

[Mr. Speaker]

been ruled that in a continuing situation like breakdown of traffic regulations, all these matters are not matters for adjournment motion. That is the reason why I have not allowed any adjournment motion. A Calling Attention may be considered, or other methods may be considered. The other day an objection was raised: "You are raising it in the House." But I think it equally applies to this. The rule provides that adjournment ordinarily, not invariably, is rejected in the Chamber by the Speaker. I have given reasons for it; I have conveyed the reasons to you, also.

(Interruptions)

MR. SPEAKER: I pass no orders without giving any reason. I have made it a principle. Anything I have decided—I give reasons for it. I may be right, or I may be wrong. But I do give reasons. I have said, in your adjournment motion; "for the reasons I have disallowed yesterday's motion."

SHRI K. LAKKAPPA: My submission is on a different subject. It is for the first time that the entire Manipur valley has been declared as a disturbed area; and certain incidents are taking place there. It is a very serious matter. I have moved an adjournment motion on the subject. Because this is a very serious matter, it can be admitted. They have also invoked the emergency powers vested in the Lt. Governor of that area. Therefore, I want to draw the attention of the Prime Minister also to this. People from that area and the Members of Parliament from that area also, are feeling strongly about it. Because it is a sensitive area, so far as the security of our country is concerned, I want that this serious situation should be discussed, and that the adjournment motion I have given, may be allowed.

MR. SPEAKER: I have said that I have called for facts. That must have been communicated to you. The facts are not very clear, about the matter. The matter is very important. I have

requested the Government to supply me with the facts.

12.08 hrs.

RE. CORRESPONDENCE BETWEEN
THE PRIME MINISTER AND THE
FORMER HOME MINISTER

SHRI VASANT SATHE (Akola): You will recall that during the last few days, ever since we began, on the 18th, our leader and we on this side have been repeatedly requesting the hon. Prime Minister to take the House into confidence about the alleged correspondence (*Interruptions*) that has passed between the ex-Home Minister and (*Interruptions*)

SHRI KANWAR LAL GUPTA (Delhi Sadar): What is the item? Under what rule have you allowed him to speak?

MR. SPEAKER: Under what rule am I allowing you to speak? It is the same with everybody.

DR. SUBRAMANIAM SWAMY (Bombay North-East): I am rising on a point of order.

SHRI KANWAR LAL GUPTA: I am also rising on a point of order. This is nothing concerning what we are discussing. Under what rule does he want to raise it, and under what rule have you permitted it? I want to know this, so that we can listen to it. (*Interruptions*) You cannot allow any Member, without any rule.

MR. SPEAKER: Excepting you! I can't allow any Member except you! That is the norm!

SHRI KANWAR LAL GUPTA: No, Sir. I am rising on a point of order. (*Interruptions*) I have explained. Kindly don't shout.

MR. SPEAKER: I have not even heard.

SHRI KANWAR LAL GUPTA: Kindly don't shout. We are not school-children.

MR. SPEAKER: I don't know that. I don't comment upon it. Each man may compliment himself. All the people who have risen, have risen without my consent; and everybody makes a speech, even though they know what I have ordered. But I have, for example, in all these matters passed orders. So far as this particular matter is concerned, if I guess it correctly, I think he is merely enquiring about a statement under 377. I am only guessing.

SHRI KANWAR LAL GUPTA: Have you allowed him under rule 377? (Interruptions) Let me quote 377.

MR. SPEAKER: You have raised a point of order.

SHRI KANWAR LAL GUPTA: My point of order is under rule 377.

MR. SPEAKER: Mr. Gupta, you would remember, in this House I have requested all the Ministers that whenever their attention is drawn under rule 377, it would be appropriate for them, either on that day or within some reasonable time, to tell the House what the position is, so far as that matter is concerned. Several Ministers have replied to those notices. It is open to the Member to request a Minister to make a reply to his 377 statement.

SHRI VASANT SATHE: On the 20th I raised a matter under rule 377. I had requested the hon. Prime Minister even earlier and today also I beg of the hon. Prime Minister to kindly respond to the 377 notice which I had raised that day. I had read out the application. I would hope that the Prime Minister would do it. Otherwise, we are put in a difficulty. We are wanting to co-operate. I am told from the newspapers that in the other House they are finding a solution. If you do it somewhere else, then in this House when we raise the matter, then you tell us, assure us...

THE PRIME MINISTER (SHRI MORARJI DESAI): The same thing would be done here also.

SHRI VASANT SATHE: You should take this House and also the opposition here into confidence, as you do anywhere else. That is what I want to submit.

SHRI MORARJI DESAI: Whatever is done in the other House would be done in this House; whatever is done in this House would be done in the other House. On that score, there is no discrimination.

SHRI YESHWANTRAO CHAVAN (Satara): Since this question has been raised in this House, I think it is necessary that the Prime Minister should know the views of all the parties concerned so that it might possibly help him to take a decision in the other House also. Whatever would be done there would be done here also. There is no doubt about it; we are very clear on that. I would also join Shri Sathe in making an appeal to the Prime Minister, because our Party also feels that the correspondence between him and his previous colleague, Shri Charan Singh, should not be made a controversial issue. Certainly, it does not reflect well on the Government and, if it is refused to be placed on the Table, it will not reflect well on the Parliament as well. I would make an appeal to the Prime Minister. We are not given to making any allegations. We do not easily believe in allegations also. I may assure him that.

SHRI C. M. STEPHEN (Idukki): That is right.

SHRI YESHWANT RAO CHAVAN: But, at the same time, when the whole world knows there is some correspondence like this, when everyone knows about it and reads about it, but when the Parliament wants to know about it, if it is denied, it will not reflect well on anybody. I would, therefore, not in any partisan sense, but as one who has respect for Parliament and also respect for the Prime Minister, would make an appeal to him to place this correspondence on the Table of the House.

SHRIMATI PARVATHI KRISHNAN (Coimbatore) : May I make a submission? In view of the fact that the whole question of this correspondence has become a matter of speculation and kite-flying, not only in this country but in other countries of the world, I hope that the Prime Minister would consider very seriously the proposition that we be taken into confidence as to this correspondence so that all this speculation can be laid at rest and people will know exactly what the facts are.

SHRI A. BALAJANOR (Pondicherry) : I would like to submit on the same point, not only because we are in the opposition for others also agree on this point... *(Interruptions)* I can understand the anxiety of the hon. Members when this question is taken up. We are also worried and we feel that this correspondence must be placed on the Table for the simple reason that the working of this House would otherwise be very much affected. In fact not only here, but we notice in the papers and on the other side also there is worry and anxiety. So, I would make this appeal from the point of view of the better functioning of parliamentary democracy in the country. After all, it is a question of fact. Why not take the supreme august body into confidence? So, I very humbly request the Prime Minister and I am sure the hon. Prime Minister would place it on the Table of the House, because there is nothing secret about it.

When the demand for the CBI report to be placed on the Table was made last time, I had the opportunity to support the hon. Prime Minister. He was in the opposition at that time. Nine Members of Parliament were making that demand. It was from an entirely different angle; I am not comparing that; it is an entirely different version. Day in and day out things are happening and they are being mentioned. It is a big miracle that the Janata Party could function and rule this country... *(Interruptions)*

I do not see any reason why from that side they are shouting at us. We know that you are in agreement with us; we know that many Members of Parliament on the other side are pained that we are not able to function properly. I am afraid, if the laying of the report is taken as an issue for blocking this House, we will not entirely agree; that is an entirely different matter. But here it is a simple matter. It can very well be placed on the Table of the House. All the correspondence may be given to the Members of Parliament so that we can tell the world what has really transpired between the Home Minister and the Prime Minister. I am not going to say it is a love letter, I am not going to say it is a very secret document. People are simply asking, we are not able to do something for the people economically and otherwise, but we need not unnecessarily waste our time. I am very clear on this point that this is not going to affect the Government at all, I am confident in that respect, because we have seen, we are very practical on this issue. Let us not make much ado of it. I am not in agreement that it is going to create chaos in this country. After all, it will clear up matters and we can progress very well. For this reason I request the Prime Minister. I am sure the Prime Minister will take the step also.

DR. SUBRAMANIAM SWAMY : May I draw your attention to rule 360? I want you to let us know whether, every time an issue under rule 377 is raised, subsequently you will permit us to rise again and ask why we have not been given a reply. It is all right, they are not trying to block the business as my distinguished friend Shri Bala Pajanor says, but they are constantly alleging that there is something. In fact, some of the suggestions are absolutely ridiculous. The leader of the Congress (I) says that the letters are being doctored. What does it mean? I would normally say that such persons should have their heads examined for suggesting

something like that. Even if the letters are given to you, will you be satisfied that they are genuine letters? I am sure Mr. Sathe will get up and say, "How do you know it is not doctored?" Therefore, I would like to know from you whether every time a matter is raised under rule 377 you will permit the Member to rise again and ask why the Minister has not given a reply.

MR. SPEAKER: That has been invariably allowed, on the Janata side also. So far as this is concerned, we have made an appeal to the Ministers to reply to 377 statements within a reasonable time. There is no provision to compel them as in the case of rule 197 and other things. As the rule now stands, only a request is made to the Government because a Member of Parliament has called the attention of the Minister to a particular thing, and he would like to have a reply. And this is not being done for the first time. Right from the time I took charge of this office, I have been allowing these enquiries to be made.

DR. SUBRAMANIAM SWAMY: You may put it in the Directions.

MR. SPEAKER: You are right. It is being incorporated in the rules now.

SOME HON. MEMBERS *rose*—

MR. SPEAKER: Some Members think that on every subject they have a right to speak.

SHRI GEORGE MATHEW (Muvattupuzha): I think it is only right on the part of Members from this side to ask the Prime Minister to place on the Table of the House the letters that transpired between him and the ex-Home Minister. It has come in the papers, and I do not know why it should be kept away from the House. As most of the things that have transpired between them have come in the papers, I do not know why he should object to that. It only adds to the shadow of suspicion. That suspicion will be removed. I think the Prime

Minister will be good enough to place on the Table of the House the correspondence.

PROF. P. G. MAVALANKAR (Gandhinagar): I want to say in all seriousness that the matter which has been raised by my friend Shri Sathe is not a party matter. It is a matter dealing with two aspects of the whole question. One is, Parliament's right to know the truth, that is one aspect; and the other aspect, about which the Government headed by Shri Morarjibhai, the Prime Minister, and all of us in the country are clear, is that we want, we are all for, the quality of public life to be pure, improved and heightened. From these two aspects it is absolutely essential that whatever has surreptitiously, secretly and incompletely already gone into the press must come in a proper form, in a dignified way, in a serious way before the hon. Houses of Parliament, namely this House and the other House. Why do I say this? I quite appreciate the fact that the Lokpal Bill, the report on which has been submitted, will come up for discussion. That will again give us an opportunity of discussing corruption at high places, whichever the high place it may be. But the question is that an impression is now, unfortunately, gathering momentum at a very rapid pace....

AN HON. MEMBER: Why unfortunately?

PROF. P. G. MAVALANKAR: Because I am not prepared to take the charges as correct unless they are proved. Therefore, I say unfortunately. We cannot go on talking publicly in this House and in the country that so and so is wrong and so and so is corrupt unless that is proved. And, therefore, I say, unfortunate. Therefore, my point is that unfortunately, a momentum is gathering at a rapid pace in this country through the press, through the media and through public discussions that by resorting to some kind of a technical point the Government is unwilling to bring forward

[Prof. P. G. Mavalankar] this correspondence. Why should the Government go into all these technicalities? It will be better in the interest of the country, democracy and this Parliament if the information is made available to the people so that all wrong talks will go, truth will come out. There is *संदेह नष्ट प्रवर्तनाय* upon you

MR. SPEAKER: Not merely for me but for all of us.

PROF. P. G. MAVALANKAR: And the Government has got a motto "सत्यमेव जयते" "If the truth is that the charges are false, well, the world will know that. And if the truth is not so, even then the world will know that because we are wanting the truth, and we are not after this man's blood or that man's blood. Therefore, I feel let us not stand on technicality. It is an important matter. I request with all sincerity at my command, the hon. Prime Minister and the Government to have serious thought on this matter and lay the correspondence as early as possible so that this matter is cleared once for all.

SHRI MORARJI DESAI: In this matter it is not a question of my trying to keep something back from the House which the House is entitled to have. I have never done it in my life. I have gone even out of my way many a time to tell the House what was not required to be told. And here, I am put in a difficult situation. That is my whole difficulty. It is not a technical matter as my friend, Shri Mavalankar said. And when we all talk in the name of democracy and expect that in a democracy all this must be done. What is a democracy? Democracy goes by rules. And where would democracy be if we are not going to observe its rules? It is a well known rule for a purpose. It is observed everywhere that where there is a correspondence between Ministers, and secret correspondence, it cannot be made public. (Interruptions)

MR. SPEAKER: He has heard you. (Interruptions)

Mr. Malikarjun, he has heard you patiently. This side has been heard patiently.

SHRI MORARJI DESAI. This is exactly why I say that if we are going to force the issues only by noise, I am afraid, I cannot submit to it, because it will be wrong to do that in a democracy as a matter of fact, more wrong in a democracy than anywhere else. But it is not a question of doing this or that. As I said, there is nothing in this correspondence which I should want to keep back and if portions of it are published nothing has gone cut from me. I am not responsible for it. But if somebody does it and that too in a garbled manner, then, how am I going to be told that because portions of it have appeared in Press, I should ignore all rules and do this.

SHRI VASANT SATHE: It is not summary... (Interruptions). On that ground you have removed him. (Interruptions).

MR. SPEAKER: Mr. Sathe, he has heard you very patiently.

SHRI MORARJI DESAI: It was not on this issue.

SHRI VASANT SATHE: He said so.

SHRI MORARJI DESAI: He does not say so. He has not said that. I am prepared to put that letter before the House where I asked for his resignation. There is no mention thereof any of these things in it. (Interruptions).

Let not the issue be confused in this manner. That is not the case. I know the feelings of the hon. Members opposite in both the Houses. It was therefore that in the other House they found out some solution. I was not there, but it was said that the Chairman's advice will be accepted,—whatever he says after taking into consideration all the issues involved in this matter. Well, if that is accepted,

then the same procedure will be followed here. I cannot say that I will do that there and not do it here. I have to wait for it to see what is being done. But I cannot myself break secrecy. Otherwise, I will have to do it every time, in all matters even in Cabinet matters. How can I do that? It is not possible. There is nothing extraordinary. Everything becomes extraordinary in matters of secrecy. Therefore, it is not possible for me to depart from that practice. If the Chairman advises something which they have accepted, they will act according to the advice. Then certainly I will do the same thing here. But till then I cannot do anything just now.

SHRI C. M. STEPHEN: I am sorry, Sir, that the Prime Minister says that whatever will be done there will be done here. We are a separate entity, we are a separate House. We are not here to accept whatever is done elsewhere or not to accept. That is not the position. You will kindly remember that the issue is really important. I am not confining entirely to the correspondence only. From the 17th, the demand was being made that the Prime Minister will take the House into confidence as to the circumstances under which six Ministers went out of the Ministry and report to us what has happened. This has not been done. On the 17th, I raised it, on the 19th, I raised it. Then under 377 it was raised specifically, the correspondence was also asked for. The Prime Minister did not care to tell us—either at least to come and say 'I will not make a statement or I make a statement, these are the circumstances'. There is a sort of cloud built up outside. Is it not necessary that that cloud be removed? Is not the Prime Minister to answer to us first before answering to anybody else? Is not this House to be taken into confidence rather than anybody else or anything else? Now for the Prime Minister to say that whatever the Chairman of the Rajya Sabha will decide, that will be applied here also is absolutely

wrong. Here is a demand made by us, a request made by us. The entire opposition is united. Should he not make a statement as to the circumstances under which this took place, and make available the papers to us. Everyone of the Opposition Members is united on that. We are proceeding in a very very systematic and constitutional manner, making a request to him, forgetting about what has happened in the Rajya Sabha, whatever may or may not happen. We have to be taken as a separate entity with all sovereignty and the Prime Minister will have to tell us what is his attitude about this point, forgetting about what is happening elsewhere.

To say that the Speaker will be taken into confidence, if the Chairman decides that he must be taken into confidence, is not a position acceptable to us at all. This issue is now before him. I am happy that the Prime Minister is present in the House today. He understands the feelings controlled regulated restraint but really deep and really strong feelings on the side of the Opposition. For one full week, this has been going on. The two demands are these. The Prime Minister will take us into confidence as to what has happened with respect to the resignations because the ex-Ministers said so many things, they are going about saying. The reasons stated are not the real reasons. Take us into confidence what really are the reasons. We must know what are the reasons. You will have to make a statement to us.

You will have to give those letters to us. He says: "Those letters which passed between him and the others are secret documents." The test of the matter is supposing if a court issues summons to that, can you claim privilege for that? According to my understanding, no. The letter that passed between him in 1969 and the then the Prime Minister was placed on the Table of the House by Shri Morarji Desai when he resigned—the letter that passed between them in

[Shri C. M. Stephen]

their official capacity he placed it on the Table of the House. Merely because somebody marks secret, it cannot be taken away from the jurisdiction of this House the letter cannot be taken away from the jurisdiction of a court. There must be a constitutional provision which can plead that these letters are not letters about which the constitutional provision cannot be applied at all, particularly when the letters purport to refer to certain utterances on the basis of which the previous Home Minister says: "He was eased out." It is absolutely a relevant document and responding to the call made by all the Opposition Members, I would appeal to the Prime Minister to make his decision here and now and take the House into confidence rather than wait for what may or may not happen in the other Sabha (House). We are a separate entity. We may be called a Lower House, but we are a sovereign House. To this House you are answerable, to this House you are responsible, rather than to the other House. Merely because this House is called 'Lower', for Heaven's sake, please do not make us lower and to stand in the queue to hear what the judgment in the other House is. Kindly come out with your statement.

SHRI G. M. BANATWALLA (Ponnani): Mr. Speaker, Sir, the plea of secrecy taken by the hon. Prime Minister, I am afraid, is most ill-founded and is baseless. He himself is contradictory when he is making a statement of a very responsible nature in this House, in one breath he says that there is nothing in the correspondence which he may require to hold back from this House; and in the same breath he says that it is a secret correspondence. The entire nation is agitated. This House is the mirror of the thoughts, sentiments and agitations that are going on throughout the length and breadth of this country. Therefore by merely taking a few leaders of the House into confidence, justice cannot be meted

out. I am afraid that the idea, which is growing, namely, to take a few leaders into confidence, is not going to do justice to the situation. This House must be taken into confidence. Through this House, the entire nation will have to be taken into confidence, and that can only be done by placing the correspondence on the Table of the House.

Mr. Speaker, Sir, let not the personal vanity of any person, howsoever big he may be, stand in the way of justice to the nation.

MR. SPEAKER: We had enough discussion...

SHRI C. SUBRAMANIAM (Palani): My leader has already spoken. I would only put this point to the hon. Prime Minister....

MR. SPEAKER: I have allowed all leaders.

SHRI C. SUBRAMANIAM: He has talked about democracy. I would like to know whether ignoring the wishes of the entire Opposition will promote democracy.

SHRI NIRMAL CHANDRA JAIN (Seoni): On a point of order. Mr. Sathé raised the issue, merely for eliciting information, in view of his notice under rule 377. You ordered that it was upto the Minister to answer it or not to answer it. After all has been done, the hon. Prime Minister stood up and he took a particular stand. He said something. I think, the matter closes here, and it should not be discussed any more.

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

SHRI SAUGATA ROY (Barrackpore): Sir, I am not on the point made by the leaders of different Parties. What the Prime Minister has said...

MR. SPEAKER: I have allowed all leaders. I have allowed your leader also. Is there going to be a debate? (Interruptions).

SHRI SAUGATA ROY: Just for one minute, Sir...

MR. SPEAKER: Mr. Saugata Roy, you seem to think that on every matter you have a right to be heard...

SHRI SAUGATA ROY: I am on a point of order.

MR. SPEAKER: Tell me what is your point of order.

SHRI SAUGATA ROY: Please take the issue on merits. I am on a point of order under rule 56—Adjournment Motion...

MR. SPEAKER: That has been disposed of.

SHRI SAUGATA ROY: I had given notice of an Adjournment Motion regarding leakage of the secret correspondence between the Prime Minister and the former Home Minister. Now the Prime Minister, in his statement, has admitted in this House that the correspondence between him and the former Home Minister was secret. If the Prime Minister is not going to come forward with his statement and lay it on the Table of the House...

MR. SPEAKER: There is no point of order.

SHRI SAUGATA ROY: ... then we have to discuss leakage of the secret papers.

MR. SPEAKER: There is no point of order.

Now, papers to be laid on the Table.

12.36 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATION UNDER DELHI DEVELOPMENT ACT, 1957

THE MINISTER OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT): I beg to lay on the Table a copy of Notification No. F.1(17)/74-MP (S.O. 1941) (Hindi and English versions) published in Gazette of India dated the 1st July, 1978 making certain amendments to the Hotels, Boarding Houses, Guest Houses, Hostels, Lodging Houses and Motels

(Building Standards) Regulations, 1977 under section 58 of the Delhi Development Act, 1957. [Placed in Library. See No. LT-2436/78.]

REVIEW AND ANNUAL REPORT OF STATE FARMS CORPORATION OF INDIA LTD., NEW DELHI FOR 1976-77, ANNUAL REPORT OF INDIAN COUNCIL OF AGRICULTURAL RESEARCH, NEW DELHI FOR 1974-75 AND A STATEMENT FOR DELAY

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI SURJIT SINGH BARNALA): I beg to lay on the Table:—

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(i) Review by the Government on the working of the State Farms Corporation of India Limited, New Delhi, for the years 1976-77.

(ii) Annual Report of the State Farms Corporation of India Limited, New Delhi for the year 1976-77 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-2437/78.]

(2) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Council of Agricultural Research New Delhi, for the year 1974-75—Part II (Administration and Accounts).

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above Report. [Placed in Library. See No. LT-2438/78.]

12.37 hrs.

RE. CORRESPONDENCE BETWEEN THE PRIME MINISTER AND THE FORMER HOME MINISTER—Contd.

SHRI C. M. STEPHEN: Now, is that all that remains? What happens there will be reported to us!

MR. SPEAKER: That will not be done in this House.