगर रिश्वतखोरी कम नहीं होती है तो फिर बड़े दुःख की बात समझनी होगी। आप जानते हैं कि मैं एक छोटा, मामूली कार्यकर्ता हूँ, काफी देहातों में घूमता हूँ, काफी काम करता हूँ, महीने में थोड़े दिन घर रहता हूँ और मैं विश्वास के साथ कहता हूँ कि मैंने काफी काम रिश्वत के खिलाफ किया है। मुझे मालूम है कि रिश्वत लेने वालों की संख्या और तादाद पहले से कम नहीं हुई लेकिन जैसा कि मैंने बतलाया वह संख्या शायद बढ़ गई लेकिन परसेंटेज निश्चित नहीं बढ़ा है।

एक बात यह कही गई कि शायद प्रमोशंस नहीं दिये जाते, तनखाहें नहीं बढ़ाई जातीं, आनेस्ट अफसरों की ओर ध्यान नहीं दिया जाता, इसलिए रिश्वत ली जाती है। मेरा तो अनुभव यह है कि गरीब सरकारी नौकर कम रिश्वत लेते हैं और अधिक तनखाह वाले सरकारी अफसर अधिक और ज्यादा रिश्वत लेते हैं, रिश्वत का तनखाह से कोई खास सम्बन्ध है, ऐसा मैं नहीं मानता। रिश्वत लेने की एक आदत पड़ जाती है आदमी जब मतलब से चारों तरफ से घिर जाता है तो रिश्वत न लेने वालों को भी वह लालायित करता है, यानी यह दोनों तरफ से चलता है। देनेवाला भी आदत डालता है और लेने वाला भी देने की आदत डालता है। इसका हर वक्त कौन जिम्मेदार होता है यह कहना बहुत मुश्किल है, परन्तु यह कहना कि तनखाहें कम हैं, इसलिए रिश्वत ली जाती है तो यह गलत बात है क्योंकि मैंने देखा है कि अधिक तनखाह पाने वाले बहुत ज्यादा रिश्वत लेते हैं, बहुत होशियारी से रिश्वत लेते हैं और रिश्वत लेने के बाद यह देखा गया है कि छोटे सरकारी नौकरों के खिलाफ प्रासीक्यूशन होता है तो गवाह मिल जाते हैं, पंच मिल जाते हैं, पर बड़े अफसरों के खिलाफ जब कभी

प्रोसीक्यूशन किया जाता है तो प्रोसीक्यूशन होने तक जो गवाह होते हैं या जो पंच होते हैं वे दरम्यान में ही बदल जाते हैं, फिसल जाते हैं। यानी दोनों तरफ से दिक्कत होती है, बड़ा अफसर एक तो बहुत ज्यादा लेता है और उसके खिलाफ कार्यवाही करना भी मुश्किल हुआ करता है। इसलिए यह जो प्रमोशन या कम तनखाह देने की बात है वह मेरे खयाल से गलत है। रिश्वतखोरी तो एक आदत है जिसको छुड़ाना हमारा फर्ज है और जब आदत का सवाल आ जाता है तो उसको छुड़ाने की जिम्मेदारी हमको लेनी होती है। यही नहीं, उसके इर्दगिर्द के समाज की भी उसमें जिम्मेदारी है। इसलिए हमको खुद सोचना चाहिए कि हमारा जीवन इस तरह की रिश्वतखोरी को कहां तक मदद पहुंचाता है और यदि हम अन्तर्मुख होकर कुछ सोचेंगे तो हमें बहुत कुछ ऐसी बातें मिल जाएंगी जिन में हम भी खुद जिम्मेदार हैं। इसलिए मैं आपसे यह प्रार्थना करूंगा कि यह बीमारी हमें निकालनी चाहिए और बगैर इस बीमारी को निकाले हमारा स्वराज्य सच्चे मानी में स्वराज्य नहीं हो सकता। यह जो रिश्वतखोरी की दून है यह दून हमें अंग्रेजी राज्य से मिली हुई है, ग़लामी से मिली हुई है।

(समय की घंटी)

इसलिए मैं कहूंगा कि अगर आप रिश्वतखोरी को निकालना चाहते हैं तो आप समाज का भी स्तर ऊंचा करने की कोशिश करें और इस तरह साथ साथ यह काम हो।

एक आखिरी बात मैं और कहना चाहता हूँ। हम यह चाहते हैं कि हम चारों तरफ से रिश्वत को कम करें। ठीक है, अच्छी बात है। परन्तु किन किन जगहों पर हमें हमला करना चाहिए? अक्सर यह हुआ करता है कि “Fight on all fronts” में हम जल्दी कामयाब नहीं होते। इसलिए हमें एक एक फ्रंट लेना चाहिए और उस पर विजय पानी चाहिए। सबसे पहली बात जो हमें चारों तरफ बढ़ रही दिखलाई देती है वह है सबसे ज्यादा रिश्वतखोरी पी० डब्ल्यू० डी०

में यानी “Plunder Without Detection Departments” में, और आप जानते हैं कि आज स्वराज्य का जमाना है, विकास योजनाएं चल रही हैं, और ज्यादा से ज्यादा गवर्नमेंट का पैसा, लोगों का पैसा अगर किसी काम में खर्च होता होगा तो इमारतों में, डॉम्स में, अस्पतालों में, मदरसों में, सड़कों में। इस तरह करोड़ों रुपये आज ज्यादा से ज्यादा इमारतों में खर्च हो रहे हैं और यह सब खर्च इस पी० डब्ल्यू० डी० की मार्फत होता है और वहां पर ही ज्यादा से ज्यादा रिश्वतखोरी चलती है। वहां तो ५ परसेंट या ० परसेंट लेना एक नियम सा हो गया है और उसके बारे में कुछ नहीं किया जाता है।

एक माननीय सदस्य : “दस्तर” हुआ करता है।

श्री वेंकटीनन्दन : हां, दस्तर होता है। वह इतना बढ़ गया है कि नीचे से ऊपर तक सब को दिया जा रहा है। मैंने सुना है कि मेरे राज्य में इस बारे में सोचा जा रहा है कि इस डिपार्टमेंट को ही किस तरह से खत्म किया जा सकता है और उन कामों को करने का कौन सा दूसरा रास्ता निकल सकता है। तो सबसे पहले हमला हमें अगर करना चाहिए तो वहां करना चाहिए जहां सबसे ज्यादा रिश्वतखोरी होती है, “आन आल फ्रंट्स” की बात आप छोड़ दीजिएगा तो फिर हम कुछ कर सकेंगे। इस मामले में सारी पब्लिक ऑपिनीयन आप इसके ऊपर लगा दीजिए। आखिर रिश्वत की संख्या बढ़ी क्यों? वह इसलिए क्योंकि काम बढ़े हैं, कई महकमें नये नये निकले हैं जिनकी वजह से रिश्वतखोरी का दायरा बढ़ा है। आप सेल्स टैक्स को ले लीजिए। हर एक राज्य में सेल्स टैक्स जारी किया गया है। समय की घंटी फिर बजती है। मुझे अब आपसे आखिरी बात यह कहनी है.....

श्री उपसभापति : आपकी दूसरी बार यह “आखिरी बात” हो गई। अब खरम कीजिए।

जी ईशकीमन्धन: मुझे एक मिनट और चाहिए। अंग्रेजों के राज्य में सेल्स टैक्स था ही नहीं, अब हर एक राज्य में सेल्स टैक्स हैं। यह सेल्स टैक्स की ऐसी बीमारी है कि जिस तरह से कंट्रोल के जमाने में व्यापारी लोग हर तरीके से रिश्वत देकर अपना काम कराया करते थे उसी तरह से सेल्स टैक्स के मामले में ये व्यापारी उस टैक्स से बचने के लिए सेल्स टैक्स आफिसर को पैसा देते हैं। इसलिए हमें और आपको इस काम में सहकार करके ही उस जगह एटैक करना होगा।

DR. SHRIMATI SEETA PARMA-NAND: Sir, I hope you will kindly note the time when I am beginning because you are going by the time. I am beginning somewhat late according to the schedule that you have allotted viz. of seven minutes each.

MR. DEPUTY CHAIRMAN: You want two or three minutes more, all right.

DR. SHRIMATI SEETA PARMA-
NAND: Mr. Deputy Chairman, I support this Bill, but while supporting I would like to make a few observations. This is more or less a strappy Bill, as it has got only three or four clauses. I feel, when bringing even such small Bills—when Government has taken nearly eight years since the last Bill was passed. In detecting what further powers were required to bring the offenders successfully in the clutches of the law—Government might have as well taken some more steps so as to make the legislation more useful, because to deal with the problem in this manner is, in my opinion, like tinkering with the problem.

When giving the Statement of Objects and Reasons, it would have been helpful if Government had given a short note—since this type of legislation has come in—as to how the magnitude of this type of offence has increased, in how many cases it has been possible to launch cases, how many cases have been successful, in how many cases the offenders have

been convicted, and so on. That would have enabled Members also to bring in certain amendments. But to bring a Bill in this form is, in my opinion, not very helpful. Sir, there is another thing which has to be considered when trying to root out corruption, and that is to appreciate the exact meaning of corruption? Does corruption mean only taking of money or whether it does not by implication mean many other things? Whether the kind of corruption which can be brought within the ambit of this Bill is not really encouraged by ignoring certain other types of corruption? May I ask whether it is not corruption if an officer were to accept certain presents during marriage ceremonies? Whether it is not corruption if an officer were to allow certain arrangements for his daughter's or son's marriage to be done by his subordinate officers at their cost? Because there is always an expectation created in the minds of people that certain services rendered *gratis* should be returned in some other way, it is nothing short of corruption. Is it not corruption to give, as was pointed out by Shri Ranga, promotions through nepotism? Is it not corruption to use influence in securing certain favours or certain jobs? Is it not corruption to make certain appointments against the recommendations of the Union Public Service Commission? And is it not corruption to deny promotion in deserving cases and give it to somebody else who is next in rank and does not deserve it? I am mentioning all these cases because by ignoring these or condoning these, there is not the moral strength left with Government to check corruption at the highest official level and that is why those in power are emboldened to practise corruption at the lower level where money passes hands, and where you cannot bring people within the purview of this Act.

Take the case of the Government servants. Even Class IV officers do not escape corruption. Postmen and other people are asking for tips. It

is well-known to many that those who do not give tips suffer. It is in a way derogatory on the part of people who claim themselves as Class IV Officers. The people who do not give tips suffer and I am told—I have not had that experience—that their letters etc. are not delivered properly.

MR. DEPUTY CHAIRMAN: Any way, the hon. Member has not suffered like that.

DR. SHRIMATI SEETA PARMANAND: Well, I would say that it should be an accepted principle of debate that personal inconvenience or otherwise should not be a consideration. Many people have complained that no case can be put up before an officer unless some money is passed on either to the clerk or to the peon in the office.

MR. DEPUTY CHAIRMAN: Why take the case of poor people?

DR. SHRIMATI SEETA PARMANAND: These are the two people at the lower rung of the ladder and they have the boldness to tell people that they should first go and correct officers with corrupt habits at higher levels and then they should talk to them. What I am trying to say is that, it is not either this class of officers or that class of officers nor people of a particular party or position that should be criticised. But what is to be criticised is the climate that has been created in the country and the connivance that we have been pleased to show to these things.

As a result, I feel that the remedy should lie through educational methods to create an atmosphere by which it will be taken for granted that, without any such laws, everybody behaves as a very honourable national of the country trying to raise the honour of the country. I cannot really explain this point in the short time at my disposal, but I feel this is the most important point. For such reasons, it would be better if there is co-ordination between the Education Ministry, the Information and

Broadcasting Ministry and the Home Ministry which has to deal with the detection and punishment of crime and make provisions for these. When these things are on the increase and if the Home Ministry were to seek the co-operation of the Education Ministry and ask them to devise ways and means to improve child education through children's clubs or by various other means, that alone will produce lasting results. And the youth of the country can be brought under the influence of a nation-wide drive for honesty and uprightness. It is only then that we will be able to have an honourable standard of service and such examples of the type which the hon. Prof. Ranga was pleased to cite about England where a minister would resign of his own accord, or where he would hand over his son to the authorities if he is found guilty and would not even mind his being sentenced to the highest punishment, would be witnessed in our country too.

Last'y, I would like to say that we here should also have to observe certain things. We are the law-makers and for some reason or other, we become law-breakers. The hon. Mr. R. P. N. Sinha was speaking on this point and when he was speaking—and from my experience of two years on the House Committee—I thought that he was going to reveal certain things as a Member of the House Committee, because

AN. HON. MEMBER: Which are obvious to Members.

DR. SHRIMATI SEETA PARMANAND: We should rather put these things on the proper forum for bringing to the notice of people who should know otherwise; from the highest point of moral standard, not giving publicity to breaking of law is a kind of corruption. If you were to read books on moral philosophy, you would find out that suppression of truth which is meant for public good is considered a moral corruption. And just from that point of view, I feel that all of us responsible for, making law

[Dr. Shrimati Seeta Parmanand.! have to see that no instance is cited where we are charged with breaking the law howsoever insignificant it maybe and no instance is cited where by breaking the law we are seeking privilege and only when we put ourselves in that standard have we got the right, I feel, either to make such laws or criticise others.

With these few words, Sir, I support the measure.

PROF. G. RANGA: Sir, on a matter of personal explanation. My attention was drawn to the inappropriate mode of an expression used while I was making my speech. I discovered to have said 'my hon. lady friend' and I think they were right in telling me that what I should have said was 'the hon. lady Member.'

SHRI M. POVINDA REDDY (Mysore): Sir, I am very glad to support this Bill.

I do not believe that the Government can expect that they would be ending corruption by this Bill. It only makes the way of the Government smoother in prosecuting those who are responsible, as agencies, for corruption. In this connection, I would like to give some suggestions. It should be the endeavour of every one to end corruption. But under the circumstances, it is very difficult to tackle that. I am not going into the question of the scope and nature of this evil. I would only suggest that the Government should be very serious in dealing with this matter. When I say that, I do not imply that the Government are not very serious. When instances of corrupt officials come to us and we discuss them with the Ministers, they say, "He may be corrupt; but he is very intelligent and very smart." I have an example of that kind and personal experience. "He is a very smart fellow. May be he is corrupt." If to your knowledge, he is corrupt, the thing is there is need to check it. I assure the Government that there is enough talent. There should be no feeling that they deal with very high placed officials

who are intelligent and do their duty very efficiently and that they would fall short of intelligence or ability if those officials are dealt with for corruption. I may assure them that it is not true. There is enough intelligence and talent in the country and they may straightway deal with officials without any fear of falling short of administrative ability. That is one thing.

Secondly, they do not expeditiously go into any question when it is brought to their notice. I have in mind some examples. When we talk to them about a complaint or give it to them in writing, what the officers and also sometimes Ministers do is that they forward it to the concerned officer with our letter. The result is that the man who points out the difficulty will be brought into the bad books of the officials and those who support corrupt officials, and no benefit comes from that action. They

should know how to deal with these men. When Members of Parliament, who are responsible people, bring a certain matter to their notice, they should give serious thought to it. Without disclosing the identity of the Member they should find means to verify. Of course, I do not expect that they should go by the word of a Member but they should verify when allegation is made by a responsible person. While I am sorry to point out that this is not being done. I would appeal to the hon. Minister to see that sufficient confidence is placed in the representations made by responsible people, not only Members of Parliament.

Sir, corruption can be ended 50—60 per cent if they conduct administrative inspections. During the British regime, we must say it to the credit of the British officers, every office—whether it is a taluk Or district Or subordinate office—was visited periodically. In fact, failure to inspect on the part of an inspecting officer was dealt with very seriously. Now this practice of inspecting offices has practically ceased to exist. Expediting of cases by offering a little

tip to the official concerned or the delay caused in absence of an offer of a tip will also be checked if periodical inspections are conducted. This, I say without fear of contradiction, will end 50—60 per cent of the corruption.

Then, somehow Government feel shy of taking administrative action against the corrupt official. The corrupt official is shielded by a series of officers for fear of their class being discredited by exposing the corrupt official or maybe they too have a share in the offence. This should not be the attitude. If to the knowledge of the Government an official is corrupt they must straightway proceed with him administratively. What they do is to wait for sufficient evidence to come up to support a legal prosecution. Mr. Bisht pointed out certain things. He as a Government Advocate must have had good experience. I concur with him when he says that it is very difficult to bring evidence before a court of law to secure conviction. The most effective way of dealing with corrupt officials is to take administrative action straightway.

I can point out hundreds of cases. While going through the Public Accounts Committee Report you will find a number of instances where officers have been guilty to the knowledge of the superior officers, guilty of misappropriation or guilty of not following superior officers' instructions, but their default has not been noticed by the superior officers. Though the thing has been pointed out repeatedly by the Public Accounts Committee, no action has been taken in many cases. Well, this is a thing which should be attended to immediately. I would support the suggestion made by some hon. Member for the appointment of a Commission to point out to the Government the various measures by which they can check corruption. So the Government should not rely upon this Bill very much for ending the corruption. They must think of devising other measures

to end corruption. I am sure, if they turn their eye inwards to the administration and have proper checks, they will be able to end corruption to a very large extent. Thank you.

श्री नवाब सिंह चौहान (उत्तर प्रदेश): श्रीमान्, मैं आपका ज्यादा समय नहीं लूंगा क्योंकि मैं समझता हूँ कि आपने माननीय मंत्री जी का समय काट कर मुझे थोड़ा सा समय दिया है। मैं सदन के सामने केवल एक दो बातें रखना चाहता हूँ। कोई भी व्यक्ति माननीय मंत्री जी और अन्य अधिकारियों की नीयत पर शुद्धा नहीं कर सकता है क्योंकि वे देश के कर्मठ नेता हैं, वे भ्रष्टाचार को समाप्त करना चाहते हैं और वे यह जो संशोधन कानून में ला रहे हैं यह भी एक ठीक ही कदम है। जहाँ तक सरकारी कर्मचारियों का सम्बन्ध है, आज करप्शन जिन को टाउट्स या एजेंट्स कहते हैं उनके द्वारा चलता है, और फिर जैसे जैसे आप कानून बनाते जाते हैं उसी तरीके से रिश्वत के लेने का तरीका भी बदलता जाता है। अब इन्हीं दलालों पर रिश्वत निर्भर रह गई है। यह दलाल भी ऐसी एह्तियात बरतते हैं कि जब वे रिश्वत लेते हैं तो वे स्वयं जाकर उन नाटों को बैंक में या और कहीं बदल लेते हैं क्योंकि उनको शुद्धा रहता है कि कहीं नोट दस्तखत करके तो नहीं उनको दे दिये गये हैं। इस लिए दलालों के ऊपर जो पाबन्दी लगाई जा रही है कि वे भी गिरफ्त में आ जायें यह भी एक ठीक ही कदम है। एक बात मैं यह कहना चाहता हूँ कि पिछली बार कानून में जो संशोधन किया गया था उसमें रिश्वत लेने वाले के साथ साथ देने वाले को भी मुजरिम बना दिया गया था, लेकिन उसका कोई अच्छा असर नहीं पड़ा। उससे हुआ यह कि आज बहुत से लोग बतलाने के लिए तैयार नहीं होते हैं। आज जब लोग रिश्वत लेते हैं और रिश्वत देने वाला रिश्वत लेने वाले से कहता है कि आप रिश्वत क्यों ले रहे हैं, तो रिश्वत लेने वाला कहता है कि गड़बड़ मत करो, नहीं तो पकड़ा दूँगे क्योंकि रिश्वत देने वाला भी मुजरिम है। इस तरह रिश्वत देने वाले को डरा करके भी

[श्री नवाब सिंह चौहान]

लॉय रिश्क से लेते हैं। इसके अलावा अगर कभी यह मालूम हो जाता है कि रिश्कत देने वाला रिश्कत दे कर के फंसाना चाहता है, तो रिश्कत लेने वाला कह देता है कि अच्छा रिश्कत लाओ, और उसके बाद वह रिपोर्ट कर देता है और उसको फंसा देता है। इस तरह पहले वाला संशोधन रास्ते में आता है और रिश्कत लेने वाला पकड़ा नहीं जाता है। ऐसी हालत में मैं माननीय मंत्री जी से प्रार्थना करूंगा कि अगर हां सके तो वे उस पर विचार करें और उसमें फिर से संशोधन करवायें।

एक चीज मैं आपके सम्मुख और रखना चाहता हूँ। हमारी बहन श्रीमती सीता परमानन्द जी ने भी आपका ध्यान उस ओर आकर्षित किया। प्रॉविशियलिज्म या रिश्तेदारों की वजह से जो रिआयतें होती हैं उनकी तरफ भी ध्यान दिया जाय क्योंकि इसकी वजह से भी बहुत से अन्याय हो जाते हैं। इसके अलावा चाहे छोटे कर्मचारी हों चाहे बड़े कर्मचारी हों उनमें से, दोनों में से ही कुछ तो रिश्कत लेते ही हैं। लेकिन अन्तर दोनों में यह है कि छोटे कर्मचारियों में स्वर्ण चलता है, सोना चलता है, पैसे की रिश्कत चलती है, और बड़े कर्मचारियों में स्वर्ण, सुन्दरी और सुरा इन तीनों चीजों की रिश्कत चलती है। मैं यह नहीं कहता कि सब बड़े कर्मचारी बुरे हैं। उनमें कुछ इतने अच्छे और कुशल हैं कि उनके सामने नतमस्तक हो जाना पड़ता है। फिर भी कुछ ऐसे कर्मचारी हैं जिनके पास शराब और स्त्रियों को भेज कर लॉग प्रॉमोशनस पाते हैं। इस लिए इसकी जांच आप को करानी चाहिये। इससे भ्रष्टाचार फैलता है और यह एक कानूनी अपराध ही नहीं है बल्कि एक नैतिक अपराध भी है। इस लिए ऐसे कर्मचारियों को जो छोटे कर्मचारियों को इस तरह से फंसाते हैं और स्त्रियों को भ्रष्ट करते हैं उनको एक साथ निकाल देना चाहिये। बस मुझे यही कहना था और मुझे आशा है कि आप इस ओर विशेष ध्यान देंगे और इस बुराई को जल्द से जल्द निकालने का प्रयत्न करेंगे।

अन्त में मैं फिर माननीय मंत्री जी को इस बिल के लिये धन्यवाद देता हूँ।

SHRI B. N. DATAR: Mr. Deputy Chairman, while giving general support to the Bill under consideration, the discussion has rolled over to corruption in general, to imperfections in administration and other matters which, I might point out to this House with all deference, have no direct relevance so far as the subject under consideration is to be taken into account.

Sir, I would concede, as I have already stated, that this is a Bill of a limited application. I may, however, point out to the hon. Lady Member that it is not a "scrappy" Bill at all. It has nothing scrappy about it. Let the hon. Member understand that this is a Bill brought in all seriousness to meet a particular defect that Government have in view for eradicating corruption. Will the hon. Member use words after understanding their significance fully?

DR. SHRIMATI SEETA PARMANAND: It has no derogatory meaning at all. "Scrappy" also means short, sketchy, a fragment.

SHRI B. N. DATAR: "Scrappy" is a highly objectionable word. It is not "scrappy" at all. Let the hon. Lady Member understand it correctly. It is a Bill which is very important and which has certain objectives in view, though I am prepared to admit that it may not go to the extent of dealing with general corruption. Sir, I pointed out to this House already that in the course of the administration of the criminal law, as also of the Prevention of Corruption Act, certain difficulties were found, and these three difficulties have been taken into account. And this limited Bill, which is not really wide enough, I am prepared to accept, has been brought forward only for the purpose of meeting that particular point in view. And so far as the object that we have in view is concerned, I am very happy to find that almost all the hon. Members, including those opposite, have

accepted the position that the purpose is quite laudable. Therefore, Sir, it is not necessary for me to say anything more so far as the general merits of the Bill are concerned. Sir, during the course of the discussion, my hon. friend, Shri Mathur, brought in the Railway Ministry, brought in a number of other circumstances also, and some other Members also made certain suggestions. Therefore, with your permission, Sir, I would very briefly, within five minutes, make a reference to the points urged, and try to meet them as far as possible.

Now, Sir, my hon. friend, Shri Mathur, stated that the Railway Ministry were not taking steps properly at all, and that the Railway Ministry were half-hearted, so far as the acceptance of the various recommendations was concerned. May I point out to the hon. Member that the Report of the Railway Corruption Enquiry Committee was received by the Government of India on 9th July, 1955? The date may kindly be noted. Sir, it is only five months now. And then out of the 152 recommendations that they have made—this Committee has made 152 recommendations only—even during the short time at their disposal, the Railway Ministry have already accepted 57 recommendations, and they are being given effect to. Then, Sir, two recommendations have been referred to the Home Ministry, because the Home Ministry are concerned with questions bearing on the administration of the Special Police Establishment. Then, Sir, three recommendations have been referred to the National Federation of Indian Railwaymen for their consideration, because corruption, you will find, has certain outlets, and therefore, if the whole field has to be tightened, then this Railwaymen's Federation also have to take certain steps. Then, Sir, one has been referred to the Ministry of Education. And only in respect of two recommendations was found that those recommendations were very rigid. For example, it was recommended that the Railway Public Service Commission should not be presided over by a retired officer.

Now, Sir, so far as the Railway Public Service Commission is concerned, it has to deal with certain highly technical matters, and Government have not accepted the position that all such Chairmen should always be ex-Railway officers or other officers, but they say that they must have certain discretion to find out other men, and if any good ex-Railway officers are available, then it ought to be open to the Railway Ministry to appoint them.

Then, Sir, so far as one more recommendation is concerned, that recommendation, which deals with the appointment of a high-powered technical committee, has been kept in abeyance for the time being, and the other 87 recommendations, Sir, are under examination. Under these circumstances, if this fact is taken into account, that within five months, nearly, or even more than that, half of the recommendations have been accepted, then it was not proper on the part of my hon. friend to have accused the Railway Ministry in the way in which he did. And therefore I would submit

SHRI H. C. MATHUR: May I request the hon Minister to refer to the particular point that I raised? > I never said that they are not implementing the recommendations of that Committee. I raised a particular point which was relevant to this matter. I referred to the recommendation particularly in respect of combating corruption, and that particular recommendation has already been examined by the Railway Ministry, and a particular action has been taken. I criticised that.....

SHRI B. N. DATAR: The hon. Member will kindly note that while speaking he did refer to the setting up of anti-corruption departments, but then in the heat of his argument, while developing that argument, he made a very sweeping charge against the Railway Ministry in general, and he stated that the Railway Ministry were half-hearted, so far as the recommendations were concerned.

[Shri B. N. Da tar.] And therefore, Sir, I had to meet this particular point specifically.

Now, Sir, even with regard to the particular point that he has raised, namely, the setting up of anti-corruption organisations in each Railway, independent of the Administrations, I might point out that the whole question has been examined by the Railway Ministry, and they have come to the conclusion that the anti-corruption organisation ought to function under the Chief Security Officer of the Railway, firstly because it has an aspect of the security work on the Railway, and secondly because it has as its head a senior police officer who would be expected to direct investigation of anti-corruption cases correctly. So the House will find that the Railway Ministry have taken up this question of setting up anti-corruption organisations. The only difficulty was about the procedure or the persons under whom that particular administration has to be run.

Then, Sir, I would like to point out to the hon. Member, as also to the House, that in that very report that has been published, we have got very clear statements to show that there are other organisations also. For example there is the public in general which also has its own obligations, so far as the eradication of corruption is concerned. And I would point out to the hon. Member how two important Unions, for example, the Railway Employees' Union, were approached that if a particular officer has been found to be corrupt, if he ought not to continue as a member of that Union at all, but the Railway Employees' Union did not accent this position. And this is what the Report itself has stated:

"We regret to say that the majority of the Railway Employees' Unions have given no serious thought to the prevalence of corruption amongst their members. In the evidence given by their representatives, they invariably blamed the higher officials and held that the

latter's demands obliged the lower staff to indulge in bribery and corruption. With this attitude of mind, the Unions have taken no active steps to eradicate corruption from among their members."

Then, Sir, the business community also has been blamed. Paragraph 21 in this Report states as follows:

"During the course of their evidence, Chambers of Commerce and other Trade Associations frankly admitted that they had not given any thought to the problem of corruption so far as it was encouraged by the trading community; nor had they thought of taking any steps for its eradication. Their organisations were mainly interested in the problems that directly affect the immediate interests of their constituents. TMs, however, we feel, is a short-sighted view."

Then, Sir, I would also like to read paragraph 23 which states as follows:

"One unfortunate feature was the tendency among many officials and some non-officials to throw the entire blame on our national character."

It would be wrong, Sir, to blame the national character in general. And then, Sir, I would just point out to my hon. friend, who flaunted this Report here yesterday and made a very strong speech, that it has been admitted by that Committee, in paragraph 24, as follows:

"All this, however, does not mean that there has been no improvement in the working of the Railways over the conditions that prevailed during or immediately after the last world war. Yet the extent of corruption is still so great and widespread that a concerted drive will have to be made and sustained for a long period to have any appreciable effect."

Therefore, I would point out to my hon. friend that Government have been absolutely serious, and even so

far as the Special Police Establishment is concerned, in that very report itself, figures have been given as to the cases enquired into by the Special Police Establishment so far as general cases against officers in other Ministries are concerned and also so far as the Railway Ministry is concerned, and I would point out to my hon. friend that in paragraph 176 they have quoted various cases; *e.g.* with regard to 1951, 1952 and 1953, you will find that so far as the Delhi Special Railway Polk' Establishment is concerned, they dealt with higher officers, gazetted officers, and not with the lower ranks. So far as the lower ranks are concerned, whenever a corruption case comes up, it is dealt with in the ordinary routine manner. So far as gazetted officers are concerned, so far as the higher officers are concerned, the Government of India in 1951 registered 231 cases. Two hundred and twenty-two cases were sent up for trial, and out of them, in 104 cases convictions were obtained. Also figures have been given for various other years also. I would assure this House that Government have no desire to tinker with the problem, as my friend. Mr. D. Narayan pointed out. Corruption has gone down, though now more instances of corruption are coming in because formerly during the British administration, people were nervous to come forward, but now they are coming forward. I would assure this House that Government are absolutely serious so far as the eradication of corruption is concerned. I am very happy that certain very constructive suggestions have been made by my hon. friends, Mr. Bisht, Prof. Ranga and Mr. Govinda Reddy. I am afraid that Mr. Govinda Reddy's experience is not the general experience at all. Whenever any cases either of corruption or of irregularity are brought to our notice, unless the letter is a very routine letter, we do not allow the letter to pass on. The letter remains with us and in some cases we do not even pass on to the office the name of the private person who has given the information. In most cases I may assure my hon.

friend that we get the matter investigated into independently of the person against whom accusations have been made, but in a very large number of cases, it often happens that, whenever a Member of Parliament sends some information, the information is either exaggerated or in some cases the information is not correct at all. But whenever any cases of corruption came to our notice, I may assure the House that after independent and unbiassed investigation, Government have always taken action and Government have not at any time departed from their desire to see that justice is done.

Then, Sir, I would point out that we are taking very strong steps, so far as departmental enquiries are concerned, and I do not know of any departmental enquiry which is being carried on in the way in which my hon. friend has described it. As a matter of fact, we take a stricter view in departmental enquiries because here it is entirely for us to go into the matter. Whenever the enquiry officer's report comes in, we take very strong and severe action. I may point out that only when we feel that the ends of justice are not satisfied by the punishment meted out after departmental enquiry that we take the matter up to a court of law. You will find that during the last so many months Government have taken action against very high officers, even Secretaries of the Departments of the Government of India, and this alone would show that Government are neither silent nor are they tinkering with the problem of corruption, because Government desire that corruption has got to go. Secondly, we are also trying to tackle this problem by the creation of two other Departments. One is the Organisation and Methods-Department which is dealing with questions of inspection and a number of other questions so far as departmental efficiency is concerned. In addition to this, as the House knows, we have also got a Vigilance Department. The object of this Department is to see that all

[Shri B. N. Datar.] the circumstances in Departments which tend to foster corruption are removed. Though it is only three or four months during which this Department has been working, I may inform the House that we have got the co-operation and co-ordination of all the Ministries, and I am quite confident that in the course of the next few years, the combined efforts of the Special Police Establishment, the Organisation and Methods Division and the Vigilance Department will surely root out corruption to a very large extent.

Lastly, we all know that the British Police, especially the London Police, is extremely efficient, and generally they are above corruption, but you will find that even there charges are made sometimes with material and sometimes without material. I would invite the attention of the House to certain comments made by James Cowley in London Notebook published in the *Statesman* of 3rd December 1955. It would show that, there also such charges are made, but the Policy there are taking action almost in the same way as we are taking action here:

"The Metropolitan Police, or more accurately those of their number whose duties are in the West End, are under a heavy cloud of suspicion. Newspaper allegations of widespread corruption in their ranks have been refuted by the Commissioner of Police, who took the unusual step of calling a special parade of C. Division (West End) men to assure them of his personal confidence in their integrity and of his support amidst the smearing campaign which has lately gathered volume."

You will find that this did not stop there, because there might be black sheep here and there. Therefore, after this—

"Sir John Nott-Bower did however admit the existence of black sheep who brought the Force as a

whole into disrepute. It is this admission, coupled with the revelation that a number of long-service CID officers have been suspended or moved from the West End, that has increased public uneasiness."

Therefore, you will find that things are not so bright in other countries and so completely dark in India. Human nature being what it is, we must carry on an eternal fight against corruption, and whenever instances of corruption are found, naturally we have to take strong action to remove not merely corruption but even suspicion of corruption.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill further to amend the Prevention of Corruption Act, 1947, and to make a consequential amendment in the Criminal Law Amendment Act, 1952, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up the clause by clause consideration of the Bill. There are no amendments to clauses 2 to 4. The question is:

"That clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 1 the Title and the Enacting Formula, were also added to the Bill

SHRI B. N. DATAR: Sir, I move: "That the Bill passed."

PROF. G. RANGA: Sir, I wish to congratulate the h'on. Deputy Minister for Home Affairs for the last bit of phrase that he used today that it is the duty of the Home Ministry to see that not only corruption is put down but also even the suspicion of Corruption is;

eliminated. I wish to congratulate the Minister on this, and I hope that they would give full proof of this by the results that they would achieve in the near future.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

REVISED PROGRAMME FOR GOVERNMENT BUSINESS

MR. DEPUTY CHAIRMAN: Before we go to the next item. I have to inform hon. Members that the Business Advisory Committee, at its meeting held today, has settled the following revised programme for Government legislative and other business for the remaining part of the current session:—

1. The Bur Councils (Validation of State Laws) Bill, 1955. 30 minutes
2. Amendments made by the Lok Sabha in the Railway Stores (Unlawful Possession) Bill, 1955. 30 minutes
3. The Manipur (Courts) Bill, 1955. 1 hour
4. The River Boards Bill, 1955. } 5 hours
5. The Inter-State Water Disputes Bill, 1955. }
6. The Citizenship Bill, 1955. 8 hours
7. The Insurance (Amendment) Bill, 1955. 2 hours
8. The Delhi (Control of Building Operations) Bill, 1955. 2 hours
9. The Prevention of Disqualification (Parliament and Part 'C' States Legislatures) Amendment Bill, 1955. 30 minutes
10. The Indian Tariff (Second Amendment) Bill, 1955. } 2 hours
11. The Indian Tariff (Third Amendment) Bill, 1955. }
12. The Appropriation Bill (Supplementary Demands for Grants). } 2 hours
13. The Appropriation Bill (Demands for Excess Grants) relating to 1950-51. }
14. Discussion on the draft Notifications on Nomenclature of Decimal Coinage. 1 hour

The discussion on the S.R.C. Report will commence on the 19th December 1955.

In order to be able to complete this programme by the 23rd December 1955, the House should also sit on Saturday, the 17th December 1955, and dispense with lunch hour as and when required.

SHRI H. C. MATHUR: Mr. Deputy Chairman, from the allocation of time which you have just informed us, I think it would be almost impossible to give any fair treatment to these measures which are coming up for discussion before this House.

MR. DEPUTY CHAIRMAN: That is all the time that we have. We will sit through the lunch.

SHRI H. C. MATHUR: But it is so obvious that there are certain very important implications and there are certain very important questions and if we are to rush through the business like this, I don't think it will add.....

MR. DEPUTY CHAIRMAN: Your Party was also represented on the Committee.

SHRI H. C. MATHUR: I know it.

MR. DEPUTY CHAIRMAN: The Business Advisory Committee has decided like that. We will sit through lunch and if necessary, we may sit beyond

SHRI H. C. MATHUR: What is the use of our rushing through like this and it is neither fair to this House nor to any of us. Now you have allotted half an hour for the Railway Stores (Unlawful Possession) Bill and you have allotted two hours for the Insurance (Amendment) Bill. It took two days in that House for that.

MR. DEPUTY CHAIRMAN: It is only a formal amendment.