

have come on record. There has to be proper assimilation of facts and a proper perspective to be adopted, which is possible only by a judicial person having a judicial background or judicial service. Therefore, without taking much time of the House, I would like the Minister to consider seriously this particular amendment which I have tabled demanding that the Chairman should be a person with a judicial background.

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): I have listened very carefully to the arguments advanced by hon. members who have moved amendments to clause 5 which relates to the size and composition of the Press Council. I may mention that all the view points stressed have their own importance, because there is a case for everything. In fact, when we were discussing it in the Select Committee or when earlier I had discussions with various bodies of journalists and others the size of the Council has been a major constraint. Originally it used to be 27. Now it has become 29. Two M.P.s. have been added. There has been a demand from all sections—language press, editors and working journalists—all of them pressing for greater representation. We felt that on the whole this size of 29 should be maintained. It should not exceed. Otherwise it would become too unwieldy. For example, the suggestion given by Mr. Banatwala. So far as the last point made by Mr. Venkataraman and Mr. Borole is concerned, I would only say that the functions of this Council are in a large measure quasi-judicial and therefore, this point had to be borne in mind. But the Select Committee felt that it would not be proper to write this down into the law and make it possible for a choice of the Chairman who may not be a judge, but who is an outstanding man and who can be expected to perform his role properly. So without ruling out anything, the point that has been made will be borne in mind.

15.30 hrs.

MOTION RE: INCREASING PLAY OF MONEY POWER IN ELECTIONS
—Contd.

MR. CHAIRMAN: Now we will take up further consideration of the motion moved by Mr. Unnikrishnan on 29th August. Mr. Stephen, the Leader of the Opposition, may speak.

SHRI C. M. STEPHEN (Idukki): Madam Chairman, going through this motion and the contents of this motion, initially I want to make one or two observations.

It makes an assertion that the money power in elections poses a grave threat to the future of parliamentary democracy. I do not entirely agree with that postulation. Of course, it is some danger to the proper functioning of democracy, but I would like to point out that as emphasised by Mr. Samar Mukherjee yesterday, our people and our democracy have come up to a particular stage in which they have repeatedly proved that attempts to influence election by money need not always be successful, mostly it is unsuccessful. There is that measure of maturity among our people. An analysis of the election results would certainly indicate that. But much more than that, the danger of democracy is the ineffectiveness of the institutions that are created by the parliamentary processes. If the Parliament is not able to discharge its functions fully, if the Government is not redeeming its pledges to the people and if the Parliament as representative of the people fails to get the Government account for its failures and if, cumulatively, a measure of frustration results among the people, then the confidence of the people in the integrity and effectiveness of the institutions will go, and there lies the danger to parliamentary democracy. It is, therefore, necessary whenever the Parliament meets that the Parliament gets concerned with the vital issues

[Shri C. M. Stephen]

affecting the people. I had, on a previous occasion, to state that as far as this Session was concerned, we were functioning in a manner which would give an impression that the Parliament is becoming irrelevant as far as the national issues are concerned. After we started meeting, Madam, there was the announcement by the Government affecting the sugar policy, affecting the textile policy, affecting the economic structure in different areas, price situation became alarming, money supply started increasing, steps were taken affecting the foreign policy of the Government and yet we never cared to discuss any of those issues. When Parliament behave like that and Government behaves in a particular manner, and Parliament fails to call the Government to account with respect to the acts of omissions and commissions, according to me, it is there the danger to the Parliamentary institutions lies. I am not minimizing the importance of the postulates envisaged in this Resolution, but they are only partially true; that is what I say.

Coming on to the second part of it, "as evidenced by the recent revelations of collection of huge funds", there are two things. Firstly, funds were collected. It was presumed that the entire money that was collected was utilized for election purposes. The real charge is that it was not utilized for election purposes. What Shri C. B. Gupta said was that out of the money collected by Shri Kantil Desai for the elections—God alone knows how much was collected—Rs. 90 lakhs of collections were accounted for. Our Ministers collected, our party functionaries collected money; nobody knows how much was collected and how much was accounted for. There is no evidence that this money was utilized for election purposes. Therefore, Shri Unnikrishnan is very charitable when he says "as evidenced by the recent revelations of collections of huge elections funds". What happened was that the election was used as a

camouflage for the purpose of collecting money, and the money went in different directions. The essence of the matter is corruption in public places.

Now I do not want to point any finger of accusation against anybody. Last time when the No Confidence Motion was moved here, I had in my hand a bunch of papers from Shri Shibbanlal Saksena. But I said that I am not going to read out those charges against any of those Ministers, because I do not want to play the role of a drain inspector. It is not my job to find out who collected how much, from whom and how.

But there is a matter which should be the great concern of Parliament, irrespective of whether they are sitting on that side of the House or this side, and that aspect is the credibility and belief that is gaining ground among the people that things are not well and something is very rotten and stinking in the State of Denmark.

Now there were charges against some particular persons. Then it so happened that the Home Minister of India at that time came to a decision that things that were said warranted a deeper look and an investigation must be ordered. I am not one who has any admiration for Shri Charan Singh. I am one of his strongest critics. I have no adulation, either for his integrity or for his capacity. Nevertheless, the fact is that he was the Home Minister of India at that time. He took a view of the whole situation, he came to a conclusion that there must be a Commission of Inquiry and then he said: "if it is with respect to somebody else, I would have ordered a Commission of Inquiry. But, when the Prime Minister's son is involved, when any Minister's son is involved, when any Minister's wife is involved, I am unable to do that, because my own officers will not be able to investigate and find out facts". Therefore, he approached the Prime Minister. I

hope the hon. Members even on the other side will realise the position. The Home Minister of India, after examining a case, comes to a conclusion that in the public interest a Commission of Inquiry must be instituted. He also makes a statement that if it is another citizen of India, he would have straightway ordered the appointment of a Commission of Inquiry. But here the person concerned happens to be the son of the Prime Minister of India. Then he says: "Because the Prime Minister has taken this attitude, I am now giving up my battle against corruption; because, if the Prime Minister is of this attitude, it is impossible to carry on a campaign or take any action against corruption." Therefore, he says "I am a completely disheartened man, as far as the battle against corruption is concerned; so, I am giving it up."

Finally, he makes an allegation "I was removed from the Home Ministry, not for the reasons stated in the letter demanding my resignation, but for the reason that I demanded an inquiry into the allegations against the son of the Prime Minister." So, this is the major thing before this country—the Home Minister of India wanting an inquiry and the Prime Minister standing in the way.

Two questions come up here. One is the concept of equality before the law. If it was against somebody else, there would have been a commission already. But when it happens to be against one Shri Kanti Desai, with whom the Government has no relationship, the country has no relationship and the Parliament has no relationship, against him the Commission will not operate. The Prime Minister comes in the way. This is a very serious and very major factor, we must understand that. After that, now do the circumstances warrant that sort of an inference in the question. Now finally comes the revelation that Rs. 90 lakhs was collected and this was stated by Mr. Madhu Limaye and Mr. Biju Patnaik and Mr. Vajpayee confirmed that this amount was collected.

Then comes Mr. Gupta saying, "yes, the money was collected by him, sitting in the residence of the Prime Minister, money was received there, money was checked there and money was accounted for there, all in the sanctum sanctorum of the Prime Minister of India" and now the Prime Minister stands in the way. Is it justifiable? is the question. If that happens, where is any inquiry possible against anybody? Where is the equality before law? If you would tell me, Madam, I would take up the position that the Prime Minister should be the last person to express any opinion about this because this concerns his son. He should have left it to his Cabinet colleagues, and the Home Minister and he should have refused to do anything at all about this. But he comes in the way and the inquiry is blocked. He goes to the extent of having a battle with the Rajya Sabha. Rajya Sabha is a part of the Parliament of India, they take a decision and that is not being implemented. Then some other proposals are put forth saying, "make a specific charge"; that is the demand made. May I repeat that I have absolutely no charge at all? But the fact remains that the doubt has deepened and the doubt has got to be dispelled but nothing is being done to dispel that doubt. This is creating a complete subversion of the confidence of the people in the democratic system of this country.

This is the greatest danger, I am pointing out. The Home Minister said that he was surrounded by corrupt persons in the Government, the Home Minister said that people were collecting money, the Home Minister said that huge amounts were collected. These are all what the Home Minister of India said and he has come out as if he is a martyr in his battle against corruption and that he was martyred out. No explanation has come forward at all. What has the Party done? The Party, for all his adventurous behaviour, has now come out offering him the highest post in the party saying "come on, be the Chairman of the

{Shri C. M. Stephen}

party, but on one condition that you withdraw your demand for an inquiry, on one condition that hereafter you would not speak anything about corruption at all, if you will conspire with us, then the highest place in the country is before you, the Chairmanship of the ruling party is offered to you". Can there be anything more despicable than this? Can you put it under the carpet like this? The Ruling party offering the Home Minister, who was dismissed and who says 'I was dismissed because I battled against corruption', telling him forget about the whole thing, you come back to the National Council, you come back to the Parliamentary Board and Mr. Chandrasekhar will move out, you come on and occupy the Chairmanship, only on one condition, don't speak about corruption hereafter, don't make any charge against anybody hereafter and withdraw your demand for an inquiry and the throne is for you, come along"—that is the deal that is being struck. Well, Madam, the entire concept of battle against corruption is given away.

My only appeal to the ruling party is to consider the implication of the actions they have taken. May I in this connection draw your attention to what happened in England as to why exactly these inquiries were ordered? There are two cases to which I will just invite your attention. One is a case in which an inquiry was conducted unofficially and the view of the Lord Chancellor was that there were matters that should be investigated and the Prime Minister therefore took the initiative in securing the Establishment of a Tribunal. The investigation was ordered and the man was found guilty.

The other was the Bank Rate Inquiry which had a different history. Once again the result of inquiries was placed, first before the Treasury Solicitor and then before the Lord Chancellor. This time, the Lord Chancellor reported that inquiries had dis-

closed no case to investigate. Accordingly, the Prime Minister decided not to proceed. The rumours, however, persisted and the affair took on a more serious aspect when members of the Opposition associated with them a member of the Government. At this point, the Prime Minister had little choice, but to order a Tribunal, which, it should be emphasised, found that the rumours had no foundation. I am emphasising this. Here, your Government is saying "tell us the charges, give the charges in writing, give us something *prima facie* then we will order an inquiry." That is not the basis on which inquiries are ordered. This is a case where the Chancellor of the Exchequer found that there was no basis, and the Prime Minister gave up the move for an inquiry. But when the rumours persisted and, when a member of the Government was associated with the rumours, they said that the Prime Minister has no alternative but to order an inquiry commission under the Commission of Inquiry Act. The Commission of Inquiry went into it. It was found to be wasteful, whatever it might be. That is a different matter.

What I am saying is that the approach here is entirely different. Is it not a *prima facie* case here? Is it not a serious case that Rs 90 lakhs were collected. May I ask the hon. Finance Minister, did he inquire where the money came from? Did he inquire of the list of persons who gave the money? If the list of persons was given, should he not check up from the persons who paid the money to account for the money, whether it was black money? A chain of reactions will follow. Once you concede that Rs. 90 lakhs were collected, then a chain of inquiries will follow. Any other Finance Ministry should have immediately got on the trail and should have found out the persons who suppressed the whole money. Here, you are not taking any step at all. The main allegations are here.

Let us have a different approach to the whole thing.

The Prime Minister, unfortunately, dragged in the name of the Chief Justice of India in this case. It was most unfortunate that for this preliminary inquiry, the Chief Justice of India must come in. Supposing the Chief Justice of India, after a preliminary inquiry, gives a finding that there is something substantial, then will a Commission of Inquiry be asked to go into that? Is there something higher than the Chief Justice of India, the Chief Justice of India giving a finding and another Commission of Inquiry inquiring whether the finding given by the Chief Justice of India is valid or not. What sort of a thing is this?

Let us not forget the fact that this is the Chief Justice of India about whose appointment Mr. Shyamnandan Mishra took an objection and one of the charges of Mr. Raj Narain was that this Chief Justice of India was appointed without consultation with the Cabinet and another charge was that the opposition to the appointment of this Chief Justice of India was raised by the camp of Mr. Charan Singh. How can that inquiry have any credibility? I am asking that question. Therefore, the whole approach in this case is entirely different.

When the Rajya Sabha passed a resolution, you call it recommendatory. My hon. friend, Mr. Chandrapan, made a good point yesterday....

SHRI GAURI SHANKAR RAI (Ghazipur): On a point of order.

The Chief Justice of India should not be discussed that way.

SHRI C. M. STEPHEN: I assure you, not a single word more about the Chief Justice of India.

SHRI A. K. ROY (Dhanbad): I have got a counter point of order. The Chief Justice of India or anybody cannot be above Parliament.

Everybody can be discussed here.

MR. CHAIRMAN: The point of order is not under discussion.

SHRI C. M. STEPHEN: I entirely agree with Mr. A. K. Roy. I am not going to advert to that any more. I am not going into that.

The important thing is to what extent the Prime Minister has gone to protect his son. He has meddled with the operation of the Home Ministry. He has vetoed the decision of the Home Minister. He has cut across the recommendation of the Home Minister that a particular action must be taken. When the people speak about the recommendatory nature, I do not understand. The Commission of Inquiry Act, 1952 came. What was the position before 1952? Supposing there was no Commissions of Inquiry Act in this country, supposing the Parliament passes a resolution that in a particular case the inquiry must be instituted, would you say, it is only recommendatory?

Is a recommendation of a House of Parliament of no consequence? Is a recommendation of Parliament something you can put in a waste-paper basket, particular when the recommendation is with respect to a matter about which sufficient has been said and sufficient has surfaced to create deep suspicion in the minds of the people? Is it not in your own interest that the clouds must be removed? And if you are not going to remove the clouds, am I not justified in drawing the inference that your refusal to take action to remove the clouds is because you realise that the move will land you in trouble and expose you as really guilty? There is no escaping that fact.

How, Madam, it is absolutely clear that these are stinking and it is in the interests of everybody that the atmosphere must be cleared. Let us not take a rigid attitude about this. I am not speaking as a member of the

[Shri C. M. Stephen]

Opposition in this matter but as one- of Parliament which is concerned about the whole matter. Let us have a clear look at it and let us respect the decision of the other House and do the same thing. It is absolutely necessary. Merely because this House alone can remove a Ministry (Interruptions) it does not mean that the other House is of no consequence. The other House is not like the House of Lords. Our Upper House is an elected House: it represents the States and represents the federal character of this country. The MLAs elect the other House. It is a permanent House and that House is an elected body. That House must pass a Resolution; that House must pass your Constitutional Amendment. It is not so with respect to the House of Lords. The House of Lords may refuse to pass a law, but the decision of the House of Commons is final. But that is not so in the case of the other House here. Therefore, merely in our anxiety to protect one particular person, let us not throw to the winds the fundamentals that must govern the democratic functioning of this country. That is what is being done: that is what should not be done. Let us demand that the Prime Minister must be the last speaker to speak anything on this matter because the Prime Minister is involved in this matter. The Prime Minister must leave it to his Cabinet colleagues: let them decide it. The Prime Minister stands foursquare because he happens to be his son. It is a thing which is least expected of a person of his stature. So, I would appeal to the Prime Minister, through you, that he must consider the position and he must help the nation to clear the atmosphere. Let there be no doubt. The deep clouds have got to be dispelled. If we accept this Resolution in that spirit, this motion will have done a good service. It is in that spirit that I speak. I make a final appeal: the spirit of the appeal may be accepted by the Prime Minister.

विदेश मंत्री (श्री जयलक्ष्मिणी बाबुदेवी) सभापति महोदय, मैं इस विवाद में भाग्य करने के लिये नहीं खड़ा हुआ हूँ कल हमारे मित्र श्री उच्चोक्त्यन्त ने श्री रीतक सिंह के पासपोर्ट के मामले का उल्लेख किया था। उन्होंने यह प्रश्न पूछा था कि श्री रीतक सिंह का पासपोर्ट कैसे वापस किया गया था। इतना ही नहीं, उन्होंने यह भी भरोसा लगाया कि उस समय के गृह-मंत्री ने अपने दामाद को पासपोर्ट वापस करने के मामले में हस्तक्षेप करने दिया।

महोदय, मैं इस संबंध में, क्योंकि मैं विदेश मंत्रों के नाते इस समय काम कर रहा हूँ, इसलिए इस मामले से जुड़ा हुआ हूँ, मैं सारे तथ्य इस मामले के सदन के सामने रखना चाहूँगा।

श्री रीतक सिंह का पासपोर्ट 19 मई को जप्त किया गया था। बाद में श्री रीतक सिंह ने इस निर्णय पर पुनर्विचार के लिये आवेदन किया। आवेदन के साथ उन्होंने ...

MR. CHAIRMAN:—Which year?

श्री जयलक्ष्मिणी बाबुदेवी : यह एम.जॉर्जी के दौरान की बात नहीं है, 77 की बात है।

उन्होंने दो वर्षों मानना स्वीकार किया। पहली

'He would make himself available for any investigation or enquiry into the affairs of Maruti Ltd.'

दूसरी वर्ष थी—

'He would inform Government about his programme whenever he goes abroad.'

लेकिन हमने उनके आवेदन पर निर्णय नहीं किया, क्योंकि पासपोर्ट को जप्त करने के मामले उस समय सुप्रीम कोर्ट में पड़े हुए थे। कुछ मामले दिल्ली हाई कोर्ट में भी थे और सरकार उन मामलों के बारे में फैसलों को देख लेना चाहती थी।

14 नवम्बर, 1977 को भी रीलक सिंह ने पुनः आवेदन किया कि उन्हें व्यापार के लिए, व्यवसाय के लिए, विदेशों में जाना पड़ता है; जब भी आवश्यक हो, वह जांच के लिए अपने को उपलब्ध करने के लिए तैयार है, जो कर्तव्य रही थीं वे, उन्होंने मान ली हैं, उसके आधार पर उन्हें पासपोर्ट वापस कर देना चाहिए। सरकार ने फैसला किया कि उन्हें 45 दिन के लिए पासपोर्ट दिया जायेगा। उन्होंने उस मुविधा का उपयोग नहीं किया। वह अभी थोड़े दिन के लिए विदेश गये थे। उन का पासपोर्ट अभी सरकार के पास है। अगर वे कर्तव्य नहीं मानेंगे तो उन का पासपोर्ट वापस नहीं किया जायेगा। अदालत अगर फैसला करे, तो सरकार उसे मानने के लिए तैयार है। मुझे खेद है कि मेरे मित्र, श्री उन्नीकृष्णन, ने इस संबंध में तथ्यों का पता लगाने का प्रयत्न नहीं किया। अगर उन्होंने पता लगाने का प्रयत्न किया होता, तो—वह एक बिन्नेदार मेम्बर है—वह देखा है—बिन्नेदारीपूर्ण आरोप नहीं लगा सकते थे।

SHRI K. P. UNNIKRIISHNAN (Badagara): Did you make a reference to the Home Ministry? What did the Home Ministry write to you about that?

श्री अटल बिहारी वाजपेयी: महोदय, गृह मंत्रालय की ओर से पासपोर्ट इमपाउंड करने का सुझाव आया। विदेश मंत्रालय ने पासपोर्ट इमपाउंड किया। मैं जानना चाहता हूँ कि इसमें उस समय के गृह मंत्री के दामाद कहां से आये।

श्री के. पी. उन्नीकृष्णन: यही तो मैं पूछना चाहता हूँ।

श्री अटल बिहारी वाजपेयी: श्री उन्नीकृष्णन ने बहुत गम्भीर आरोप लगाया है। आरोप भी वही लगाते हैं और वही पूछना चाहते हैं।

SHRI K. P. UNNIKRIISHNAN: Do not get excited. There is nothing to be excited about like this.

SHRI ATAL BIHARI VAJPAYEE: It is the eternal right of Mr. Unnikrishnan to get excited. I know you put a question. You did not make any allegation.

SHRI K. P. UNNIKRIISHNAN: You say that this is not true. Please find out whether one advocate, Mr. Juneja, was involved in this case, whether he represented the matter.

SHRI ATAL BIHARI VAJPAYEE: No representation from anybody including so-called Juneja was received by the Government of India. I deal with impounding of passports; I deal with restoration of passports; and I will not be guided by the advice of any son-in-law or brother-in-law or daughter-in-law.

AN HON. MEMBER: Or even mother-in-law.

SHRI VAYALAR RAVI (Chirayinkil): We, the people of India, are proud of having established democracy in our country, and the people of India have demonstrated their inherent strength and faith in democracy on different occasions.

15.58 hrs.

[**SHRI M. SATYANARAVAN RAO** in the Chair]

As in other democratic countries which were dominated by capitalist forces, the money-power playing its role, in Indian politics also the money-power has played many a role. The money-power has acted as the king-makers. That is why, we, including you, Madam Chairman, the progressive forces in the country, want dilution of concentration of economic power and control of the growth of monopoly houses in the country. It is a vicious circle—the monopoly houses grow and gain support from political power and the political parties gain support from the monopoly

[Shri Vayalar Ravi]

houses; and this vicious circle has been going on. That is why we have always demanded that concentration of economic power should be checked and the growth of monopoly houses should be controlled. But we could not control the growth of monopoly houses; they have only enlarged; and the victims have been the millions of poor people of this country. That is why, in 1969, the ugly face of the money-power was witnessed in this country; this country witnessed in 1969 how the money-power could play its role in politics. But those people who believed in money power were defeated even though they had the support and strength of the money-power. The people in authority in those days believed and thought that with the money-power they could purchase anything, but the people of India proved that that impression was wrong. When they believed in money power, it was the beginning of a big fall. Every one knows what happened in the 1977 elections and what happened later is much more important to be looked into. Till 1977 everybody accused the Congress Party and the Congress Party government that they were responsible for every sin and every evil in the country and they were subjected to all sorts of accusations and abuses. But what happens to-day? Congress Party is no longer in power but a federation of four parties who are fighting with one another all the time, occupying important positions in the affairs of the country and they are ruling the country. Are they free from the vices which you accused the Congress with? The answer is 'No'. Now, the Janata Party fought two Assembly elections but you never accounted how you fought the elections and how you collected the money. They never accounted for it and we did not demand it at all. But what is happening must be looked into. Only the other day Shri Madhu Limaye, General Secretary of the Janata Party exposed how the Janata Party collected

money. He said in a statement that he has written a letter to the Prime Minister where he has said:

"The talk that Kanti collected funds for the Party in the recent Assembly elections I disbelieved, but now Atal, Biju and others confirm that he collected Rs. 80 lakhs."

This is what Mr Madhu Limaye has said. This is not a statement of any ordinary person but a statement of the General Secretary of the Janata Party and this has been confirmed by Mr C.B. Gupta, the Treasurer of the Janata Party. What does he say?

"Mr Kanti Desai in collecting Party funds helped me at the time of the last Assembly elections because leaders of the constituent units were not of much help..."

He continued:

"...So much so many Ministers and leaders of other constituents excluding Cong (O) and CFD have collected funds for the Assembly poll but distributed the money to their candidates and not accounted for it."

This is what the Treasurer of the Janata Party has said.

Sir, out of this three questions arise. I ask Mr. H. M. Patel, on what authority Mr. Kanti Desai collected money? It is only on the authority of his being the son of the Prime Minister and nothing more. If I go or somebody else goes, can we collect Rs. 90 lakhs in a minute? Secondly, how much did he collect and how much did he account for? You have to believe his own version.

Thirdly who gave the money? Please reveal the names of the people who donated funds to the Janata Party and find out whether they accounted it?

In this connection, it is worthwhile to remember--- I do not mind the Janata government instituting another Commission as they instituted Shah Commission and so many other Commissions and we never objected to that---you use the Central Bureau of

Investigation against the former Congress leaders. You raided their houses and you tortured them. You have lodged FIRs and you have instituted many criminal cases against the former Congress leaders. Mr Patel, under what authority do you prosecute the former Congress leaders when you are committing the same sin? I do not defend anybody. Under what authority do you do that? You have no moral authority to do it? Will you please ask the CBI to investigate how much money was collected by Kanti Desai? Will you please ask the CBI to find out how much money was collected by the Ministers and distributed and accounted for? Will you do it? If you do it, you will have to prosecute every Minister and Kanti Desai. So you are not doing that. You are using the CBI only against the former Congress leaders. This is sheer political vendetta. That is what you are doing all the time.

What does the Prime Minister say? He has said on the floor of the House on the other day 'I am not accountable for what Kanti Desai is doing.' May I remind you Mr. Patel—this is 1975 debate. You participated in the debate. Mr. Jyotirmoy Bosu moved a no-confidence motion against Mrs. Gandhi government. Mr. Bosu made a blistering attack on Maruti affairs. Mrs. Gandhi said, 'Nothing improper has been done'. This is the defence made by Mrs. Gandhi for her son—'Nothing improper has been done. Now Mr. Morarji Desai says, 'I am not accountable for my son.' what does it mean? Is there any difference? What moral authority have you got to prosecute Mrs. Gandhi and abuse her?

Now about the Minister's collection It is a clear case of the abuse and misuse of power.

Now, I come to the next point. Shri Charan Singh has made an allegation. He says that the Prime Minister is surrounded by corrupt men. The Prime Minister wanted him to withdraw that allegation. But, I appeal

to him not to withdraw that allegation. He can prove the charge. Who are those people who surrounded him? First comes Shri Kantibhai; then comes Shri Shanker and then the other Ministers. I do not want to go into details. I have nothing personally against Shri Kantibhai Prime Minister's son. In the No-Confidence Motion debate on the floor of this House, the Prime Minister defended his son. He said, I quote from the Debate on May 11th "he (Shri Kanti) went to London from Moscow via Teheran. If he would come here and then go there, it would cost more money." I appreciate it very much. It is very good if it is true. This is the Air-India time-table. From Bombay to London via Teheran there are only three flights. Air India goes to Moscow via Teheran and from there to London. It is cheaper to go from Moscow to London. Coming from Moscow to Teheran and going to London is not cheap. How can it be. The Prime Minister landed in Teheran on Friday, 28th October. That was a technical halt. I am not going into details of it. There was no flight on Sunday. According to the chart the flight was only on Monday and Wednesday. So, he stays at Teheran for three days. At whose cost? I can tell you, Mr. Bahuguna privately, that he stayed there as Indu Jha's guest who paid this money. The Prime Minister is misleading the House. This is the Air India chart. What does he want to say?

Shri Unnikrishnan quoted Shri Kuruvilla's case. I have nothing against Shri Badami also. What was the crime that Mr. Kuruvilla has committed when he was in Bombay. This is a letter dated March 1973. He asked the Bombay Office to dig out the missing file of Shri Kantibhai Desai. And he digged it out. That was the only crime that Shri Kuruvilla had committed. Mr. Kuruvilla is not at all responsible for the Income Tax notice sent to Mrs. Padma Desai. I do not want to go into details of these cases. You all know how Shri Ganapathi was thrown out or how Shri Kuruvilla was thrown out. When this issue was

[Shri Vayalar Ravi]

raised in this House. Mr. Patel never answered the question why he was asked to go on a month's leave before he retired. You have given extension to Shri Surendra Narayan, brother of the former (late) Shreeman Narayan for three months 16 days. What is these 16 days for?

In this connection I read from Shri Morarji Desai's statement on the floor of the House on May 11th "Whom did he influence? That was the old style. This is not the style now. Even the Prime Minister does not influence other Ministers. They are free to make the recommendation that they want." But what is happening? Shri Kuruvilla was thrown out even after the Finance Minister recommended. The Home Minister, Shri Charan Singh said that if he was very particular, certainly, he can have Shri Surendra Narayan by giving him one month's extension. The Prime Minister overruled and gave him three months 16 days. Is it not at the intervention of the other Ministers? He says he is not intervening. Shri Ganapathi was thrown out. I have many examples. I do not want to go into details. I am only pointing out that he is surrounded by corrupt men—I have great respect for the Prime Minister. You know what Shri Shankar did. I have no time to deal with Shri Shankar in detail. But I have to speak something about him. To-day there was a question in Parliament in the name of myself and Shri Unnikrishnan. Shri Shankar has connections with business houses of Birlas. I do not want to read the details. He is the director of nine firms—business houses. He has written a book on Sardar Patel wherein he says—I do not want to read it—as to how he saved Shri D. P. Mandella, the Birla man, when he was arrested in connection with Mahatma Gandhi murder case. When he was arrested in that connection, Shri Shankar saved him. He says:

'I released him'.

He says that in his book on page 17, Volume II. He is the director of many Birla companies.

MR. CHAIRMAN: Kindly conclude.

SHRI VAYALAR RAVI: The Prime Minister said that Shri Shankar is not intervening in anything. He is the man connected with big business. Now he is in the Prime Minister's Office as Principal secretary. All office files are passed through him. Can you make us believe that he never interferes? Are we fools to believe that? It is the place where angels were sitting. Now the devils are sitting. That only I can say. And, Sir, I do not want to go into details about the activities of V. Shankar. I can say Shankar forced the Prime Minister—I have sympathy for you—to write a letter to Mohan Dharis on Chaman Lal's case which even Indira Gandhi could not have done. The casualty is Mr. P. C. Alexander. I do not want to explain the details as there is no time. Shankar did it. There was the Polyester Filament yarn case which my Question brought to light. The Prime Minister signed the order, who made him to do it? This V. Shankar. I can say Shankar was associated with concord that is why Raja Challapalli got the exemption for 3,000 acres. Shankar drafted the letter. Shankar makes every appointment. He is dictating terms to the ministers and is becoming real ruler over the Prime Minister.

Unfortunately, Mr. Chairman, the Prime Minister thinks he is right. He is unfortunately so adamant that he is not prepared to hear to reasons. This is the only unfortunate thing for the country today. What is the reason for Shankar to come? Is he such a brilliant and capable man? Mr. Subramaniam was telling in the morning that he threw him out of the Ministry of Agriculture. What happened to the President of India. I do not want to drag the name of the President of India. I will only quote 'ONLOOKER':

"V. Shankar, ICS, is, according to political sources claiming proximity

to the President...the villain of the piece. President Reddy was reportedly irked by Shankar's high-handed efforts to censor his Republic Day speech."

Who was he? He was Secretary to Mr. Sanjiva Reddy when he was Minister of Iron and Steel. He is such a notorious character. He had been shifted from Ministry to Ministry and associated with big business. I do not want to go into personal character even though many stories are there. Does it mean in this country there are no capable people? There are no other capable IAS people in this country. Are there not people with integrity? The Prime Minister must be like Caesar's wife above suspicion. Is he? I say 'no' because he is surrounded by such corrupt people. (Interruptions)

MR. CHAIRMAN: Please conclude now.

SHRI VAYALAR RAVI: I am concluding. I do not want to go into details of BHEL deal in which George Fernandes is involved. For that I will take another opportunity. Siemens is the biggest finance source of Socialist International. They pay money to their masters in different countries including India. George Fernandes is selling this country to Siemens. (Interruptions) I do not want to go in details. I am prepared to prove it when I speak on the subject. I have got all the papers and documents. (Interruptions)

MR. CHAIRMAN: Please conclude.

SHRI VAYALAR RAVI: I conclude by quoting from the Editorial of the famous national newspaper 'Hindu' which is going to celebrate its centenary. I quote:

"It is difficult to say who, between Mr. Sanjay Gandhi and Mr. Kantilal Desai, can claim credit for generating more heat for the Government and more ill-feeling and wrangling within a ruling party."

It further says:

"Whatever the merits and demerits of the positions taken by the Prime Minister and his opponents on each of the issues, the real question is what the impact of all this is on the quality of government and on the attention the people's man-sided needs are supposed to get. A host of pressing socio-economic and developmental problems are waiting—have been waiting for long now for solution and the Janata Government has so far shown a remarkable insensitivity to this challenge."

Then the Editorial in the *Hindu* concludes:

"We would urge upon the Prime Minister to see the whole problem from a national angle, not what seems a rigidly personal one, and take the lead in displaying the type of statesmanship and disinterest that politicians of all hues should show if the vital problems of this vast and contradictory country are to be tackled in any meaningful way. Otherwise he, his Government and the Janata Party would have forfeited their right to continue to be in power."

May I remind you, Shri H. M. Patel? Mrs. Indira Gandhi came into power as the daughter of Jawaharlal Nehru. She had to go from power as the mother of Sanjay Gandhi. Mr. Morarji Desai came to power as a fearless, elderly statesman. But now he is known more as the father of Kantilal Desai than as Prime Minister. I warn you: It is the beginning of a big fall and it has begun.

SHRI P. K. DEO (Kalabandi): I would like to correct the record regarding what my hon. friend said. I have been associated with the Concord since its inception. The Raja of Chhillapalli has nothing to do with the Concord.

SHRI VAYALAR RAVI: I stand corrected.

बीजरी बनबीर सिंह (होजियारपुर) : इनकी बातों का हम को भी जवाब दे देने दीजिए।

सभापति महोदय : आपका नाम ही नहीं है।

श्री संकर बेच (बीदर) : हम कब से इंतजार कर रहे हैं, आप को भी समय दीजिए। हमारा अमेंडमेंट है।

SHRI K. P. UNNIKRISHNAN: In any case we have to extend the time. I cannot finish it so quickly.

MR. CHAIRMAN: Mr. Unnikrishnan, after all, I am in your hands. It is for the House to decide. I will not come in the way. It is already extended. Time was extended upto 4-30. Then, we have to take up the motion in the name of Shrimati Parvathi Krishnan.

PROF. P. G. MAVALANKAR (Gandhinagar): The time may be extended.

MR. CHAIRMAN: If the Minister agrees, I have no objection.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): Time was extended once already. It was made clear that this must be over at 4-30 P.M. If the House wants to extend the time, it will not be possible for the Government to find time tomorrow.

MR. CHIRMAN: That is all right. Now the hon. Minister, Shri H. M. Patil.

PROF. P. G. MAVALANKAR: I see the hon. Minister's point that it is difficult for him to find time tomorrow, which is the last day of this session. But in view of the fact that the nature of the motion is such that it does not ask Govt. to do anything by way of recommendation—it is a motion for ... (Interruptions) You cannot stop us can carry it over to the next session. We can have the rest of the discussion in the next session, if it is possible.

श्री संकरबेच : सभापति महोदय, अगर मुझे समय नहीं दिया गया तो हम वाक आऊट करेंगे। हम ने अमेंडमेंट दिया है। आपको हम को बराबर सुनना पड़ेगा।

सभापति महोदय : देखो भाई, हम क्या करें?

श्री संकर बेच : हमें भी पांच मिनट का समय दीजिए।

सभापति महोदय : आप बैठिए।

श्री संकर बेच : अगर आपने मुझे समय नहीं दिया तो हम वाक आऊट करेंगे।

SHRI K. P. UNNIKRISHNAN: In any case, we can't finish all this discussion so soon. Minister wants time; I may need some time; that is definite. There are many other hon. Members who want to speak also. I leave it to you.

MR. CHAIRMAN: You move it then.

SHRI K. P. UNNIKRISHNAN: I move: That we may extend the time for another hour.

MR. CHAIRMAN: Is it the pleasure of the House to extend it by one hour?

SEVERAL HON. MEMBERS: No.

MR. CHAIRMAN: The Noes have it. The Noes have it.

SHRI SAUGATA ROY (Barrackpore): The ruling party does not want to root out corruption in its own ranks. They are using money power which is playing havoc with the political life of this country. They don't want corruption in high places to be curbed. What can we do, Sir? We can only appeal to the Chair that the voice of the opposition must be listened to. The sons and the fathers do not dominate this country. There are people in this country who have neither sons nor fathers to dominate this country.

(Interruptions)

श्री सागर रॉय : राज्य सभा ने प्रस्ताव पारित किया था वह सचस्यीय समिति बनाने के लिए, वह भी नहीं बनाई गई है (इंटरप्शन) मैंने एमेंडमेंट दिया है। मुझे पांच मिनट का समय अवश्य मिलना चाहिए।

SHRI K. P. UNNIKISHNAN: What does the Minister for Parliamentary Affairs say? He is howling at us. Let him get up and tell us what he wants to say.

SHRI RAVINDRA VARMA: Sir, I take very strong objection to the remark made by Mr. Unnikrishnan. No one has howled at anyone.

MR. CHAIRMAN: Now, the time left is only 8 minutes. The Minister has to reply and then the mover of motion has to give reply. Then where is the time? That means it has to go to the next session.

SHRI SAUGATA ROY: It has already been moved. So, the debate on this motion can be extended by one hour.

SHRI K. P. UNNIKISHNAN: Let it go to the next Session. (Interruptions)

MR. CHAIRMAN: The hon. Minister has no objection if it goes to the next session.

SHRI K. P. UNNIKISHNAN: All right, I have no objection. But let Mr. Mavalankar and others get time to speak on this motion.

(Interruptions)

MR. CHAIRMAN: I have already called the hon. Minister to speak.

SHRI RAVINDRA VARMA: The difficulty is that my good friend Mr. Saugata Roy unnecessarily uses the opportunity to say that we are all in a way against this discussion. We are not against this discussion. There may be others who are against the discussion. But according to the Order Paper, which is based on the Business Advisory Committee's decision, Mrs.

3588 LS-13.

Parvathi Krishnan's motion will have to be taken at 4.30. Therefore, unless there is a change and the House accepts the change, we stand by the Business Advisory Committee's recommendation that the motion of Mrs. Parvathi Krishnan should come up at 4.30. If she agrees to take up her motion afterwards, then we can extend the time.

MR. CHAIRMAN: Mrs. Parvathi Krishnan, if you agree....

SHRIMATI PARVATHI KRISHNAN (Coimbatore): I do not agree to this. The incidents in the trains are increasing day by day. It is a very serious matter.

SHRI RAVINDRA VARMA: I have not asked her to agree.

MR. CHAIRMAN: Mr. Minister, let it go to the next session.

SEVERAL HON. MEMBERS: No, No.

SHRI K. P. UNNIKISHNAN: Let me remind the House that the Minister for Parliamentary Affairs who is also a responsible chief whip of the Treasury Benches cannot change or withdraw from the position he had taken earlier.

AN HON. MEMBER: He has not said so.

SHRI K. P. UNNIKISHNAN: He has said it.

SHRI GAURI SHANKAR RAI (Ghaziipur): The House cannot be bullied like this.

(Interruptions)

SHRI RAVINDRA VARMA: I want to accommodate you, and that is why I am say this.

(Interruptions)

If the suggestion is to extend it by half an hour, the only way it can be adjusted is that after the Half-an-Hour discussion, we agree to sit for half an hour today itself.

SHRI K. P. UNNIKRISHNAN: That is not possible. We accept the earlier suggestion. Let the other Members speak. We will continue this in the next session.

SEVERAL HON. MEMBERS: No.

SHRI K. P. UNNIKRISHNAN: He has made this offer and he must stick.... (Interruptions)

SHRI RAVINDRA VARMA: What response does the House expect from me for this shouting? There is an Order Paper. In the Order Paper, the hon. Shrimati Parvathi Krishnan's motion has been put down at 4.30 p.m. It has to be taken up unless she is willing to postpone.

MR. CHAIRMAN: She is not willing....

SHRI K. P. UNNIKRISHNAN: You continue in the next session.

SHRI RAVINDRA VARMA: At 6.30 there is a Half-an-Hour discussion. After that is over, if the House wants, it can sit for half an hour or one hour, but tomorrow, the Government cannot find time.

SHRI K. GOPAL (Karur): Not tomorrow, it can be carried to next session. We are not particular that it should be taken up today. You made a very kind offer.... (Interruptions)

SHRI RAVINDRA VARMA: My offer is after the Half-an-Hour discussion is over.

SHRI K. P. UNNIKRISHNAN: We will press it to vote. We will carry this confrontation; let me tell you, if this is the attitude that you are taking.... (Interruptions) You cannot stop us.... (Interruptions). You cannot bully us like this. (Interruptions)

SHRI VAYALAR RAVI: We are least bothered, whether you conduct the House.... You lamp posts go on shouting.... (Interruptions)

PROF. P. G. MAVALANKAR: We have got one minute left before it is

4.30. If my friend, Shri Unnikrishnan, says that let this motion go to vote, what will happen? The House will be voting on a motion which has not been replied to by the Minister. Therefore, if the Minister of Parliamentary Affairs agrees, since there is no question hour tomorrow, the first one hour can be given to this and finished or it can be continued in the next session.

SHRI RAVINDRA VARMA: After the Half-an-Hour discussion, we can sit for one hour.

SEVERAL HON. MEMBERS: No.

SHRI SAUGATA ROY: Sir, the Order Paper must be followed. At 4.30, Shrimati Parvathi Krishnan's motion must be taken up. If you are not able to finish today's business today, let it go to the next session; we do not mind, but this Order Paper has to be followed. We are prepared only up to 6.30 p.m. After that, we are not prepared to sit. This House has been extended for the convenience of the Government so many times; it cannot be extended till late hours like this.

MR. CHAIRMAN: It is 4.30 p.m. now, we will take up the motion by Shrimati Parvathi Krishnan.... (Interruptions)

SHRI K. P. UNNIKRISHNAN: How can you?

I move that this motion continues in the next session... (Interruptions)

PROF. P. G. MAVALANKAR: What is the position with regard to this motion? Is it talked out, or incomplete, or adjourned? Kindly clarify.

SHRI SAUGATA ROY: What is the fate of the Motion?

PROF. P. G. MAVALANKAR: Under rule 340, the debate on this Motion can be adjourned. This is my motion.

SHRI K. GOPAL: Can we take it that this can be taken to the next session? Do you agree?

MR. CHAIRMAN: I do not know what will happen. Anyway, the Minister of Parliamentary Affairs is saying something. Please hear him.

SHRI RAVINDRA VARMA: At the end of the Half-an-Hour Discussion, we can take this up for one hour. It is my motion.

MR. CHAIRMAN: The Minister of Parliamentary Affairs says that after 7 p.m. i.e. after the Half-an-Hour Discussion, there can be an one-hour discussion on this. Mr. Unnikrishnan, there should be some *via media*. We can now take up Mrs. Parvathi Krishnan's Motion.

SHRI SAUGATA ROY: Agreed.

SHRI RAVINDRA VARMA: Put it to vote otherwise.

MR. CHAIRMAN: The Minister of Parliamentary Affairs has now moved that this Motion should be taken up again at 7 o'clock for one hour. Is it the pleasure of the House to agree to this.

SEVERAL HON. MEMBERS: Yes.

MR. CHAIRMAN: Now we take up Mrs. Parvathi Krishnan's Motion. Mr. Yuvraj, He is not here. Mr. Kanwar-Lal Gupta.

16.31 hrs.

MOTION RE SERIOUS TRAIN ACCIDENTS OF SARAI GOPAL FLAG STATION LEVEL CROSSING AND NAINI STATION—contd.

MR. CHAIRMAN: We will now take up further consideration of the following motion moved by Shrimati Parvathi Krishnan on the 23rd November, 1977:—

"That this House do consider the statement made by the Minister of Railways in the House on the 14th November, 1977 regarding two serious train accident on the Northern Railway i.e., level crossing accident at Sarai Gopal Flag station on the 28th August, 1977 and collision between 103 Up Howrah-Amritsar De-

lux Express and Up CFC Special Goods train at Naini station on the 10th October, 1977."

श्री कंबर कालगुप्त : (दिल्ली सदर) :
सभापति महोदय, रेलवे ऐक्सीडेंट्स के बारे में विशेष पार्वती कृष्णन ने जो घोषण रखा है और इस सदन का ध्यान एक बड़ी समस्या की ओर दिलाया है, मैं समझता हूँ कि प्राज्ञ भी माननीय मंत्री महोदय ने जो प्रांकड़े सदन के सामने रखे, जिसमें उन्होंने बताया कि शैफ्ट और डकोयटी पिछले साल 222 हुई थीं और अभी तक डकोयटी 228 हुई और इसी तरह से प्रांकड़े बतायें कि 9.10 लाख रुपये का सामान भी चोरी हो गया। इसी तरह से ऐक्सीडेंट्स की संख्या भी उन्होंने दी है कि 1977-78 में 866 ऐक्सीडेंट्स हुए जिसमें 300 लोग मारे गये और 744 लोग घायल हो गये।

1978-79 के तीन महीनों में 259 ऐक्सीडेंट्स हुए हैं, जिन में 94 लोग मारे गये हैं और 278 इन्जर्ड हुए हैं। अब तक जो स्थिति हमारे सामने है, उसको देखते हुये घबर में यह कहूँ कि रेलवे में कोई बहुत सन्धा-बौद्ध सुधार हो गया है, या ऐक्सीडेंट्स कम हो गये हैं, या रेलवे में ट्रेकिंग की सेफ्टी बढ़ गई है, तो यह ठीक नहीं होगा। मैं समझता हूँ कि पिछले पंद्रह महीनों में, जब से श्री मधु बंधवते रेलवे मंत्री बने हैं—वह मेरे वड़े अच्छे मित्र हैं वह प्रयास भी बहुत करते हैं—जितना सुधार होना चाहिए था, उतना दिखाई नहीं देता है। ऐक्सीडेंट्स और सेफ्टी के बारे में स्थिति प्रायः बही है, जो पहले थी। मंत्री महोदय ने बताया है कि रेलवे का स्टाफ उसके लिए ज्यादा बोधी है। ह्यूमैन एलिमेंट पर डिपेंडेंस को कम करने के बारे में उन्होंने कहा है :—

"In order to reduce dependence on human elements various sophisticated aids like ultra-sonic detectors or wheel axles and rail track circuiting axles and automatic warning