

11.29-3/4 hrs.

ASSENT TO BILLS

SECRETARY-GENERAL: Sir, I lay on the Table following ten Bills passed by the Houses of Parliament during the current session and assented to since a report was last made to the House on the 29th March, 1977:

- (1) The Appropriation (Vote on Account) Bill, 1977.
- (2) The Appropriation Bill, 1977.
- (3) The Appropriation (Railways) Vote on Account Bill, 1977.
- (4) The Appropriation (Railways) Bill, 1977.
- (5) The Tamil Nadu Appropriation (Vote on Account) Bill, 1977.
- (6) The Tamil Nadu Appropriation Bill, 1977.
- (7) The Nagaland Appropriation (Vote on Account) Bill, 1977.
- (8) The Nagaland Appropriation Bill, 1977.
- (9) The Pondicherry Appropriation (Vote on Account) Bill, 1977.
- (10) The Pondicherry Appropriation Bill, 1977.

11.30 hrs.

PETITION RE CONDUCT OF CHIEF MINISTER, CERTAIN MINISTERS AND OFFICIALS OF ANDHRA PRADESH

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I beg to present a petition signed by Shri Konda Lakshman Bapuji and twenty-one other members of Andhra Pradesh Legislature in respect of the conduct of the Chief Minister, certain Ministers and Government officials of Andhra Pradesh. (*Interruptions*).

SHRI K. LAKKAPPA (Tumkur):
On a point of order.

MR. SPEAKER: What is your point of order?

SHRI K. LAKKAPPA: This is under rule 160. There are certain rules laid down for submitting a petition. Shri Jyotirmoy Bosu, in his petition, has raised an objectionable matter. It pertains to the functioning of the States. The Chief Minister, certain Ministers and Government officials of Andhra Pradesh have been involved in this petition. Rule 160 clearly says in sub-section (b):

"any matter of general public interest provided that it is not one—

(b) which should ordinarily be raised in a State Legislature."

The subject-matter of this petition relates to the conduct of the Chief Minister, certain Ministers, and Government officials of Andhra Pradesh. It pertains to the State Legislature. Therefore, my submission is that, ordinarily, this can be raised only in the Legislative Assembly there. (*Interruptions*).

MR. SPEAKER: Please sit down. I have heard your point of order. You have yourself said 'ordinarily'.
Next item.

SHRI K. LAKKAPPA: What is your ruling, Sir?

MR. SPEAKER: No ruling is required. You have yourself said that 'ordinarily' it should be raised in the State Legislature. (*Interruptions*).

All of you may please sit down. It has been raised not once, but many times. It is not a new thing. I have not created any precedent here. It has been raised here earlier also. Whether it will be discussed or not is a different matter. But I cannot prevent a Member from raising it.

Mr. Charan Singh (*Interruptions*).

MR. SPEAKER: I had gone to item 14. Everything was over and the Home Minister was on his legs and then it is not proper to go an shouting live this.

THE PRIME MINISTER (SHRI MORARJI DESAI): I appeal to my friends on both sides to observe some decorum. I am not referring to any hon. Member individually. It is not for individual Members to regulate each other. I shall be very thankful to all the hon. Members if they refrain from regulating all these matters between themselves. I would seek the cooperation of the whole House in this matter.

MR. SPEAKER: I am glad that the Prime Minister has made this request. I do not think all of us could hear what was said after the Home Minister got up. I appeal to both sides not to indulge in cross-discussion, because then the trouble starts.

11.36 hrs.

STATEMENT RE: PROPOSAL OF GOVERNMENT TO ORDER INQUIRY INTO EXCESSES COMMITTED DURING THE PERIOD OF EMERGENCY

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): Sir, we have recently passed through one of the darkest periods of our history. The events following the proclamation of emergency have been a traumatic experience for all those who cherish the high ideals of our founding fathers and leaders of our struggle for independence. This is not so because some of us have undergone personal suffering, but because we saw before our own eyes the defilement of all the values for which we have lived and struggled. It is indeed a tribute to the political maturity of the people that there has been a peaceful

and orderly change and that we have now an opportunity to undo the wrongs of the past. We will, however, be failing in our duty if we do not take positive steps to ensure that the events of the recent past are not repeated in future and to expose the abuse of power by a handful of people who had unleashed untold repression and terror on the Nation.

Besides changes in the Constitution and other laws, this objective can be achieved only by bringing to book all those who are guilty of excesses, malpractices and misdeeds during the emergency, from the highest political authority down to the lowest functionary of the Government. We are not acting in a spirit of revenge or in anger (*Interruptions*) but only redeeming our pledge to the people and fulfilling thier mandate. (*Shri K. Lakkappa*: All the guilty men are now in the Government). Even, otherwise, it is only fair that those who are guilty, do not escape punishment. We want this to be a lesson to all so that in future none may dare misuse authority for personal ends.

We are aware that a large number of officials acted out of fear and under trying circumstances. We have, therefore, no intention of being vindictive. Nor would we allow any kind of witch-hunt. But those few, who, going out of their way, indulged in excesses to please others cannot be allowed to escape the consequences.

The list of misdeeds of the emergency is indeed very large. There have been a large number of cases of gross abuse of the powers of arrest and detention. There have been instances of maltreatment and atrocities on detenus and political prisoners. There has been compulsion and use of force in the implementation of the Family Planning programme leading to a number of violent incidents. In the name of the beautification of cities, there have been illegal demolitions leaving thousands homeless and taking them miles away from their