

SHRI D. P. KARMARKAR: Yes, Sir. My information is that this year the sulphur position is very much easier. Last year it was difficult.

SHRI V. K. DHAGE: Is the entire stock being utilised?

SHRI D. P. KARMARKAR: I should think so; in fact, we are importing in addition to our local production.

مولانا ایم-فاروقی : کیا امونیم

ہندوستان کے باہر سے بھی امپورٹ ہوتا

ہے ؟

†[MOULANA M. FARUQI: Is ammonium sulphate imported from abroad also?]

श्री डी० पी० कारमारकर : हां, हिन्दुस्तान के बाहर से भी इम्पोर्ट होता है ।

†[SHRI D. P. KARMARKAR: Yes it is also imported from abroad.]

مولانا ایم - فاروقی : کیا ہندوستان

میں زیادہ پیدا نہیں ہوتا جو باہر سے

ملکایا جاتا ہے اور کتنا باہر سے ملکایا

جاتا ہے ؟

†[MOULANA M. FARUQI: Is the production in India not sufficient that it is imported from abroad? How much is imported from abroad?]

श्री डी० पी० कारमारकर : जितना हम को चाहिये उतना नहीं होता है इसलिए बाहर से मंगते हैं । १९५२ में अप्रैल से अक्टूबर तक हमने ९९५७ टन इम्पोर्ट किया है ।

†[SHRI D. P. KARMARKAR: We do not produce as much as we need and therefore we import from abroad. From April to October in 1952, we imported 9,957 tons.]

JUDGMENT OF THE ORISSA HIGH COURT IN A CASE AGAINST A CLERK OF THE HIRAKUD DAM PROJECT

*717. SHRI C. G. K. REDDY: Will the Minister for IRRIGATION AND POWER be pleased to state.

†English translation.

(a) whether the Orissa High Court reduced the sentence passed on a clerk employed in the Hirakud Dam Project;

(b) whether in the course of the judgment, one of the Judges has observed that it would be worth while for Government to find out whether other officials were involved in the fraud; and

(c) if so, what action Government have taken or propose to take in the matter?

THE DEPUTY MINISTER FOR PLANNING AND IRRIGATION AND POWER (SHRI J. S. L. HATHI): (a) Yes, Sir.

(b) and (c). A certified copy of the judgment is being obtained. On receipt, it will be examined to decide what further action should be taken in the matter

SHRI C. G. K. REDDY: Is it a fact that the accused clerk in his confessional statement implicated the Executive Engineer, and in fact did say that he was in complicity with the Executive Engineer when this defalcation took place?

SHRI J. S. L. HATHI: Yes, Sir. He did make a confession before a Magistrate, wherein he involved some members of the staff of the Finance Accounts Office and also the Executive Engineer's office.

SHRI C. G. K. REDDY: Did the Government, on the basis of that confession, inquire into the matter?

SHRI J. S. L. HATHI: Government wanted to make inquiries into this matter, but as the original documents were all in judicial custody, it was not possible to proceed further. The original documents were required in the inquiry, and they were already before the court.

SHRI C. G. K. REDDY: Could they not have suspended the court proceedings.....

SOME HON. MEMBERS: No, no.

SHRI C. G. K. REDDY: suspended the officers meanwhile, or at least obtained certified copies of those documents?

SHRI J. S. L. HATHI: It was not possible to obtain the original documents from the court.....

SHRI C. G. K. REDDY: Certified copies?

SHRI J. S. L. HATHI: and, secondly, the matter was also *sub judice*, and he had withdrawn the confession which he had made.

SHRI C. G. K. REDDY: In view of the fact that a confession had been made implicating some high officials of the project, did not the Government think it proper that they should pursue this matter on the basis of the confession, whether they were able to get the original documents or not?

SHRI J. S. L. HATHI: It was not possible to pursue the matter, because the documents were not available. The question was one of forgery of the signature of the Executive Engineer himself. That was to be decided by the court.

SHRI C. G. K. REDDY: Was an application made to the court requesting it to place at the disposal of the Government such documents as might be necessary in order to pursue this matter?

SHRI J. S. L. HATHI: I may submit that the question was whether the signature of the Executive Engineer was a genuine signature of the Executive Engineer himself or whether it was a forgery. That was really one of the matters at issue. And supposing in the departmental inquiry it was held that the signature of the Executive Engineer was genuine, and supposing the court held that it was a forgery, there would have been a conflict in the decisions of the departmental inquiry and of the court. For this

reason it was thought that we might await the judgment of the court.

SHRI C. G. K. REDDY: Where are those officers now—those who have been involved in the confessional statement? Do they continue to hold those positions, or did the Government think it proper to transfer them or to suspend them or to take some other action against them?

SHRI J. S. L. HATHI: So far as my information goes, two of them have been transferred.

SHRI B. RATH: May I know if, after the confessional statement was made, Government obtained a certified copy of that statement after paying the necessary fees?

SHRI J. S. L. HATHI: That confession was subsequently withdrawn.

SHRI B. RATH: The High Court judgment mentions this confessional statement and says that investigating authorities were careless about bringing these persons for trial.

SHRI J. S. L. HATHI: The judgment was delivered on the 24th April, and immediately we applied for certified copies of it. As soon as we receive the judgment, we shall examine all the observations which the Judges of the Court have made and we shall certainly take action against all the officers who are involved in it.

SHRI AKHTAR HUSAIN: Is Government aware that the original file can easily be summoned for purposes of examination by the authorities concerned after the decision of the case?

SHRI J. S. L. HATHI: The judgment was delivered on the 24th April.

SHRI AKHTAR HUSAIN: Will the hon. Minister give an undertaking that the file concerned will be summoned from the High Court as soon as possible?

SHRI J. S. L. HATHI: Certainly.

MR CHAIRMAN Suggestion for action

SHRI K S HEGDE Will the hon. Minister kindly tell the House whether the confession was made during the course of the investigation or during the course of the trial?

SHRI J S L HATHI During the course of the investigation.

SHRI K S HEGDE Then what was the difficulty in investigating the case simultaneously against the others during the course of the investigation?

SHRI J S L HATHI Perhaps immediately after the confession, the case went to court. There is no intention on the part of Government to delay proceeding further. Action will be taken as soon as possible.

SHRI C G K REDDY In view of the reported serious observations of the hon. Judge of the Orissa High Court, did not the Government think it proper to ask the authorities under them in Orissa to secure a copy of the judgment immediately? Did they have to wait for a question to be asked before they acted in the matter?

SHRI J S L HATHI The judgment was delivered on the 24th April, and the information was received here on the 30th April. On that very day a telegram was sent for a true copy to be obtained. That was perhaps before the question was put.

SHRI K S HEGDE Does the hon. Minister realise that in a case like this, delay is serious, and it may be difficult to get proof, etc? If the confession was made during the course of the investigation, where was the difficulty in taking simultaneous action?

(No reply.)

DR. SHRIMATI SEETA PARNAND: Why does the Government have to wait to get information on these cases until cases are filed in the High Court? In the old days, it was

the custom to start departmental inquiries. I should like to know why Government does not start departmental inquiry. The Gorwala Committee has recommended that, rather than taking cases to the High Court, departmental inquiries should be held.

SHRI J S L HATHI In this particular case, it was, as I said, a question of forgery, and the case was handed over to the Special Police soon after it had been discovered.

SHRI C G K REDDY The hon. Minister said that two of those who had been involved in the confession were transferred. I should like to know whether the others involved in this confession still continue to enjoy the positions which they held in that project.

SHRI J S L HATHI No question of "enjoying" they are in service.

SHRI C G K REDDY Government did not think it proper that those who had been involved in the confessional statement, and against whom the hon. Judge has passed strictures should be transferred or suspended?

SHRI J S L HATHI The matter was not fully inquired into. The documents were not available. That is what I said.

SHRI C G K REDDY. What inquiry is it, when the Government takes about two years before thinking of taking action?

(No reply.)

PURCHASE OF HINDUSTAN CARS

*718 SHRIMATI SHOILA BALADAS: Will the Minister for COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that Government have issued directions that Government Departments should purchase only Hindustan cars; and