

12 hrs.

INTRODUCTION OF MINISTER

THE PRIME MINISTER (SHRI MORARJI DESAI): Sir, I beg to introduce Shri Dhanna Singh Gulshan, the Minister of State in the Ministry of Education, Social Welfare and Culture.

12.01 hrs.

RE. QUESTION OF PRIVILEGE AGAINST HOME MINISTER

SHRI VAYALAR RAVI (Chirayinkil): Before we go on to the next item, I have to say that I have given a notice according to rules. I am raising only one basic question. There is a privilege motion against the Home Minister; and, Sir, you are referring it to him. My doubt is simple. This report has come from the Janata MPs. It says that the telephones are being tapped and surveillance is being done by the Vigilance Bureau, even about the members of the ruling party. In such a matter, you Sir, in your wisdom can decide whether there is a privilege or not. If the Speaker asks for comments from Mr. Charan Singh, naturally the latter is not going to admit that it is being done. Sir, you have to decide on the merits of the case; it is not from our side, but from that of the Janata Party. No less a person than the Defence Minister has said it. So instead of referring it to the Home Minister, Sir, you should please take a decision in this matter.

MR. SPEAKER: There is a direction of the previous Speaker, that in matters where a Member is concerned, Speaker must ask for his comments.

SHRI VASANT SATHE (Akola): What are you expecting from the Home Minister?

MR. SPEAKER: I will consider it

after I see the Home Minister's comments.

SHRI VASANT SATHE: Do you expect him to say that he is tapping the phones etc.? (*Interruptions*).

THE PRIME MINISTER (SHRI MORARJI DESAI): May I say something in this matter? These things which are being said and who ever has said them are all wrong. I have gone through this matter personally and I am satisfied that it is all wrong. There is some defect in the telephone system and it is not uncommon that there should be some disturbances. There is no question of tapping.

SHRI SAMAR MUKHERJEE (Howrah): The question of tampering and shadowing against our party was continuously going on, and repeatedly it was intimated to the Prime Minister and the Home Minister also, in the past. The Prime Minister is flatly denying it and say that due to technical defects, something is going on. I think the Prime Minister has not taken it seriously. I request him to take it seriously.

SHRI MORARJI DESAI: I consider the statement made by the hon. Member, that I am not taking it seriously, is a very serious matter. Within a week after I took charge I instructed the officers concerned, that if any telephones were being tapped, I should be shown the list; and if anybody is to be added to the list, my permission should be taken first. I have seen the list; and there is no reason to suspect that this thing is happening. (*Interruptions*). Government is bound to get information about people who use violence and about anti-social elements. The right of the Government is there to do it. It is with my knowledge that whatever is being done, is done. There is no question of any political activity being watched like this.

MR. SPEAKER: We shall take it up at an appropriate stage; not to-day.

SHRI A. BALA PAJANOR (Pondicherry): The Prime Minister has come out with a statement. (*Interrup-*

[Shri A. Bala Pajanor]

ions). I welcome it. But on the contrary is it a fact that in many States, the State governments say that they are shadowing say about 16 persons, may be for violent activities, but that very often they are tapping conversations only between political parties and conversations of people who cannot toe the line of the State Ministers or of the Cabinet concerned? We don't have the machinery to find it out. Will the Prime Minister—and of course the Home Minister who is not available here now—look into all the factors to ensure that the freedom which this Government has granted after the March elections is really made available?

SHRI MORARJI DESAI: If any tapping is being done by any people, it is not done to restrict freedom; it is done to ensure the freedom of all peace-loving people, law-abiding people. That is why it is being done.

SHRI MOHD. SHAFI QURESHI (Anantnag): Sir, on a point of order. You have stated that you have sent the privilege motion to the Home Minister to know the views of the Government. Now the hon. Prime Minister has said that this information is wrong, instead of waiting for the reply of the Home Minister, you can give your decision on the adjournment motion.

MR. SPEAKER: It is not a point of order.

12.05 hrs.

CONSTITUTION (FORTY-FOURTH AMENDMENT) BILL—Contd.

MR. SPEAKER: I have to inform the House that in view of discussion and voting on the Constitution (Forty-fourth Amendment) Bill, 1977, I have directed certain changes in the order in which various items are to be taken up in the House today. Members are already aware that the Calling Attention will be taken up at the end of the day before Half-an-

Hour Discussion. I have decided to permit a few Members to raise matters under rule 377. These matters will be taken up at 5 P.M. Thereafter the Calling Attention will be taken up and at the end the Half an Hour Discussion will be taken up. In case Members raising matters under rule 377 and those asking clarificatory questions on Calling Attention statement are brief, I hope that it will be possible for the House to complete the business by 6 P.M. as scheduled.

SHRI DINEN BHATTACHARYYA (Serampore): How will we know as to who are all permitted to raise matters under rule 377?

MR. SPEAKER: The Secretariat will inform the Members. He need not have any worry on that score.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): So far as voting on the Constitution Amendment Bill is concerned, it was suggested by some members that they would like to have their lunch at 2 O'clock and so the voting may be done at 4 O'clock, even though the debate may be concluded earlier. There are precedents in the past when voting has been taken at another hour. Since some of the members would not be present here at the lunch time, it has been suggested that the voting may take place at 4.30 p.m.

MR. SPEAKER: That is what I suggested to you yesterday. We will have voting at 4 O'clock. This debate will go on till 1.30 p.m.

SHRI VAYALAR RAVI (Chirayinkil): Sir, on a point of order. I am not questioning your ruling or decision; your directions are very clear. You have made a major change not only for the Constitution Amendment Bill, but also for two other legislative business, which have also been given priority, though those Bills are not necessary to that extent as the Constitution Amendment Bill. Therefore,