

- (4) A copy of the Annual Report (Hindi and English versions) of the Controller General of Patents, Designs and Trade Marks for the year 1989-90 under section 126 of the Trade and Merchandise Marks Act, 1958.

[Placed in Library. See No. LT—2189/91]

- (5) A copy of the Annual Report (Hindi and English versions) of the Controller General of Patents, Designs and Trade Marks for the year 1989-90 under section 155 of the Patents Act, 1970 [Placed in Library. See No. LT—2190/91]

- (6) (i) A copy of the Annual Report (Hindi and English versions) of the Process and Product Development Centre, Agra, for the year 1989-90 along with Audited Accounts.

- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Process and Product Development Centre, Agra, for the year 1989-90.

[Placed in Library. See No. LT—2190/91]

12.01 hrs.

REPORTED SURVEILLANCE AT THE
RESIDENCE OF SHRI RAJIV GANDHI,
MP AND THE CONGRESS PARTY
OFFICE

[English]

SHRI C. K. KUPPUSWAMY (Coimbatore): Sir, this is a very serious matter. (*Interruptions*)

At this stage, Shri C.K. Kuppuswamy came and sat on the floor near the Table.

MR. SPEAKER: No. This is not the way. Please go to your seat. I will call you.

(*Interruptions*)

SHRI C.K. KUPPUSWAMY: You allow me Sir.

MR. SPEAKER: Mr. Ranga, will you please ask him to go to his seat? I told him that I will hear him.

(*Interruptions*)

At this stage, Shri C.K. Kuppuswamy went back to his seat.

SHRI ANBARASU ERA (Madras Central): Sir, I have got a reliable and definite information with me.

MR. SPEAKER: I will come to you. Please take your seat. The Prime Minister is on his legs.

(*Interruptions*)

[*Translation*]

THE PRIME MINISTER (SHRI CHANDRA SHEKHAR): Mr. Speaker, Sir, with your permission let me make a submission at the very outset. Daughter of an Hon. Member has been kidnapped. The Government is moving very cautiously in the matter. I would like to tell the Hon. Members that it would be better if a discussion is not demanded on this subject in the House. Government is trying its best. A discussion on the subject may complicate matters. I would, therefore, urge the august House to accept my request....

(*Interruptions*)

[English]

SHRI ANBARASU ERA: Sir, We have a very reliable and definite information that the Government is keeping a surveillance at No. 10, Janpath, that is the residence of Mr. Rajiv Gandhi and also at No. 24, Akber Road, the office of the All India Congress Committee. This is very serious matter. I want to know the sinister motive behind this and also the reason for spying our leader. Is it only to split the Congress? I want a categorical assurance from the Prime Minister in this regard.....(Interruptions)The Prime Minister was himself subjected to humiliation by tapping of his telephones by the previous Government headed by Mr. V.P. Singh. Therefore, I want a categorical statement from the Prime Minister regarding surveillance.....(Interruptions)

SHRI CHANDRA SHEKHAR: Mr. Speaker, Sir, What the hon. Member has said is quite a serious matter, but the only thing is that the Government is not having any surveillance; that I can assure. The fact has come to the knowledge because of the Government efforts itself. Two days back, there were two persons who were spotted before the residence of Shri Rajiv Gandhi by the Delhi Police, not by anybody else. They were questioned and they told the police that they are the intelligence men of Haryana Police.....(Interruptions)

MR. SPEAKER: Will you please give a patient hearing to the Prime Minister?

SHRI CHANDRA SHEKHAR: Soon after the Government came to know about this information, we instituted an inquiry. I assure the hon. Member that every possible action will be taken against those people who have indulged in this type of practice. It is totally unacceptable, it is totally unethical and the Government of India has nothing to do with it and I totally disapprove it.

SHRI L.K. ADVANI (New Delhi): Mr. Speaker, Sir, the hon. Member has raised the question of surveillance of Shri Rajiv Gandhi and of the Congress Party office and in reply to that what the Prime Minister has said just now makes the very murky situation even murkier, because now it has been revealed that the Haryana Government intelligence people were there at the residence of Shri Rajiv Gandhi. It is something which should stop completely. It is in that context that I would like to repeat what I have said the other day that the CBI report in respect of surveillance, phone tapping and snooping of political leaders should not be deemed as a very confidential document, which should not be revealed to the House officially. Now that report has been placed unofficially on the Table of the other House. I would once again plead with the Prime Minister and with the new Government, because I am sure that this Government has nothing to do with these practices. In order to put a fullstop to these bad practices, unethical practices, as you rightly called them, it would be in the fitness of things, if on the basis of that CBI report, this House is presented an opportunity of discussing the entire issue of surveillance of political leaders and political parties and in that context, whatever remedial steps are necessary, legislative as well as executive, are taken. This should not be deemed a closed chapter, otherwise it would go on and on.

SHRI CHANDRA SHEKHAR: I told the other day that it is not a closed matter nor a closed chapter. The Government is already looking into all aspects of this problem. I would also tell the House that after getting the whole report, I shall come to the leaders of the opposition and I shall get their advice and whatever remedial measures are needed, those will be taken either in the form of legislative or administrative action. I have already assured the House; I again repeat that.

My hon. friend, Shri Advani is very kind enough to say that I have not ordered any telephone tapping. I will consider it to be abhorrent to any democratic civilized country, that this should happen for the political adversaries. I assure the hon. Member that this Government is looking in this matter.....(*Interruptions*)

[*Translation*]

MR. SPEAKER: Mr. Sathe and Mr. Bansi Lal does anything remain to be said after the Hon. Prime Minister's reply?

(*Interruptions*)

SHRI BHAJAN LAL(Faridabad): Mr. Speaker, Sir as was stated by the Hon. Prime Minister just now that they belonged to the Intelligence wing of Haryana, will the Government order an inquiry on that basis?

MR. SPEAKER: Bhajan Lalji, I did not not ask you to speak.

(*Interruptions*)

SHRI BHAJAN LAL: All this was done at the instance of the State Government. (*Interruptions*)

MR. SPEAKER: Please take your seat. Sathe ji, I would like to know if anything is left for you to say after the Hon. Prime Minister's reply.

SHRI VASANT SATHE: No Sir, I have to make some other point.

PROF. VIJAY KUMAR MALHOTRA (Delhi Sadar): Mr. Speaker, Sir, the same party which is in power at the centre is ruling in Haryana. It clearly shows that.....(*Interruptions*)

MR. CHANDRA SHEKHAR: Mr. Speaker, Sir, I am not aware whether the

Government of Haryana had given any such order or they were doing on their own or at the instance of any officer. After collecting detailed information in this regard, I will make a statement in the House. But to say that the Government did it or something else is not proper.

MR. SPEAKER: Will you please take your seat. I asked you to take your seat. Shri Vasant Sathe you please make your submission in brief.

(*Interruptions*)

MR. SPEAKER: Satheji, I think that after the Prime Minister's reply there is no scope for any further submission. Still if you feel there is some scope, you may speak.

[*English*]

SHRI VASANT SATHE: Mr. Speaker, Sir, I am glad that the Government is aware of the seriousness of the problem. Probably, we will find time to discuss the whole question either in the context of that report of telephone tapping or ever otherwise. I feel that in spite of the assurance given by the Prime Minister unless this matter is settled, our whole democratic and parliamentary system itself will be jeopardised. So, here is an opportunity. Today it is Haryana; tomorrow it may be any other State. If a State Government can send their officers on their own or otherwise, I am afraid, the situation is very serious. The other day there was a beautiful cartoon by Laxman where a small police officer was shown as being penalised by higher-ups who were saying that he is responsible for breaking the law and order. I only hope that these two small officers, who have admitted that they came here on behalf of the State Government, will not be made a scapegoat because I don't think that any small petty officer on his own can take the risk of coming from a State and doing surveillance of ex-Prime Minister and Leader of an

[Sh. Vasant Sathe]

important political party. Today, it is one party, tomorrow it might be the Prime Minister himself on whose house a State Government may resort to surveillance. So, Sir, the matter cannot be taken lightly. I would request that serious note should be taken of this and the House must take serious action against the Haryana Government itself. Sir, I hope the Prime Minister will come with sufficient explanation about this incident. *(Interruptions)*

[*Translation*]

SHRI BANSI LAL (Bhiwani): Mr. Speaker, Sir, I would like to inform you that the C.I.D. Department of Haryana has a big office at Haryana Bhawan in Delhi. They have installed wireless sets there. The staff is stationed at Gurgaon from where they visit Delhi of and on in order to keep surveillance on all those M.Ps about whom they want information. Shri Sathe said that in this way they could go to the extent of bringing in the P.M. under their surveillance. Here I would like to tell him that the Prime Minister is already under surveillance of the Haryana C.I.D. The C.I.D. authorities of Haryana are already keeping surveillance on the Prime Minister. The Deputy Inspector General of Haryana C.I.D mostly stays in Delhi and he distributes AK-47 rifles to the members of Green Brigade from Haryana Bhawan itself. In view of this, it becomes a very serious matter. It should be taken seriously. *(Interruptions)* I would like to request the Hon. Prime Minister to hold an inquiry into this matter. It should be enquired as to what compulsions make it necessary for the Government of Haryana to keep such a large number of police personnel in Delhi. It should also be ascertained whether the Ministry of Home Affairs has issued them licence to install wireless sets in Haryana Bhawan and whether the vehicles of Haryana Police have been permitted to ply in Delhi with wireless

sets. If so, what are the reasons therefor? Since this comes under the Prime Minister's department, I would like to request him to order an inquiry into the entire matter. He should take it seriously and take stock of the situation himself. *(Interruptions)*

[*English*]

PROF. MADHU DANDAVATE (Rajapur): Mr. Speaker, Sir, on 9th of August, 1988 I had asked a Starred Question No. 198 on telephone tapping in this House. At that time, Shri Rajiv Gandhi was the Prime Minister. I have got a printed report of the Lok Sabha debates of 9th August, 1988. At that time the Prime Minister categorically declared in these words that no politician's telephone was tapped by the Centre. Sir, you have been given an authenticated copy of the CBI Report..... *(Interruptions)*

[*Translation*]

MR. SPEAKER: You have given notice of a Privilege Motion.

[*English*]

PROF. MADHU DANDAVATE: Sir, in the CBI Report, it has been categorically stated:

" It has been found that the phones of the following political persons were intercepted during the period indicated against....."

The names of many politicians are there and they are all known. It is therefore clear that while replying to supplementaries on my starred question 198 on 9 August 1988, Mr. Rajiv Gandhi said that no politician's telephone was tapped by the Central Government. But the CBI Report has given a list of politicians. Therefore it is clear that on 9 August 1988, the then Prime Minister Mr. Rajiv Gandhi tried to misguide the House

and committed contempt of the House. And therefore it is a breach of privilege of the House. I have given a notice against Rajiv Gandhi for a breach of privilege under Rule 223 and under Rule 222 I am seeking the consent of the Speaker to raise the question of privilege. I should be given permission. I have given all the documents.

SHRIDINESH SINGH(Pratapgarh): The hon. member has quoted from a report and you have permitted him to quote. Now I would request that a copy of that report be placed on the table of the House..... (*Interruptions*)

SHRI SAIFUDDIN CHOUDHARY (Katwa): Mr. Speaker Sir, allows me to have my submission. The report that I have given you is an authenticated copy. It is a true copy of the original. We are awaiting your ruling on that. If some hon. member quotes from a report, that should be placed on the floor of the House. The only thing is that it should be authenticated by him.. (*Interruptions*)

MR. SPEAKER: I know it please. It is under my consideration.

(*Interruptions*)

SHRI SAIFUDDIN CHOUDHURY: This issue is raised in the House. The report should be the property of the House.....(*Interruptions*)

SHRI SAMARENDRA KUNDU (Balasore): Today the Prime Minister has made a startling disclosure in the House. I must first thank the Prime Minister..... (*Interruptions*)

MR. SPEAKER: What is your point?

SHRI SAMARENDRA KUNDU: Let me first complete my say. Please listen to me Sir. Two things have come out very clearly. Surveillance has taken place. And the sur-

veillance, if what the Prime Minister has said is true, is against the former Prime Minister. I do not want to repeat what others have said. I only want that the report on this matter and the action taken should be placed before the House within a time frame. There should be a time-bound programme. It should not receive the same fate as that of the CBI Report. Also, this matter should be referred to the Privileges Committee. (*Interruptions*) I want to know by what date this inquiry would be completed and the report of the inquiry committee be placed on the Table of the House.

SHRI SOMNATH CHATTERJEE (Bolpur): Sir, I am not going into the phone-tapping report because it is before the Privileges Committee with which I am associated. We are looking into that. But the other issue is very important. Mr. Anbarasu has raised the matter. The Prime Minister has admitted that some intelligence officers from a State Government are found to be stationed outside the residence of the former Prime Minister, rather the *de facto* Prime Minister now! Two things arise. Surveillance of politicians is continuing. What was happening earlier is now continuing.

AN HON. MEMBER: Why?

SHRI SOMNATH CHATTERJEE: That is precisely we want to know why it is continuing. (*Interruptions*)

He has not denied that it is not continuing. It is continuing. (*Interruptions*)

SHRI CHANDRA SHEKHAR: I shall not deny anything.

SHRI SOMNATH CHATTERJEE: Very good. That is quite proper for him because this is something which you cannot deny.

Second thing is at which level and how long will it take to find out that these two

persons - at whose directions and at whose instance - have been doing it? Haryana is not far off. Now, what Mr. Bansi Lal has said adds to the dimensions of the matter. He said, there are many officials of the CID of Haryana stationed in Delhi and they are operating from Delhi. He is a former Chief Minister and I believe he himself was doing all that. (*Interruptions*)

SHRI BANSI LAL: Sir, I never did it. His party might have done it in West Bengal. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: When all these things are coming out-it appears to be admitted-now, I would like the Prime Minister to tell us at which level the direction was given to send the officers here. This is very important. Otherwise, this may also affect the Centre-State relations. The State Governments have become victims of surveillance from the Centre. That has been happening. Apart from telephone tapping, so many things are happening. Now, we find, an interesting thing is happening. Today, it is Haryana. It appears, naturally, that they want to destabilise this Government also.

SHRI CHANDRA SHEKHAR: Then, you should not destabilise it.

THE MINISTER OF COMMERCE AND MINISTER OF LAW AND JUSTICE (SHRI SUBRAMANIAM SWAMY): You are paying visits, courtesy calls.

SHRI SOMNATH CHATTERJEE: I pay 'courtesy calls' and not snooping in there.

So, this is a matter which should not be laughed at or laughed away. Therefore I would like to say even if the Government is always under pressure-that they should try

to find out what is the real situation. Do not wilt under pressure. You have to stand up and tell us, tell the country, what is happening which has agitated the hon. Congress (I) Members. Probably, they are thinking what they will do after this! The Prime Minister should tell us who directed these two officers to do this. This is a very serious matter.

DR. THAMBI DURAI (Karur): Sir, many Leaders have raised a very serious matter. Even our Prime Minister has accepted this, i.e. surveillance on political leaders.

SHRI INDRAJIT GUPTA (Midnapore): He gave the information. (*Interruptions*)

DR. THAMBI DURAI: We have raised this matter so many times in the same House as to how surveillance is taking place on different political leaders. In my State also, surveillance took place of Ms. Jayalalitha's residence. We had raised this issue also here. Her letters were intercepted and were taken by the police at that time.

This is a matter which is of very serious nature and the whole House is concerned about this. So, we had raised this matter earlier also.

Now, Mr. Bansi Lal has added one more thing and that is surveillance of not only the former Prime Minister's house but also the present Prime Minister's house. This is a serious matter. We have to take it seriously and should have a discussion on this also.

Prof. Madhu Dandavate has also raised another matter. He has also quoted something based on Mr. Choudhury's papers which he wants to lay on the Table of the House just now. He informed that you have not given your consent for that. But in spite of that, he has quoted from it. I want to know whether that will form part of the record.

[English]

PROF. MADHU DANDAVATE: It is an authenticated document.

DR. THAMBI DURAI: You have not authenticated it. I want to know whether this will also form part of the record which Prof. Dandavate has quoted regarding telephone tapping and he has quoted the names also. *(Interruptions)*

SHRI SAIFUDDIN CHOUDHURY: It should be laid on the Table of the House.

MR. SPEAKER: It is under my consideration.

PROF. MADHU DANDAVATE: Have you said that he is allowed to lay it on the Table?

MR. SPEAKER: No. I have not said it. I said, it is under my consideration.

(Interruptions)

[Translation]

SHRI RAM VILAS PASWAN (Hajipur): Mr. Speaker, Sir, I rise to support the notice for the Privilege Motion given by Prof. Dandavate against Shri Rajiv Gandhi.

[English]

PROF. P.J. KURIEN (Mavelikara): How do you allow the discussion on the Motion, Sir? How do you allow it? Are you allowing a discussion on the Motion? *(Interruptions)*

[Translation]

MR. SPEAKER: I have not given permission for it.

(Interruptions)

SHRI RAM VILAS PASWAN: All right; on whatever notice you have given permission, Mr. Speaker, Sir, this is very serious matter. *(Interruptions)*, please listen, do not shout..... *(Interruptions)*

The responsibility of protecting the rights of Hon. Members rests with you.

MR. SPEAKER: Why are you raising this point?

SHRI RAM VILAS PASWAN: All right, I am not speaking on Privilege Motion, I am speaking on the issue of telephone tapping..... *(Interruptions)*

MR. SPEAKER: You are not speaking on that.

(Interruptions)

[English]

MR. SPEAKER: Yes, he has given notice.

PROF. P.J. KURIEN: What is happening, Sir?

MR. SPEAKER: He is not speaking on that.

[Translation]

SHRI RAM VILAS PASWAN: I am not speaking on that. Sir, the Congress Party is the fountainhead of all sins. What is most unfortunate is that telephones of leaders like Shri Antulay and Kumaramangalam who are present in the House and that of Shri K.C. Pant who is not a Member now, were tapped. C.B.I Report has exposed this act of theirs. The tapping was done at the instance of Shri Rajiv Gandhi when he was occupying the office of Prime Minister. Later on, he denied his involvement. Shri Ram Krishna Hegde set an example in this regard when he re-

signed from Chief Ministership in the midst of telephone tapping episode. Therefore, I would like to know whether Rajiv Gandhi would resign his membership of Lok Sabha on the same count? Rajiv Gandhi came into politics.....

MR. SPEAKER: Please conclude, Mr. Paswan.

SHRI RAM VILAS PASWAN: Shri Rajiv Gandhi has no moral right to say such a thing when he himself ordered tapping of telephones during his tenure as Prime Minister.

MR. SPEAKER: That is enough.

[English]

PROF. MADHU DANDAVATE: Let it be clear: Dr. Thambi Durai has challenged that this is an allegation which he denies. Here are the record of the Lok Sabha, dated 9th August 1988. The then Prime Minister Rajiv Gandhi had said that no politician's
(Interruptions)

MR. SPEAKER: Mr. Dandavate, we are not debating it.

[Translation]

SHRI RAM VILAS PASWAN: I would expect the Prime Minister to give an assurance in the House that in future the telephone of political leaders would not be tapped. At the same time, I demand that the former Prime Minister, Shri Rajiv Gandhi should seek apology from the country.

[English]

SHRI SAIFUDDIN CHOUDHURY: Sir, you have now understood that the House demands a full discussion on this matter; and this has to be on the basis of the CBI

report; and we cannot close our eyes to the report. I have given the copy; I am now quoting from it. It says:

.....on the basis of some material that could, with considerable difficulty, be collected during investigation, it has been found that phones of following political persons were intercepted during the period indicated against each.

Messrs. Arif Mohammad Khan.
(Interruptions)

MR. SPEAKER: Take your seat.

SHRI SAIFUDDIN CHOUDHURY: No, Sir. I want to know from the Prime Minister.....
(Interruptions)

MR. SPEAKER: Yes; now the Prime Minister.

(Interruptions)

SHRI SAIFUDDIN CHOUDHURY: I demand that you give your ruling, Sir, just now.....
(Interruptions)

MR. SPEAKER: At the moment, I am not going to give my ruling.....

(Interruptions)

MR. SPEAKER: There are certain other things to be gone into.

(Interruptions)

MR. SPEAKER: Please take your seat.

Yes Mr. Prime Minister.

(Interruptions)

SHRI BASUDEB ACHARIA (Bankura): Why has he refused to place the report on

the Table? And the other hon. Member has tabled the report. (*Interruptions*)

[*Translation*]

MR. SPEAKER: Questions can be asked later on.

[*English*]

SHRI CHANDRA SHEKHAR: On the question of privilege, I have nothing to say. I have got up only to reply to the question raised by my hon. friend Shri Somnath Chatterjee, that this matter was known only on Saturday night. Yesterday was Sunday. Today it is Monday. It will not take a long time; and I assure the hon. Member that it will be decided expeditiously.

DR. BIPLAB DASGUPTA (Calcutta South): When? (*Interruptions*)

MR. SPEAKER: Now Shri Janeshwar Mishra.

12.29 hrs.

DEMANDS FOR SUPPLEMENTARY
GRANTS (RAILWAYS), 1990-91*

[*Translation*]

THE MINISTER OF RAILWAYS (SHRI JANESHWAR MISHRA): I beg to present a statement (Hindi and English versions) showing the Supplementary Demands for Grants in respect of the Budget (Railways) for 1990-91. (Placed in Library, See No. LT-2192/91)

[*English*]

MR. SPEAKER: Mr Dinesh Singh, what is your point of order?

SHRI DINESH SINGH (Pratapgarh): I have raised a point of order about a report from which the hon. Member Shri Madhu Dandavate has quoted.

He has quoted it. Under Direction 118 of the Speaker read with Rule 369, when the Member has quoted it from the report and is willing to authenticate it, it must be placed on the Table. How can there be a meaningful debate without it? They will go on quoting every day and we will have no access to the document. We do not know what is the document. Therefore, since you have permitted him to quote from that, it must now be placed on the Table. This is what is Direction 118. (*Interruptions*)

[*Translation*]

MR. SPEAKER: I have told Shri Dinesh Singh that the notice regarding authentication by Choudhury Sahib is under my consideration.

[*English*]

SHRI DINESH SINGH: I am talking of the report from which Mr. Dandavate has quoted, not Mr. Saifuddin Choudhury.

THE PRIME MINISTER (SHRI CHANDRA SHEKHAR): I shall like you to consider all aspects of this matter. And you have rightly said that you shall consider all aspects of the matter. I am not raising any objection. But the hon. Speaker should take into consideration whether this type of practice should be in vogue in this House or not.

*Presented with the recommendation of the President.