

that is the understanding we have given there.

MR. DEPUTY-SPEAKER: Do you want it to be postponed or not?

DR. THAMBI DURAI: What have you decided?

SHRI DINESH GOSWAMI: Definitely, if the House agrees to it, I will not come in the way.

MR. DEPUTY-SPEAKER: I think it appears that the Members agree that the cordieration of the Bill be adjourned to the next session of the House. With the agreement of the members, the consideration of the Bill is adjourned to a later date.

We now take up the next Bill, to provide for the establishment of Lok Pal.

*(Interruptions)*

PROF. P.J. KURIEN: You called me, Sir?

MR. DEPUTY-SPEAKER: It is adjourned, Mr. Kurien. We are not considering this Bill. This Bill is not being considered. You can have your say when the consideration starts.

PROF. P.J. KURIEN: I can say it now itself.

MR. DEPUTY-SPEAKER: You are not following, Mr. Kurien, the procedure in the House. It is not before the House now. We are proceeding to the next one. You can have your say when we take it up.

PROF. P.J. KURIEN: Are you going to the next Bill?

MR. DEPUTY-SPEAKER: We are going to the next Bill. Before that, at least something has to be done. Probably you are burdened very much and did not follow what I was saying.

16.02 hrs.

LOKPAL BILL

[English]

MR. DEPUTY-SPEAKER: Now we are

taking up the Motion that the Bill to provide for the establishment of the institution of Lokpal to inquire into allegations of corruption against public functionaries and for matters connected therewith be taken into consideration.

SHRI SAIFUDDIN CHOUDHURY (Katwa): The same thing about this Bill also. There is time constraint, and it should not be taken up. It may be adjourned to the next session.

SHRI PIYARE LAL HANDOO (Anantnag): These Bills, one after the other, are very important. But they will require more than three hours, with the result that the Kashmir matter which is pending for the last seven days, since the 21st of May, may be left over. I would request the Government to postpone consideration of these three Bills and instead move on to matters under Rule 193 because all the three are important and all the three should be discussed.

SHRI DHARM PAL SHARMA (Udhampur): I support the contention of Mr. Handoo. I am also concerned. I want to speak on that issue.

SHRI P.R. KUMARAMANGALAM (Salam): Mr. Deputy-Speaker, Sir, not only Mr. Saifuddin Choudhury is right, not only is Mr. Handoo is correct, but Mr. Dharm Pal Sharma is also correct. In the B.A.C. we had first set nearly four hours for the Lokpal Bill and six hours for the Prasar Bharati Bill and I presume that if we had applied our mind for the Constitution (Seventy-second Amendment) Bill it would have taken ten hours. We need twenty hours for all these three Bills and I do not think today there are still 20 hours left for the day, to get or these matters to take up these Bills. Really, this requires serious consideration. There has been some feeling expressed—I understand from the Treasury Benches—that they had made this assurance earlier that they would see that these Bills were passed, etc., etc. But they would understand that these Bills cannot be passed, like a

guillotine. They may not be chopped off in one minute and you cannot say, "Yes, you have to accept it as it is, where it is" because they deal with very serious matters.

MR. DEPUTY-SPEAKER: Bills are not guillotined the discussion is.

SHRIP.R. KUMARAMANGALAM: Yes, before they are guillotined, they should be considered. (*Interruptions*)

The real reason why this has come to this stage or this has come to a head is, that we have noticed that whenever the Treasury Benches and the Government have requested the Opposition, specially the main Opposition, that they want our cooperation specifically on the Bills issues set down for discussion and important points, they have had our cooperation. Even at times when they have not been able to get the requisite majority, even though they are a minority Government, they have tried to move Constitutional amendments. And we had to bend over backwards to cooperate with them every time, and we have cooperated, whether it was the Scheduled Castes and Scheduled Tribes Commission issue or every single one of them. But the misfortune is that from the very first session of this Lok Sabha, that is, from December itself, we have been requesting that the assurance given by the Leader of this House, the Prime Minister of India, that all the papers concerned with Bofors will be laid on the Table of the House, be fulfilled. We have been asking for it for a long time. We understand that they are unable to place the National Audit Bureau Report because of some restriction or understanding, which itself is very unfortunate. In fact, the Parliamentary Affairs Minister, a few days ago, in this House had said, "even if the Swedish Government says 'no', we will bring it." Of course, he is a poor man. I do not want to put him in an embarrassing situation of privilege. But then the Government has taken a stand that they cannot because, according to them, it will stop free flow of information. Let us forget about the free flow of information at the present moment. We do not want to stop it.

What about PMO files? We hope, the Swedish Government is not restricting this. Why do they not bring that at least on the Table of the House?... (*Interruptions*) All right, if not Bofors, why do they not place Airbus files? The whole House collectively said that Airbus files should be brought. The Minister himself has said that if the Presiding Officer or the Speaker wishes, he will do it. Why have they not been done?

Next is terms of reference. The Minister holds out a file and said, 'Here is the terms of reference. But I cannot do it.' Can he not place the proposed terms of reference on the Table of the House? It is very clear that we cannot but make an adverse presumption about their exact behaviour. They are hiding something. They do not want the truth to come out. They have been casting aspersions, allegations in very form that is possible on our leadership. They had won the election by cheating the people. They want to continue to cheat the people by giving fabricated stories in the Press, through their sympathetic media as well as using their ebullient methods of doing drama in this House. Sir, we want to make one thing very clear. We will not be able to cooperate in their morning these three Bills and in having them considered in this Session unless they place these papers on the Table of the House.

MR. DEPUTY-SPEAKER: Do you want them to be adjourned?

SHRIP.R. KUMARAMANGALAM: Yes, we want them to be adjourned.

[*Translation*]

SHRI MITRASEN YADAV (Faizabad): Mr. Deputy Speaker, Sir, this is our misfortune and also the misfortune of this House that important bills are before us on which serious discussions were to be held, however the session is coming to an end and everyone would like to seek but we are not able to get so much time. This is on account of the attitude adopted by our colleagues from Congress, who had been breaking all the traditions of this House for the last three

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days and not allowing the House to function in an orderly manner. It is because of this thing that we could not pass the Bill which are proposed to pass today. My suggestion is that these Bills should not be passed today and may be taken in the forthcoming session so that a proper discussion may be held on these bills. I think Government should have no objection in accepting this suggestion of mine. Since this is a democratic Government which has no place for vengeance which was very much common in the Congress regime. They used to pass the Bills without any worthwhile discussion. They have put an obstacle and my suggestion is that these Bills may be taken up in the next session.

[English]

DR. THAMBI DURAI (Karur): Mr. Deputy-Speaker, Sir, I also join with our friends in regard to the postponing of the Bills, namely Lokpal Bill; Prasar Bharati Bill; and Constitution (Seventy-second Amendment) Bill.

These are very important Bills. Sir, the time is very short. We cannot discuss the whole subject in a very short time thoroughly because most of the Members are interested to participate in the discussion. Therefore, we cannot rush and pass them suddenly in a very short time.

Sir, we want you to take up the discussions under Rule 193 in regard to Kashmir and LTTE, which is also very important.

By passing these three Bills immediately, nothing is going to happen. Therefore, I request through you to our friends to postpone item nos. 25, 26 and 27 to the next Session.

PROF. N.G. RANGA (Guntur): I agree with the observations made by my friend, Mr. Kumaramangalam in regard to the behaviour of the Government. I also support what your predecessor, the former Deputy-

Speaker and now a Member of our panel of Chairman, has said. I do wish to attribute any motives. But then to think of introducing a Bill like this in a symbolic manner in order to satisfy or salvage their own conscience at the fag end of the session, is not a respectable approach to this House not to speak of the public as a whole. I am in favour of the postponement. But at the same time, what is the use of bringing forward this Bill and seen earlier Bill. You kindly read the whole text of it. I do not think much thought was put into it. No effort seems to have been made to make a detailed study of the matter. I would like my hon. friends on the other side and the Government to take some trouble, circulate these Bills throughout the country during this recess, obtain public opinion, help public opinion also to express itself and to give it a shape, and then come back if possible by improving this Bill and then give notice of their own amendments. They must do some work about it. They must prove that they are really serious about it. This is a matter which has been hanging fire for several years. When the predecessor of this kind of a minority Government was in power at one time, there was this kind of a Bill. We discussed it but could not come to any conclusion. Thereafter, Congress Government also took it up. We could not come to any decision even then. Now this is the third stage. I would like them to show some interest in it and put some teeth into it and then come prepared so that it would be a Bill befitting the expertise of my hon. friend, the Mover of this Bill.

PROF. P.J. KURIEN: I have one serious complaint. This Government which talks of value based politics is trying to hide the facts. They have the facts with them. They should come out with those facts and place them on the Table. Otherwise, they should once for all stop their character assassination campaign against our leaders... (Interruptions)

[Translation]

SHRI DAU DAYAL JOSHI (Kota): You are talking of character assassination cer-

tainly this amounts to character assassination and the real facts will be known to the people of the country in due course of time. The efforts being made by Shri V.P. Singh will make Shri Rajiv Gandhi to stand in the docks. *(Interruptions)*

SHRI MITRASEN YADAV: Mr. Deputy Speaker, Sir, I have a point of order.

MR. DEPUTY SPEAKER: Yes, Mirasenji, what is your point of order.

SHRI MITRASEN YADAV: Mr. Deputy Speaker, Sir, my point of order is this that the item which is not on our agenda at the moment, the rules do not permit to discuss it.

Deviating from the subject matter of discussion, they are harping on Bofors issue continuously for the last three days and thus have wasted most of the time. Every now and then they would raise the Bofors issue which wastes the time of this house and an atmosphere of disorder is created. Why are you allowing them?

*(Interruptions)*

[English]

PROF. P.J. KURIEN (Mavelikara): Sir, on Bofors the Government as saying that they wanted to bring out the truth. Now, the truth is with them but they are hiding it. They should come out with the truth and tell the nation the real truth.

We offered our cooperation to the Government on reciprocal basis. We had requested that not only NAB report but also those files which the hon. prime Minister assured to place on the Table of the House, P.M.O. Files, but not placed on the Table of the House should be placed on the Table. Sir, that is only a breach of privilege... *(Interruptions)*

[Translation]

SHRI RATILAL KALIDAS VERMA (Dhanduka): Mr. Deputy Speaker, Sir, if he

wants to say something new, we will listen to him. We are sitting here for that only.

*(Interruptions)*

SHRI DAU DAYAL JOSHI (Kota): It was claimed that papers are traceable and the Swedish Government is not willing to hand over the papers to us. But now all the papers have been received in India.

*(Interruptions)*

[English]

PROF. P.J. KURIEN (Mavelikara): Sir, hon. Prime Minister having assured in this House that he would place on the Table of the House PMO files and all other documents, has backed out on that. What a value based politics is it Sir. That is also a breach of privilege... *(Interruptions)*

MR. DEPUTY SPEAKER: Please complete it.

[Translation]

SHRI MITRA SEN YADAV: Mr. Deputy Speaker, Sir, why don't you take up discussion under Rule 193, why are you allowing them.

MR. DEPUTY SPEAKER: Mitra Senji, you please sit down. What I have to do I will decide myself.

[English]

PROF. P.J. KURIEN : Sir, we are cooperating with the Government in passing these Constitution (Amendment) Bills. Before there was a meeting. There was some understanding that there would be commitment here regarding these papers. That commitment was not so far forthcoming. They are not even committing when these papers would be placed on the Table of the House. Therefore, I would like to submit that we cannot cooperate with the Government any more in passing these Bills that are put forward. So, if they want they can postpone

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these Bills to the next session and then we will see to it, and more important discussions, about which I think everybody will agree, on Kashmir and also on the activities of LTTE in Tamil Nadu be taken up. We cannot cooperate with the Government any more in passing these Bills. Therefore, I submit that they may be postponed and discussion under rule 193 on Kashmir be taken up just now.

[Translation]

SHRI BHOGENDRA JHA: Mr. Deputy Speaker Sir, I may also be given an opportunity to say something.

MR. DEPUTY SPEAKER: Bhogendra Jha ji I will allow you in the next item.

[English]

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DIENSH GOSWAMI): Mr. Deputy Speaker, Sir, a demand has been made that items 25, 26 and 27 should be postponed.

MR. DEPUTY SPEAKER: No, we are discussing only item No. 25.

SHRI DINESH GOSWAMI: So, I will be responding only to 25. Sir, before I respond to this demand, I think I must put the record straight. Mr. Kumaramangalam has said that we have come to the power by cheating people... (Interruptions)

SHRI R. GUNDU RAO (Bangalore South): I am on a point of order, Sir.

MR. DEPUTY SPEAKER: Yes, let us hear Mr. Gundu Rao's point of order, please.

SHRI R. GUNDU RAO: Sir, I have seen in the House in the last several days that all the Members from both sides are concerned about the time. Several times the Business Advisory Committee meeting has been called and the matter has been discussed there by

the leaders of all the parties concerned. Then they come to the House and then the matter is discussed. But when the Bill is placed here for discussion, they should not have raised it again in the House. My experience in the Assembly is that once we discuss a matter in the Business Advisory Committee, it ends there. But here, by discussing it again whether we should take it up or not, we are wasting lot of time of the House. I do not think this procedure should be there. Once the matter is discussed in the Business Advisory Committee, it should not be discussed here again because there will be representatives from the Treasury Benches and there will be representatives from the Opposition side. After discussing the matter in detail in the BAC meeting, then again coming here and taking the views of the Members whether the matter should be taken up or not, is, in my opinion, not a correct practice. I leave it to your judgement.

MR. DEPUTY SPEAKER: Mr. Gundu Raoji, I am sorry that I have to say something which is not in consonance with what you have already said. In the Business Advisory Committee they decide and the matter is brought to the House and the House takes a decision and then it becomes the agenda and all that. What happened in the morning, after that also they had a Business Advisory Committee meeting and all the Members belonging to different parties agreed to certain things and probably they are trying to put forth their point of View. But, by and large, they are sticking to the agreement which was arrived at. Now, once the matter comes to this House as a part of the agenda, it is the property of the House. No committee or no Member or no Minister or nobody here can say that this will not be discussed. So, we shall have to take a decision here. I am sorry to say that.

SHRI R. GUNDU RAO: I quite agree with you, Sir. My simple point is that when they have agreed inside, no debate here is necessary and all the parties can agree.

MR. DEPUTY SPEAKER: No, we have to take the sense of the House. Otherwise

somebody may get up and say that he has not expressed or his party has not expressed. Then the position of the Presiding Officer becomes very difficult.

SHRI R. GUNDU RAO: That means the party leaders who are attending the Business Advisory Committee meeting, do not have the consent of their own followers.

MR. DEPUTY SPEAKER: What is decided in the Business Advisory Committee is not final, but what is decided in the House is the final... (*Interruptions*)

MR. DEPUTY SPEAKER: There is some substance in what you say, but we are trying to be doubly sure.

SHRIDINESH GOSWAMI: Mr. Deputy-Speaker, Sir, there is a demand from certain section of the House that the item No. 25 in the List of Business should be postponed. Before I respond to it, I must respond also to one statement made by my very dear friend, Shri Kumaramangalam, who has been called 'Mehbooba'. Mr. Kumaramangalam, why are you keeping apart? Please come and join the 'Mehbooba'. Sir he has said that we have come to power by cheating people. I take a strong exception to this statement because this is an insult to the Indian electorates. (*Interruptions*) Sir, I did not obstruct anybody, when they spoke. Sir, this has been my view that the Indian electorates may be uneducated in the sense that they might not have school and college education; they may be poor. But I do not think that any democratic country can claim that it has enlightened and conscious electorates. And when the electorates put somebody in power, I think my friends in the Opposition ought to have realised by now that they can do everything but they cannot cheat the electorates and because they have tried to do it, they are sitting on that side and we are sitting on this side of the House. (*Interruptions*)

Sir, we have now seen all sorts of cooperation they have given. Before point has been referred to by the hon. Prime Minister. I do not want to say anything on that. But I will

say that truth will come out. (*Interruptions*) When truth comes out, it will hurt them badly. Sir, so far as this Bill is concerned, I am strongly in favour that this Bill should be taken up for consideration and should be passed. We have made a commitment that immediately after coming to power, we introduce the Lokpal Bill and see that this is passed in this very session: Sir, this Bill was introduced earlier also. But the ruling party at that time never considered it right earnest and sent it to the Select Committee and ultimately the Bill was scuttled. This Bill was discussed in public in depth during the last three months, during the inter-session period.

Sir, the hon. Member, Shri Chidambaram, has himself given a number of amendments. Prof. Ranga pointed out that this Bill may be discussed in public also. But this has already been discussed in public. We have taken note of various views expressed by different sections of the community. I have before me important amendments submitted by not less a Member than Mr. Chidambaram. By this amendment we are giving power to the people of India to inquire into allegations against the top political functionaries including the Prime Minister of India. I believe that the sooner we take up this Bill, the better it will be for us to compete the discussion on this Bill. The question is whether we have got the time. We feel that there is time to pass this Bill. If there is political will, we can pass this Bill. We have the political will to do so, but Sir, I will go by the decision of the House. But ultimately the decision will also show who has the political will to pass this Bill and who lacks the political courage to pass this Bill. We will go by the sense of this House. But the Government's view is that this Bill be passed right in this Session, even if it means that we take two or three hours.

SHRI P.R. KUMARAMANGALAM: Sir, the Minister must realise that when I used the word 'cheating', I said specifically from the point of view that you dispossess the people of their right to elect fairly by misrepresentation by giving an illusion. (*Interruptions*)

MR. DEPUTY-SPEAKER: It appears that the Members agree that the consideration of the Bill be adjourned to the next Session of the House. with the agreement of the Members the consideration of the Bill is adjourned till a later date.

16.31 hrs.

PRASAR BHARATI (BROADCASTING CORPORATION OF INDIA) BILL

[English]

MR. DEPUTY SPEAKER: Now, we take up item No. 26—Prasar Bharati (Broadcasting Corporation of India) Bill.

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): Sir, I submit this on behalf of the Minister who has been called to the other House.

I will repeat what I stated regarding the other Bill that we are very keen to pass this Bill also because these are two very important commitments made by us—the autonomy of the Doordarshan and the autonomy of the electronic media. (Interruptions)

Sir, the curious part is that my friends are opposing the two Bills by which we are trying to give up power. We want to give up control over the electronic media and my friends are opposing. We want to make our Prime Minister accountable to the people, my friends are opposing. Sir, let the country judge about the *bona fides* of my friends.

About the Lok Pal Bill, there have been a number of Seminars, a number of discussions on this. (Interruptions)

The Minister himself has put this suggestion, and I do not find any ground whatsoever as to why this Bill should not be carried through. Our view is that we should carry through this Bill and I feel sorry that my friends of the Opposition are not cooperating

in this.

SHRI VASANT SATHE (Wardha): Sir, I am really surprised that my good friend who is also ... (Interruptions) His inner voice should really speak something from his throat, leave alone from his heart. He knows fully well and that is what was also agreed in the Business Advisory Committee, the drama that is being put up here now.

Sir, every one knows here that in the Business Advisory Committee, for Lok Pal Bill six hours are allotted, for Prasar Bharati Bill, 10 hours are allotted. For Delhi State Bill, it is not even given, we have not been able to allot time and if time was to be allotted, it will be not less than 10 hours.

Now, Sir, Kindly look at the watch. It is 4.30 here. Does anybody has any doubt that even a single Bill can be passed within one-and-a-half hours? (Interruptions). We go only up to Six O'clock. Till six O'clock if we have to sit, then one-and-a-half hours' time is there, unless of course the Government says that we will have further extension for two days or three days, it is a different matter. But is that what you are suggesting? It has not come yet. Therefore, Sir, everyone understands... (Interruptions)

SHRI DINESH GOSWAMI: You will agree that we pass important Bills in this House sitting late night. Therefore, we are not asking for something which is new. (Interruptions)

[Translation]

SHRI DAU DAYAL JOSHI: Sathe Sahib, you are already wasted so much previous time of the House in useless discussion. You are wasting the precious time of the House for the last three days. Otherwise these bills would have been passed long ago.

[English]

SHRI VASANT SATHE: Sir, it was also