

own life. Example is better than precept. In his own incorruptible life and by his own incorruptible practices he tried to impress upon the people that by being incorruptible only will Indians be able to achieve not only Swaraj but Swarajya, i.e., the Kingdom of Heaven, or Rama Rajya as we would like to call it. Only if people are incorruptible, peace and prosperity will descend upon this country. With these few words, Sir, I support the Bill.

SHRI O. SOBHANI (Hyderabad) : Mr. Deputy Chairman, I had taken part in the discussion on the Penal Code Amendment Act and I had no intention to speak on this Bill. I was hoping that there would be complete unanimity on this Bill, because all of us are agreed that corruption and bribery are eating into the vitals of our society and must be eradicated ruthlessly. But I was astounded to hear [some of the speeches from the opposite side. Sir, I expected that they would j pick out certain sections in the Prevention of Corruption Act (II) of 1947 and would request the Government to tighten the Act still further. For instance sub-section (1) of section 2 of that Act reads as follows :

"It extends to the whole of India except Part B States and it applies also to all citizens of India outside India."

I cannot understand why Part B States should be excluded from the operation of this Act. Going further down, section 5(i)(a) reads :

"A public servant is said to commit the offence of criminal misconduct in the discharge of his duty if he habitually accepts or obtains or agrees to accept etc., etc."

Why 'habitually' ? If we want to eradicate this evil, we must nip the evil in the bud and not wait until an official acquires a habit. Further down in clause (d) again the words 'if he habitually accepts or agrees' occur. Section 6 reads :

"No court shall take cognizance of an offence etc., alleged to have been committed by a public servant except with the previous sanction....."

I would respectfully suggest to the Government to add after the word

sanction' the following words 'which shall not be unduly delayed'. Subsection (8) of section 6 reads "in the case of a person who is employed in connection with the affairs of a Part A State and is not removable etc." Here also I submit that the words 'Part A' should be deleted and this Act should be further amended so as to apply to all the States.

SHRI J. R. KAPOOR : It has already been done.

SHRI O. SOBHANI : I am glad to know this. One thing more that I would suggest is that witnesses who come forward to testify to the fact that a certain official has accepted a bribe should be given protection ; otherwise their lives would be made miserable. I do hope that at least in the case of such measures, the Opposition will come forward with constructive suggestions ; I appreciate the attitude adopted by our friend from Orissa. With these words, Sir, I support this Bill wholeheartedly.

SHRI KISHEN CHAND (Hyderabad) : Mr. Deputy Chairman, Sir,...

SHRI H. N. KUNZRU : It is 1 o' clock.

MR. DEPUTY CHAIRMAN : He can continue in the afternoon.

The House stands adjourned till 3-30 in the afternoon.

The Council then adjourned for lunch till half past three of the clock.

The Council re-assembled after lunch at half past three of the clock, MR. CHAIRMAN in the Chair.

AMENDMENT TO THE RULES AND PERSONNEL OF THE BUSINESS ADVISORY COMMITTEE

MR. CHAIRMAN : I have to inform the hon. Members that on the recommendation of the Committee on Rules, I have made an amendment to the Rules of Procedure of the Council

[Mr. Chairman.]
of States making provision for the constitution of a Business Advisory Committee. In pursuance of sub-rule (1) of rule 28A of the Rules as so amended, I have nominated the following Members to be the Members of the Business Advisory Committee:

Shri Krishna Moorthy Rao.
Shri Amar Nath Agrawal.
Shri Amolakh Chand.
Shri Prafulla Chandra Bhanj Deo.
Shri Laksheswar Borooah.
Shri Bimal Comar Ghose.
Shri Hriday Nath Kunzru.
Shri Satyendra Narayan Mazumdar.
Shri Manilal Chaturbhai Shah.

**PREVENTION OF CORRUPTION
(SECOND AMENDMENT) BILL,
1952—continued.**

MR. CHAIRMAN : We were on the discussion on the Prevention of Corruption (Second Amendment) Bill, 1952. Shri Kishen Chand.

SHRI KISHEN CHAND : Mr. Chairman, it is surprising with what rapid frequency some Members of the Treasury Benches are taking objection to the Opposition and instead of discussing the motion before the House, they hurl abuses at each other and the net result is that instead of discussing the Bill we get lost in the maze of abuses.

I submit that this Bill has the support of the entire House. Everybody realises that there is corruption in our country, and we have got to find ways and means of fighting corruption. The Opposition is not against this measure, but it is against the degree of this measure. The Opposition thinks that the measures adopted by Government are not sufficient, that they are not strong enough and that stronger methods and stronger measures are needed to root out corruption from our public life. Sir, the measures that have so far been adopted by Government, say in the

Indian Penal Code or the Indian Criminal Procedure Code or even the Bill which is before the House at present deal only with slight enhancement or the punishment or with procedural matters. Many Members feel that no anti-corruption steps have been taken by Government to deal with corruption in the higher offices, among the highest officers of the State, among even Ministers, for this type of corruption consists not in the taking of bribe or illegal gratifications in cash or in presents. That is corruption of a different type. Therefore these measures taken by Government are not going to help us in the matter. Corruption among such high officers or in the ministerial ranks consists of favouritism or nepotism. It does not consist of any taking of cash bribes or giving out permits or other things against money received by them. I do not think anybody has suggested that. But as the saying goes, even one fish spoils the pond; so even one bad Minister can spoil the whole administration. Therefore when we are trying to root out corruption, we have got to work from two ends. We have to work in the lower rungs of officers, where you have the petty police officer, the police inspector or the subordinate officers in offices, like the clerks, peons etc. They have got to be dealt with and for these officers or servants of the State the steps suggested by the hon. Minister are quite right and I think they will go a long way in rooting out corruption in these grades of public servants. But I submit that no steps have been suggested by the hon. Minister for rooting out corruption at the top, corruption of the kind that I have suggested. I could give one or two examples of corruption of that kind. Supposing, Sir, an hon. Minister, after retirement accepts the directorship of a big industrial concern. I do not say that in every case it amounts to corruption. But there may be cases where the acceptance of the directorship of a big industrial concern, after being a Minister, may indirectly amount to some sort of corruption, or rather I would say,

not the attainment of the highest type
of public morality. To give another