

SHRI SHYAMNANDAN MISHRA:
 Now you have only to declare that all the items that have been listed you have passed. You can make it very simpler..... (Interruptions).

MR. SPEAKER: I can say something only when I hear I cannot hear now.

SHRI SHYAMNANDAN MISHRA:
 You can say that all the items that are there upto the 20th December have been passed. Your task will be very simple... (Interruptions)

MR. SPEAKER. So far as matters upto the Papers to be laid on the Table are concerned, they are allowed. So far as this Bill is concerned, after all, the reporters will have to take a note of all that. If the reporters are not able to take a note of that, it cannot go on record. So far as item No 7 is concerned, I am told that they have not been able to take a note.

PROF. MADHU DANDAVATE (Rajapur): Sir, I am rising on a point of order. I will continue to do so until you declare that in this democratic Parliament no point of order can be raised. . . . (Interruptions)
 Sir, are you listening to the point of order? (Interruptions).

MR. SPEAKER: Let all the other members sit down and let there be no noise. Otherwise, how can I listen to the point of order?

SHRI SHYAMNANDAN MISHRA:
 May I tell you that you are in conspiracy with the ruling party. (Interruptions)

MR. SPEAKER: There is no point in pressing a point of order when there is so much noise. They are not raising any point of order. You are raising points of order.

* . (Interruptions)

PROF. MADHU DANDAVATE:
 I shall continue to raise a point of order.... (Interruptions).

MR. SPEAKER: Now, we adjourn for lunch to re-assemble at 2.15 P.M.

13.06 hrs.

The Lok Sabha adjourned for Lunch till Fifteen Minutes past Fourteen of the Clock

14.18 hrs.

The Lok Sabha re-assembled after Lunch at Eighteen Minutes past Fourteen of the Clock

[MR. DEPUTY-SPEAKER in the Chair]

RE. IMPORT LICENCE CASE
 SOME HON. MEMBERS rose—

MR. DEPUTY-SPEAKER: Please sit down. I will hear you all.

श्री जनेश्वर मिश्र (इलाहाबाद)
 उपाध्यक्ष महोदय, जिस तरह में स्पीकर साहब ने आज सवेरे कार्यवाही की है वह सारी की सारी कार्यवाही रद्द की जाय। बहुमत के बगुन में अगर सरकार कोई कार्यवाही करना चाहेगी तो कोई कार्यवाही नहीं चल पायेगी। . . . (व्यवधान)

PROF. MADHU DANDAVATE (Rajapur): My point of order has been pending... (Interruptions).

MR. DEPUTY-SPEAKER: I will hear your point of order.

PROF. MADHU DANDAVATE:
 In the morning, after the Question Hour was over, hon. Speaker announced that the hon. Prime Minister would make a statement in the House and after that Shri Morarji Desai would also make a statement. The Prime Minister made one statement. After that, Shri Morarji Desai also made a statement and at the close of his statement, he demanded a categorical assurance from the Prime

[Prof. Madhu Dandavate]

Minister as to whether, on the basis of the statement made by the Prime Minister, all those reports mentioned in her statement would be available merely for perusal, whether there would be a bar on further Parliamentary probe and action.

This is the central theme on which the work of the Parliament has been paralysed for the last several hours and, therefore, he categorically demanded an assurance in the fitness of things. . .

(Interruptions)

My point of order is addressed to you and it is for you to say whether it is relevant or not and give a ruling. . .

(Interruptions)

Please keep quiet. It is for the Chair to decide and give a ruling.

I was saying that at the conclusion of Shri Morarji Dasai's speech he has demanded from the Prime Minister that the Prime Minister should make a categorical statement whether the various reports including the CBI report to which she had referred in her written statement, are going to be made available to the Leaders of the Opposition, only for perusal or whether those reports will be available for a further parliamentary probe and action. He said that in view of the various notices that we had already given, we would like this particular point to be clarified. After that, no clarification came from the Prime Minister. Maybe, probably, she had a mind to clarify, but, many members on this side of the House were shouting as a result of which we could not hear anything.

After some time, points of order were raised for about half an hour. I was raising a point of order, but the Speaker did not respond. Therefore, Shri Shyamnandan Mishra again rose on a point of order but he was not permitted. Therefore, I want to

conclude. . . (Interruptions). It is the conclusion of my point of order.

SHRI RAJA KULKARNI (Bombay—North-East): Please conclude. He is making a speech.

PROF MADHU DANDAVATE: Therefore, we felt that that particular item was not over but before that particular item was not concluded, we found that the Minister, Shri L. N. Mishra, was getting up. After that, some other items were taken up. According to me, all those items were taken up illegally because the point that we had raised on the assurance that was sought by Shri Morarji Dasai was not clarified and if even at this stage, the point is clarified, it will help in restoring order in this House. Therefore, I demand that that particular clarification should come forth from the Prime Minister and, in case the Prime Minister is not coming to the House, the Speaker should clarify if the Prime Minister has told the Speaker to clarify the point.

SHRI H K L BHAGAT (East Delhi): I wish to submit for your consideration one thing. Now, we have heard to-day what was officially intimated to the hon. Speaker as *Satyagraha* and we have also seen its manifestation. . . (Interruptions).

I am on a point of order. As I was saying, we have seen the manifestation of the threatened *Satyagraha* in this House in the shape of the Opposition Members standing up together and shouting in a chorus. . .

(Interruptions)

. . . and raising slogans which we hear in the streets. That is what happened in the House. You see the record. Sir, this is a violation of not one rule, but every rule of conduct of business and procedure in this House. It is a violation of the rule that not more than one member shall speak at a time. Then Members can-

not speak shall not speak when the Speaker is on his legs. Then, Members cannot shout. Another rule they have violated is that Members shall not obstruct the proceedings of the House. So much so, even a document that was placed on the Table of the House with the permission of the Speaker was taken by one Member and torn. . .

(Interruptions)

It was torn by hon. Shri Madhu Limaye. Now, the question arises: they have sworn by the Constitution, they have sworn by the Rules of Procedure and Conduct of Business. They have sworn that they will behave in an orderly manner. But they gave open challenges and open threats when the Speaker gave permission to the Minister to make a statement.

Now, the law of the land is known to everybody and particularly, to hon. Shri Morarji Desai, that if a case has gone to a court and if some more facts come to your notice, you can certainly say that the investigating agency should look into them.

There can be supplementary prosecution under section 170 of the Cr. P.C. What has happened in this House and what the opposition members have done is only disruption of the business of the House. I would like to tell you what happened in this House regarding the Dodsle report. It was Morarji Desai who opposed the placing of the report on the Table of the House. That was the fact. There was no CBI investigation. There was no judicial case pending. And yet Mr. Morarji Desai refused to place the report on the Table and if I am not wrong, I think, Mr. Madhu Limaye was insisting on the production of the report. If I am wrong I would apologise. But this is what happened. I can understand the Prime Minister's anxiety to satisfy the opposition members and I can understand her anxiety to let the nation know that Government has nothing to hide, in this matter.

There is one fundamental question which arises. Suppose I, as a witness, give my statement to the police, it can be used only for one purpose. When I go to the court I can be asked if I made that statement. It can be used only for my cross-examination for making a confrontation with my statement in Court. That is the fundamental right. You cannot violate the fundamental right of a citizen. He can go to a court of law. Court cannot issue a stay against the Parliament but certainly if the court desires they can ask and direct the CBI not to make such statement available for open discussion. Therefore, there is a fundamental question which is involved here.

Therefore, Sir, they are not after truth. They want to be 'prosecutors', 'judges' and 'witnesses'—all along, in fact, they are persecutors of democracy. They only want to denigrate democracy. I want your ruling whether the *satyagraha* itself is a violation of the Constitution or not. Is it not a violation of the rules of business of the House? They were shouting; they asked for division; point was raised by Mr. Madhu Limaye. I would like to have your ruling whether what they were doing was Constitutional or not. I repeat this, Sir, they are persecutors of democracy. They are trying to finish democracy. They are violating their oath which they took.

SHRI MADHU LIMAYE (Banka):
On a point of order.

SHRI C. M. STEPHEN (Muvattupuzha): On a point of order. He openly violated the rule and he is now raising a point of order. He destroyed that paper and threw it at the face of members, he is coming and raising point of order.

SHRI VAYALAR RAVI (Chirayinkil): We can do the same thing; we are not doing.

MR. DEPUTY-SPEAKER: Shri Madhu Limaye.

की मधु लिखने (बाका) : जैसे ही श्री मुरारीदास देसाई का बयान समाप्त हुआ अतःकास हल लोग व्यवस्था का सवाल उठाने के लिए खड़ा हो गए। इस सदन में सब से पहले प्रायोरिटी मिलती है व्यवस्था के सवाल को। हमारी बात सुने बिना अब श्री ललित नारायण मिश्र ने अपना बक्तव्य देना शुरू किया तो मैंने जान बूझकर उस बक्तव्य को पाठ डाला। मैं कबूल करता हूँ। जानबूझ कर मैंने पाठ डाला (व्यवधान) क्योंकि वह इर्रगुलर था। जो भी काम मैं करता हूँ चोरी से नहीं करता हूँ। मैंने पेपर पाठा, मंत्रि, जनरल स माग कर लिया और पाठा। मैं कबूल करता हूँ—(व्यवधान) मैं प्रॉइंट ऑफ ऑर्डर उठाना चाहता था। स्पीकर साहब ने सब-जूडिस के सवाल पर स्पष्ट निर्णय दिया था। जब पार्लियामेंट के सदस्य व आचरण का मिसाइमोनर का सवाल आता है

The rule of sub-judice will not apply

श्राज प्रधान मंत्री क्या कहती है ? कहती है

"the ensuing debate would virtually amount to a concurrent trial which will not only defeat the ends of justice by prejudicing the trial in court but may also result in a conflict between the courts and Parliament"

प्रधान मंत्री का जो कहना है यह सब पार्लियामेंट का अपमान है। पार्लियामेंट की जुरिसडिक्शन के बारे में कोई भी अदालत, कोई भी हाई कोर्ट या सुप्रीम कोर्ट देख ल नहीं दे सकती है। आर्टिकल 105 के तहत हम लोगों का रिजल्ट है कि 'टबल 122' आप देखें। बरा माफ़ करे, इन लोगों की मुझ अमुकेट करना ही पड़या। आर्टिकल 122

इस प्रकार है। प्रधान मंत्री की वक्तव्य को करती हैं, मिसमैरिडिग स्टैंडमेंट कर रही हैं। देखिये आप इस आर्टिकल को

"(1) The validity of any proceedings in Parliament shall not be called in question on the ground of any alleged irregularity of procedure

(2) No officer or member of Parliament in whom powers are vested by or under this Constitution for regulating procedure or the conduct of business, or for maintaining order in Parliament shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers"

स्पीकर साहब ने कलिंग दिया है कि सब-जूडिस एप्लाई नहीं करता है और अगर यह मामला पार्लियामेंट की कमेटी में जाता है या यहाँ चर्चा के लिए आता है तो इन्दिरा गांधी हमें घमकाती है कि अदालत और पार्लियामेंट में झगडा होगा। जब आपको सूट करता है आप पार्लियामेंट सुप्रीमेसी की बात करत हैं। हमेशा सुविधा की बात करते है। इतने बेईमान और दो मूह वाले आप लाग हैं—(व्यवधान) एक बार फिर कहना चाहता हूँ कि यह सरकार बेईमान है

श्री बलराम साठे (अकोला) लेकिन आपको क्या बयान बेहद बेवकूफी का है।

श्री मधु लिखते यह आप कह सकते हैं लेकिन आप लोग बेईमान हैं यह सारा देश जानता है। वना पार्लियामेंट प्रोब के लिए आप क्यों तैयार नहीं हैं ? सत्य से आप क्यों भागते हैं ? आप पार्लियामेंट प्रोब के लिए तैयार हो जाइये। क्या तुल जोहन राव और क्या ललित नारायण मिश्र दोनों की जांच ही। मेरा प्रॉइंट आप सोईर रहे हैं कि

सकल मंत्री ने यह वक्तव्य देकर अध्यक्ष के निर्बंध को चुनौती दी है। इसलिए उसके बाद बितनी कार्रवाई हुई है उस कार्रवाई को तत्काल एकसंज करके प्रधान मंत्री जी के वक्तव्य पर श्री मुरारजी भाई के वक्तव्य पर बहस करने का प्राप हमें मौका दीजिये।

SHRI MALLIKARJUN (Medak):
Sir, I challenge the high integrity and character of Shri Morarji Desai. When he was the Deputy Prime Minister in 1968 (*Interruptions*) the Company Affairs Department conducted an investigation against Shri Kantibhaj Desai, son of Shri Morarji Desai about whom there was an allegation made by Shri Madhu Limaye in this House which he wanted to disclose.

श्री मधु लिमये : मधु निमये बोलेंगे।
प्राप भी सजय गांधी के खिलाफ बोलें।

SHRI MALLIKARJUN: He refused to admit this as he was in Government at that time. The people outside the House know that he is a radicalist and anti-progressive and reactionary and the people outside know that Shri Morarji Desai is adopting an undemocratic method by offering *satyagraha* inside the House. We are also prepared to offer the same for the Opposition's anti-progressive activities.

Mr. Morarji Desai is speaking about safeguarding the interests of the future generations. How he can safeguard the interests of the future generation if he has this sort of approach and is stagnating the developmental activities of the country? We cannot allow this to go on. (*Interruptions*).

श्री अटल बिहारी वाजपेयी (खालियर):
उपाध्यक्ष महोदय, आज प्रातः काल से इन सदन में पहली बार आपना मंह खोल रहा है। प्रश्न काल के बाद प्रधान मंत्री जी ने

वक्तव्य दिया। उसके पश्चात् श्री मोरारजी देसाई बोले। बाद में क्या हुआ, यह मैं नहीं सुन सका। सबाल यह है कि सदन में जो कार्यवाही चलती है, अगर सदस्य उसको सुन नहीं सकते—श्री मुरारजी साहब हैं कि वह कार्यवाही स्पीकर साहब ने सुनी—, तो क्या वह कार्यवाही आज रिकार्ड में गई है? जब कभी सदन में बहुत गड़बड़ होती है, और एक दूसरे के विरुद्ध चीख पुकार मचती है, तो स्पीकर साहब कई बार यह निर्देश दे चुके हैं कि मैं कुछ सुन नहीं पा रहा हूँ इसलिए कुछ लिखा नहीं जायेगा। मैं जानना चाहता हूँ कि आज क्या स्थिति थी। जो बात सुनी नहीं गई, क्या वह लिखी गई है? मैं इसके बारे में आपका निर्णय चहता हूँ।

मैंने देखा कि श्री ललित नारायण मिश्र खड़े होकर कुछ पढ़ रहे थे। अगर वह हमारे द्वारा पेश किये गये विशेषाधिकार के उल्लंघन के प्रस्ताव का जवाब दे रहे थे, तो मैं आपका ध्यान इस तथ्य की ओर खींचना चाहता हूँ कि आज प्रातः काल ही मैंने स्पीकर महोदय को एक पत्र लिखा था, जिसमें मैंने उनसे यह प्रार्थना की थी कि श्री ललित नारायण मिश्र अपना बयान दे इससे पहले (अबधान) या तो स्पीकर महोदय उनमें एक सवाल पूछ लें, या मुझे एक सवाल पूछने की इज्जत दें?। (अबधान) मैंने उस पत्र में लिखा था :

"Certain new facts have come to my notice during these last two days to which I would like to draw attention.

"On 23-8-1972 Shri L. L. Mishra who was then Minister of Commerce had ordered "Reference my minute at 11|N. This matter has been unduly 'detained and would like points raised in my notes at page 12|N to be re-examined with speed and the file resubmitted to me by 30th."

[श्री अटल बिहारी वाजपेयी]

मुझे मालूम है कि इसका एक हिस्सा श्री श्याम नन्दन मिश्र ने पढ़ कर सुनाया था। लेकिन उस दिन यह बात स्पष्ट नहीं हुई कि मंत्री महादय ने एक ही तारीख को इस लाइसेंस स्कैंडल की फट्टा म दा नोट दिया। अगर उम्क। यह कहना सही है 'क ये लाइसेंस दो में उनकी कई बिच नहीं थी, तो फिर एक ही दिन में फट्टा पर दो नोट देने की क्या जरूरत थी? वेनाट 'म उदत पर रह है। वह फट्टा पी० बी० आई० क पास है।

प्रधान मंत्री कहती है कि ऐम कागज त नडा दिखाये जा सकने जा अदालत में दर्ज मुद्दम को प्रम वित कर। मैं जानना चाहता हूँ की नीति नारायण मिश्र ने सी० बी० आई० का जा बयान दिया है, क्या वह भी प्रिविज्ड डाकुमेट है। सी० बी० आई० क स मन श्री नरतिन नारायण मिश्र ने बयान दिया है और आप सरकार का कहिये 'क वह उन बयान को टेबल पर रखे। जिस दिन वह बयान टेबल पर आया यह बात साफ हो जागी कि ये लाइसेंस देने में यह धोखा करना में श्री नरतिन नारायण मिश्र का गहरा हाथ है। (व्यवधान)

वह बयान क्या नहीं आ रहा है ?

हम नहीं चाहते कि अदालत में जा मामला पेश हो उस पर कर तरह प्रम वित किया जा सके। नीति नारायण का जो श्री तुल माहून राम ने मामले पर, और इस बातों में सम्बन्धित और सदस्यों ने मामले पर पूर तय जानना का अघिपार है। ये तथ्य हम देने से मना किया गया है। इसलिए हम एक ऐसा कदम उठाने के लिए विवश हुए हैं जिनसे हम सक्षम तौर पर उठना नहीं चाहते। आप सरकार को कहिये कि सी० बी० आई० को दिया गया श्री ललित नारायण मिश्र का बयान टेबल पर रखा जाय।

SHRI DINESH CHANDRA GOSWAMI (Gauhati) Mr. Deputy-Speaker, Sir, Members of the Opposition—primarily Mr Madhu Limaye—have raised certain points of order I would ask you, Sir, do these Members of the Opposition still have the right to raise points of order in this House because point of order can be raised only in order to regulate the procedure? When a Member takes upon himself the rules and regulations of this House and flouts all rules, regulations and conventions I feel he has lost all his right. This morning, (Interruptions) Will you kindly allow me to speak? You cannot stop me now. This morning we saw with a tremendous amount of regret Mr Madhu Limaye taking a document from the Table and tearing it to pieces. Sir it is with a tremendous amount of emotion that I noticed this spectacle. I am not a professional politician. I have come to this House with the expectation that I will be able to serve parliamentary democracy. But if this is the way in which Members like Mr Pilo Mody Mr Madhu Limaye and others are going to serve parliamentary democracy, then we have reasons to feel not only aggrieved but apprehensive as well. This afternoon Mr Madhu Limaye has raised the question that the statement made by the Prime Minister has undermined the core of Parliament. He has said that under Article 105 and under Article 122 Parliament is sovereign and supreme. Who challenged it? We have never challenged it. But Mr Madhu Limaye should also remember that Parliament is not above the law that is framed. This House has framed certain laws and enactments and has put stamp of approval to certain rules and regulations.

This House is also guided by those enactments. This House is not above those enactments. Section 162 Cr P C says that a statement made before a police officer cannot be made use of for any other purpose than for con-

tradition. I ask the members of the Opposition: Is this Parliament above this enactment or are we also bound by this enactment?

SHRI PILOO MODY (Godhra): When it relates to a member of the House, we are not bound.

SHRI DINESH CHANDRA GOSWAMI: Are we to follow double standards? Are we to say that for the people outside there should be a particular law but when it applies to ourselves, we will not be guided by this law? Is this the standard that we wish to lay down on this point? When we have said that a statement against an accused made before the police will never be admissible except for the purpose of contradiction, at the same time are you saying that you will be capable of punishing somebody even on the basis of a statement made before the police? I ask myself; if we are to assume the capability of punishing somebody on the basis of a statement before the police, why could not the same principle also be available to a court of law? If we seek to punish a person on the basis of a statement made before the police, the court may reasonably put a question to us: if you can punish a man because of a statement under sec 162, why don't you give us the same power? This is the inherent contradiction to which the Prime Minister has referred. She obviously said that if we commence here a proceeding on the basis of such a statement but deny the same to a court of law, an inherent conflict may arise between the court and Parliament.

I do not understand how Shri Madhu Limaye can say that this statement made by the hon. Prime Minister goes contrary to art. 122 or art. 105 of the Constitution. This only indicates that the members of the Opposition are utterly frustrated and in their frustration, they want to obstruct the proceedings of the House.

This indicates that today they have got no other way open except to make a capital out of this and block the proceedings of the House.

We know your political game and we are prepared to fight you on your political game. (*Interruptions*). As I have said, this attitude of the Opposition is a reflection of the deep frustration in their mind. Therefore, I feel that when the Speaker has called the next item of business in the order paper, the Deputy-Speaker—I say this in all humility—cannot give a ruling against the decision of the Speaker calling on the next item of business in the order paper. In this view of the matter, the points of order raised by my friends of the Opposition are infructuous and irrelevant.

SHRI SHYAMNANDAN MISHRA: I have been repeatedly rising on a point of order. After the hon. Prime Minister read out her statement in the House, certain points arose from the statement of the hon. Prime Minister which required clarification and elucidation by the Prime Minister herself and by the Chair.

The first point was whether the Prime Minister was not challenging the ruling of the Chair given earlier that there was absolutely no conflict between the proceedings in the court and the proceedings in the House so far as a matter of privilege is concerned. I think the hon. Speaker was only acting in accordance with the well-established rules in this matter followed in this country and even outside. But the hon. Prime Minister came out with a strange theory that the proceedings in the House might conflict with the proceedings in the court and thereby she was misleading the House. In fact, it was a contempt of the Chair, and also she could be accused of misleading the House. That was one point.

But may I remind my hon. friends on the other side that even when

[Shri Shyamnandan Mishra]

riots take place commissions of inquiry are held. To whom are they talking? Are they talking to some set of ignoramuses? (Interruptions). In all cases of riots, commissions of inquiry have been held, where communal feelings might be exacerbated and there might be injustice done, but in spite of that, commissions of inquiry had been held, and yet the hon. Prime Minister was pleased to say that there might be conflict with the proceedings in the court. Did we not point out to the hon. members on the other side for their kind consideration that when proceedings could go on against Mr. Nixon both in Congress and in the court, there was absolutely no bar to the two proceedings going on concurrently?

I want to know whether the Chair itself was not going back upon what it had said earlier. I would recall to your memory what the Chair said. I do not think that Chair said it in a very clam moment, and if it comes to the House and says that that was not what the Chair meant that is a different thing. But according to my recollection the Chair did say that so long as there were proceedings in the court no action should be taken. Now the Chair itself had been pleased to say that there could be proceeding so far as the privilege case is concerned. Now the Chair says that there could be no action till the proceedings in the court are over. I want to ask a clarification from the Chair whether the Chair itself was not going against its earlier ruling. Is it not a point which ought to be clarified?

The Prime Minister was also involving the Chair. I had interrupted here at that very point of time, when she said "Your suggestion" of a particular kind was being accepted by them. I would not put those words in the mouth of the Chair and it is not proper for the Prime Minister to involve the Chair in this matter and for the Chair also to acquiesce in that kind of a statement by the Prime Minister is not correct.

The hon. Prime Minister said the Leaders of the Opposition may not be in confidence under oath of secrecy the CBI report. You were present at that time when we brought a motion of privilege against the hon. Home Minister. You were pleased to tell us that a communication had been sent to the hon. Speaker by the hon. Home Minister. I am reading from that letter of the hon. Home Minister:

"The CBI was entrusted with the investigation of certain specific offences and they completed their enquiry expeditiously".

Is not the House in order to ask: What are the terms of reference? The first thing the hon. Minister should have promised to the House was: We are prepared to let you know the terms of reference. If the terms of reference included only the poor harijan Member of this House and not the other high ups, then would you ask us.... (Interruptions).

SHRI C. M. STEPHEN (Muvattupuzha): I am rising on a point of order. While referring to a Member of this House he said: "Poor Harijan Members", meaning thereby that although he is a Member of this House since he is a Harijan he is to be looked down upon as a poor human being, a separate being altogether. I submit that this expression "poor Harijan Member" must be ruled unparliamentary and expunged from the records of the House.

SHRI SHYAMNANDAN MISHRA: It is a strange construction that the hon. member is putting upon my observation. In fact, what I wanted to convey was that while the high-ups are being shielded, this poor, weak person is being thrown to the wolf.

In the letter addressed to the Speaker, the Home Minister had said:

"According to the normal practice, the CBI incorporated the result of their investigation in the form of a report."

It is not said anywhere that it was an integrated report. The Home Minister says, it is only in the form of a report; it is not a report. My point of order to this: What does the Prime Minister choose to call a report—whether this form of report or there is some other report which had been manufactured during this interval? I really do not know. In terms of this the only word that is permissible is "the form of a report" that has been submitted. Lastly in that letter the Home Minister had said, "...the relevant report of the CBI for your perusal" Is it now the intention that what had been denied to the Chair is presented to us or it has also been presented to the Chair, because the documents that were sent to the Chair were selective documents. Only those which were considered to be relevant. If the documents are again selectively sent to us, the documents would not be worth anything. I want a clarification of all these points. Then alone we can proceed in this matter properly.

श्री राम सहाय वाडे (राजनयगव)

उपाध्यक्ष जी, मेरा व्यवस्था वा प्रश्न बड़ा, सीधा, सरल है जिस का सम्बन्ध सदन की प्रतिष्ठा, गरिमा और सम्मान से है तथा उसके अक्षुब्ध शासक जीवन से है। इस संघर्ष में मैं आप वा ध्यान श्री मिश्र की ओर दिलाना चाहता हूँ। उन्होंने यह कहा था कि यह लाइसेंस कांड का महायज्ञ हमेशा चलता रहेगा, शासक रूप से चलता रहेगा, एक पोलिटीकल मोटिवेशन एक राजनैतिक दृष्टिकोण से इन्होंने घोषणा की, जिस से सदन की प्रतिष्ठा को बहुत बड़ा आघात पहुंचा—बाहर और भीतर भी। भीत सत्याग्रह वा आवाहन किया गया तो कार्यवाही को नहीं चलने देंगे। मोरारजी भाई ने अपने भाषण में यह कहा था कि उनको जीवन में यह सब प्राप्त हुआ—गांधी जी के चरणों में बैठ कर, उन से सत्याग्रह की सीख सीखी और आचरण किया। लेकिन श्री

मोरारजी भाई भूल गये—जब वह संयुक्त महाराष्ट्र और गुजरात के मुख्य मंत्री थे, उन्होंने सैकड़ों भावमियों को गोली से भून दिया और अन्त में गुजरात और महाराष्ट्र अलग हुए। हुनातत्माओं को श्रद्धांजलि अर्पित करते हुए आज भी महाराष्ट्र जनों की आँखें आंसुओं से गीली हो जाती हैं (अबघाव) सम्वीय जीवन में विरोध में विनय का प्रादुर्भाव हाना और सत्याग्रह में शालीनता का होना बहुत आवश्यक है। क्या सदन के कक्ष में गतिरोध पैदा करने की यह प्रक्रिया उचित है कि कार्य नहीं चलने देंगे, मतभेद हो सकते हैं। एक विचार हमारा है और एक विचार आप का है, जनता की अदालत में जा कर उस का निर्णय प्राप्त कीजिए। यहाँ हम जो भी निर्णय करें, लेकिन यहाँ की कार्यवाही में कोई गतिरोध नहीं आना चाहिये।

15.00 hrs.

श्री वाजपेयी जी ने कहा है—मैं इस देश का क्रांति की ओर ले जाने के लिये, क्रांति की ओर गमसर करने के लिये यहाँ से पदच्युत होना चाहता हूँ यानी यहाँ से हटना चाहता हूँ। मैं उन्हीं के शब्दों का दोहराना चाहता हूँ—श्री वाजपेयी जी ने कहा कि संसद की सदस्यता में त्यागपत्र के दो कारण हैं—एक कारण तो उन्होंने यह बतलाया कि संसदीय राजनीति—किसी पार्टी की राजनीति के सम्बन्ध में अगर, वाजपेयी जी, आपने कहा होता तो मैं आप की बात को सोच सकता था लेकिन संसदीय राजनीति क्या होती है? यह हायस्टे-ला-मे किंग बाडी है, सर्वोच्चता सम्पन्न मस्था है, इस के द्वारा देश के भाग्य का निर्माण होता है, इस की धारा गंगा के समान पवित्र है (अबघाव) यहाँ सारे देश के विश्वास और आस्था के साथ कार्य चलता है। आप ने कहा कि यहाँ जनना जनार्दन की सेवा के माध्यम में कार्य नहीं होता, यह तो केवल पैसा प्राप्त करने का साधन मात्र रह गई है—क्या यही आप की दृष्टि में संसदीय राजनीति है?

[श्री राम सहाय पांडे]

आप ने दूसरा कारण बतलाते हुए कहा कि यहाँ सर्वसत्ता-सम्पन्न सत्ता बहुसंख्यक दल के इशारे पर चलने वाली मशीन रह गई है। मैं आप से जानना चाहता हूँ—उपाध्यक्ष महोदय, आप इस के कस्टोडियन हैं, रबडस्टाम्प की तरह की मशीन का उल्लेख करके इन सदन की अरिमा को समाप्त करने, उस को रिड्यूम करने का इन का धींचित्व क्या है? प्रधान मंत्री जी ने एक वक्तव्य दिया, मोरारजी भाई ने भी एक वक्तव्य दिया—मतभेद हो सकते हैं, लेकिन मतभेदों का निर्णय क्या कौतन जैसी बात आप करते जा रहे हैं, इस तरह से होगा। रोज-रोज वही चीज ये पत्रकार भी छापते-छापते बक गये हैं, जनता भी थक गई है, मैं आप से पूछना चाहता हूँ क्या इसके अतिरिक्त सदन के पास कोई दूसरा मार्ग नहीं रह गया है। आप अगरे यह समझते हो कि हम बड़े लोक-प्रिय हो रहे हैं तो मैं आप को बतलाना चाहता हूँ—इससे लोकप्रियता नहीं मिलेगी। जनता के सामने आज रोटी का प्रश्न है, बेकारी का प्रश्न है। आज जिस तरह से विरोधी दल रोड़े झटका रहा है, जिस को सत्याग्रह का नाम दे रहा है, वह सत्याग्रह नहीं है, दुराग्रह है। गांधीजी के चरणों में बैठकर प्रलाप करने वाले मोरारजी भाई के नेतृत्व में यह सत्याग्रह नहीं होगा, सत्याग्रह करना है तो बाहर जाइये, इस्तीफा दे दीजिये, इस सदन को छोड़ दीजिये—वाजपेयी जी मैं आप को बघाई देता हूँ, उन्होंने इस्तीफा दे दिया है... (बयबधान)... वा. पेयी जी कांडि करने जा रहे हैं—यह क्रांति बादलों में होगी या किसी कमरे में होगी—अरे, नरशा—सूनों, सुन जो—हुजारों धादमियों को इकट्ठा कर के, बाणी-बिलास से यह क्रांति होगी। 1971 में ये चार सत्व एक हो गये, फिर भी क्रांति न कर सके, आप सब झण्डे-पाण्डे-डण्डे इकट्ठे हो जाय तो भी यह क्रांति नहीं होगी....

MR. DEPUTY-SPEAKER: No, this is no point of order.

श्री एस० एम० बनर्जी (कानपुर) : उपाध्यक्ष महोदय, आज काफ़ी दिनों से हब लोग सी० बी० आई० की रिपोर्टों की मांग कर रहे हैं और जब ऐसे परिस्थिति हुई इस सदन में तो आज प्रधान मंत्री ने भी एक भाषण दिया। उस भाषण से जो मैं ने समझा वह यह कि जो डोकूमेंट हम लोग चाहते थे जिन पर केम दायर किया गया उन को दिखाने के लिये बठ राजी हैं। मैं जो आपसे बातचीत कर चुका हूँ उस में भी इसी नतीजे पर पहुँचा हूँ कि प्रायद डोकूमेंट के बारे में कोई झगड़ा इस वक्त नहीं है। डोकूमेंट जो हम ने मागे थे, या जो हमें मागने चाहिये या जो लिये जा सकते हैं उन के में काफ़ी हद तक डोकूमेंट देने का उम्मी ने वायदा किया है। उदाहरण जो, झगड़ा इन का नहीं है कि डोकूमेंट क्या मिले और क्या नहीं मिले। झगड़ा यह है कि क्या अपोजीशन के सम्बन्ध डोकूमेंट देखने के बाद जिन के लिये शोध प्राप्त की जाती है, हालांकि हम लोग अग्ररेशन लेते हैं, क्या उस के बाद हमारी उम्मीद हमेशा के लिये बन्द हो जायगी। या कोई ऐसे डोकूमेंट्स जिन को देखने के बाद हम यह समझें कोई मंत्री या कोई सदस्य या और भी कोई अन्य उस में शरीक हों तो हम उनकी बातों को कह सकेंगे कि नहीं झगड़ा सिर्फ़ इस बात का है। अश्री माननीय एस० एम० मिश्र ने कहा कि माननीय ललित नारायण मिश्र ने बयान अगरे दिया तो उस का क्या होगा? एक बात सही है कि चाहे तुल मोहन राम हो, चाहे मानवय ललित नारायण मिश्र हों और चाहे माननीय दीक्षित जी हों, जो भी करप्शन के मामले में इनवाल्ड हैं हम चाहते हैं वह बाहर जा कर करप्शन करें, यहाँ न फैलायें। बाहर करें, लेकिन सदन में उस की चर्चा होगी। आज हालत यह है कि इस सदन में घाने पर दूर से ही महक आने लगती है कि यहाँ क्या हो रहा है। कोई दूसरा काय बेक का नहीं हो

रहा है। तो मेरा कहना है कि प्रधान मंत्री और सत्ताधारी दल की तरफ से यह यकीन दिलाया जाय तमाम मेम्बरों को कि अध्यक्ष महोदय की सदारत में तमाम कागजात देखने के बाद अगर हम इस नतीजे पर पहुंचें कि इस मामले की और छानबीन होनी चाहिये तो क्या हम को यह हक होगा कि प्रधान मंत्री को लिखें कि हम सेटिस्फाइड नहीं हैं और हम चाहते हैं कि इस के बारे में प्रागे पार्लियामेंटी प्रोब हो ? यह अधिकार उन को होगा कि नहीं। मैं समझता हूँ कि यह हमारा जन्म सिद्ध अधिकार है क्योंकि यहाँ चुने जाने के बाद कोई भी हमारी जवान पर तलाश नहीं लगा सकता। अगर हम लोकमैट्स देखने के बाद यकीन हो जाय कि नहीं प्रोब होनी चाहिये तो प्रधान मंत्री का लिख कर हम मजबूर कर सकते हैं कि हम न कुछ चीजे ऐसी देखी है, जिन से मालूम होता है कि बानी कचहरी में मुकदमा चलने से काम नहीं चलेगा, बल्कि पार्लियामेंटी प्रोब होनी चाहिये। मैं नयमतता हूँ इस में उन को कोई एतराज नहीं है।

मैं सत्ताधारी दल से और विरोधी दलों से भी, मुझे भी 19 साल का इस सदन का अनुभव है, धूप में ही बाल मफेद नहीं हुए हैं, आज जब कि तमाम चीजे हमारे समाने हैं तो कि जरूरी है जैने टेक्सटाइल वर्कर्स लाबर्स की तादाद में इस बिल का इंतजार कर रहे हैं, सरकारी कर्मचारी महंगाई के लिये परेशान हैं, मैं आप से निवेदन करना चाहता हूँ कि अगर सत्ताधारी दल यह क्लेरिफिकेशन दे दे तो मेरे ध्यान में मामला तय हो सकता है ताकि हम लोग कुछ हमारे काम करे। और यह क्लेरिफिकेशन सत्ताधारी दल से इसलिये चाहते हैं कि थोड़ा थोड़ा प्रकरमेंशन के बाद भी क्या हम अपनी जवान नहीं खोल सकते ? अगर हम समझते हैं कि माननीय दीक्षित जी, माननीय सलित गारावण भिष, माननीय मधु लिमये या मेरा स्वयं का गलत ह्राथ इस मामले में है तो इस चुपचाप नहीं रहेंगे।

इसलिये पार्लियामेंटी प्रोब की मांग जो पहले भी वह भाष भी है। देश के और काम ठप्प पड़े हैं इसलिये मैं चाहूंगा कि सत्ताधारी दल इस बात को साफ कर दें। लोकमैट्स के बारे में कोई झगड़ा नहीं रहा है। झगड़ा केवल यह है कि वाद में पार्लियामेंटी प्रोब की मांग कर सकते हैं कि नहीं।

SHRI VASANT SATHE (Akola): I think, this House was suddenly lost in turmoil this morning. If we reflect a little calmly on what was said, I am sure my friends will agree that there is not really that difference of opinion which appears to be there. From the Prime Minister's statement—from all that was read out just now—it is very clear that she wants confidence or secrecy so that the proceedings in the court of law that are going on are not prejudiced. That is what she has, in so many words, stated. that we do not want to create a conflict . . .

SHRI MADHU LIMAYE: We are not concerned with the court.

SHRI VASANT SATHE: As I said on that day, we do not want to convert ourselves into a court. We can only consider to the extent of privilege jurisdiction. This is accepted. I have also submitted the other day that, as far as Mr. Tulmohan Ram's case is concerned—it can be seen in the record; a little examination of the proceedings will satisfy you—what is material is not even privilege but a Parliamentary Committee for disciplinary action against Mr. Tulmohan Ram for misconduct.

SHRI MADHU LIMAYE: That is agreed.

SHRI VASANT SATHE: Do not confuse here all the time talking of privilege.

SHRI MADHU LIMAYE: What is invoking the powers of the court?

SHRI VASANT SATHE: Mr. Madhu Limaye is well-versed in procedure. I will only beg of him not to have a running commentary. He and I are practically saying the same thing. But he is unnecessarily emphasizing it wrongly. Even Mr. Morarji Desai talked of the right of privilege and, therefore, in the context of privilege, he said, the matter of *sub-judice* was not relevant. The question here is not of privilege and *sub-judice* but of a Parliamentary Committee acting in its disciplinary jurisdiction and the court acting in its criminal jurisdiction. These are the two things. They are not conflicting.

Therefore, there is no conflict. All that was said was that as far as we had to act within our jurisdiction, there was no bar. I say that even today there is no bar attempted to be created. All that is said is: do not do anything which will prejudice the proceedings in the court of law. You do not want to do that. I am sure none of the Members want to do that..

SHRI MADHU LIMAYE: We are not at all concerned with that.

SHRI VASANT SATHE: ... and I think hon. Shri Madhu Limaye knows that he has been caught on the wrong foot.

शेषं कोपेन पूरयेत्

That is why he is now getting angry. You know you are wrong. I am exposing you...

SHRI MADHU LIMAYE: Nonsense.

SHRI VASANT SATHE: The Prime Minister has nowhere stated in her statement that the Parliament is debarred from its own inherent jurisdiction. All that she said was about the secrecy aspect and that you should not do anything which will prejudice the normal proceedings, and, I am sure, none of the hon. Members here want to say that we do want to prejudice the proceedings in a court of law... (*Interruptions*). Therefore, all

that is said is this .. (*Interruptions*).

Again, what is stated in the statement? .. (*Interruptions*). Why all this unnecessary furore? It is again stated that it is a question of not to divulge, on an oath of secrecy or the oath of confidence *vis-a-vis* the proceedings in a court of law. Nowhere, has it been stated by the House that if you discover tomorrow anything..

(*Interruptions*)

But you wanted to side-track the issue because you thought and also your whole strategy was—I beg your pardon—to embarrass the Government and here was an excellent opportunity to hold the Government and the party in power in the country to disgrace before the nation and make it appear that here was a recalcitrant government which was not willing to show certain things and wanted to shield a person. That is what you wanted to show to the people. Is it not so? Now, here was the best opportunity given to you. Even the case diary which is not normally accessible was being shown to you. Tell me. You are all leaders of honourable reputation..

AN HON. MEMBER: Hon. House.

SHRI VASANT SATHE: Now, if any document came to your knowledge which showed *ex facie* that a certain person other than Shri Tul Mohan Ram is involved but because the case is only against Shri Tul Mohan Ram, any prejudice is caused, it will be only to Shri Tul Mohan Ram and not to any other person obviously.

SHRI ATAL BIHARI VAJPAYEE: Not against Shri L. N. Mishra?

SHRI VASANT SATHE: Therefore, if you found any material, you, the hon. gentlemen, not one but so many, could have easily gone to her and said, 'Here is evidence. As far as the outside world outside is concerned, we have in confidence told you and taken an understanding, oath, etc..' I am not bothered about it but it is a question of the word of honour.

You could have gone to her and said:

"Madam, as in honour bound, we have not gone about broadcasting this. But here is what we have seen and found. We bring it to your notice. This deserves action."

Don't you think that that would have carried weight? Why without even seeing and before seeing anything, do you want an advance statement that if you find anything therein, it should be open to you to go to the outside world, come in this House and make any statement whatever you like? Why do you want such a thing to be said? If you reflect a little calmly and if you do not want really the Parliamentary system to be wrecked....

SHRI SHYAMNANDAN MISHRA: I don't believe; it is to strengthen the system that we are saying this.

SHRI VASANT SATHE: If you really want to strengthen the system, then for God's sake think about this. What we have done today does not strengthen the parliamentary system in the eyes of the country....

SHRI SHYAMNANDAN MISHRA: Let us agree to differ.

SHRI VASANT SATHE: I am sure on reflection we will come to this conclusion. What we did today was: obstruct and bring to a halt virtually the entire proceedings of the House. Merely by shouting, coming and squatting here, who do you want to achieve? I agree Morarjibhai learnt at the feet of Gandhiji. But I could never imagine that Gandhiji could ever have led a movement of Satyagraha even in Parliament in a disorderly, completely mad manner. I can understand all of you were agreed with him, but Satyagraha has to be a disciplined action. The opposition did not even have a plan of action, how to conduct a disciplined, orderly, honourable, non-violent Satyagraha. This is not the way they should have behaved. They shouted, came here and squatted here. Is this the way

you raise yourselves in the image of the country? Is this the way of conducting yourselves? Let us think for a while for reflecting what impression such kinds of actions will have on the people of the country. Even now it is not late. Let us save the situation, let it not become exasperated. This is my request.

SHRI PILOO MODY: I am really sorry that Mr. Vasant Sathe who talked so much sense should have spoiled his speech by his comments, rather unworthy comments, on Satyagraha. Because, Sir, I want that he should as far as possible talk about what he knows. Therefore, I say, we in the opposition would accept what Mr. Sathe has said, but let his own party accept what he has said. Do you think it is a fair offer or not? We will accept what he said. But let his own party accept what he says. He tried to translate the Prime Minister's speech. Where the Prime Minister was not prepared to give us the assurance that we asked for, Mr. Sathe could have given the assurances. Why do you not do it? Why did he not persuade his leader to give us this assurance that we have asked? Even now I suggest, let him go to the Cabinet, they are still talking, I don't know, about what. Let him go and persuade them. All of you who applauded Mr. Sathe, why don't you 270 of you go in a disciplined march upto the cabinet room in the form left-right-left-right with the hands swinging at the same time and tell your leader, the Prime Minister of India, that what you have said has been mis-understood by the Opposition, and it has been mis-understood by the Opposition for the simple reason that we have been cheated too often.

SHRI S. M. BANERJEE (Kanpur): She will say 'about-turn'.

SHRI PILOO MODY: Right. They will not return in formation but in wrong steps because the quality of the people has been advertised to the whole world. You are 375 ghulams of one princess. Tragic!

[Shri Piloo Mody]

I have heard people like Mr. Ram Sahai Pandey, Mr. Bhagat and Mr. Sathe talk about Satyagraha. They think that points of order are part of the Satyagraha movement because all that we have been doing so far is raising points of order and yet what a really political pilferage, propaganda for cheap and debase way of trying to attack the great leaders of this country because in their opinion there is only one leader and one party and there is nothing more but that. Therefore, let these people who talk about Satyagraha first learn something about Satyagraha.

SOME HON. MEMBERS: From Mr. Piloo Mody?

SHRI PILOO MODY: My next sentence was to admit that I do not know anything about Satyagraha. (Interruption).

One Mr. Bhagat, an hon. Member of this House went one step further. He started talking something about Dodsil and Co. What he really meant was Maruti. Mr. Ram Sahai Pandey started talking about how many people were killed when such and such person was the Chief Minister of such and such a State. Let us have a 'goli maro' competition. You will find in the last eight years that Shrimati Indira Gandhi has been the Prime Minister of India more people have been slaughtered by the police than ever before. So, again do not jabber to the press gallery. Saying is one thing and facts are quite another.

Now, Mr. Deputy-Speaker, Sir, a word about this morning's proceedings. Contrary to all cannons of Parliamentary practice the Speaker and the ruling party together decided that the business of the House shall carry on, unless you want to create an arbitrary society where the people without sense can also talk and the people without brains can also talk. And, whatever point is being made has only to be shouted down. There was very good reason. While I have got a good

bit of relaxation, this morning, Shri L. N. Mishra was asked to make a statement. I did not hear the Speaker; nor did I think that anybody heard the Speaker asking Shri L. N. Mishra to start making a statement, rather a garbled statement, trying to justify himself in an indefensible situation. The whole country knows what Shri L. N. Mishra has been doing; you know; I know; the rest of the House knows; his Cabinet Colleagues know and everybody knows. But, this issue apart, while Shri Mishra was making his statement which, he did not even read, he read only a page and a half and then wanted to lay it on the Table. The only thing that was heard in the whole House very clearly was Mr. Dandavate's voice shouting point of order, point of order, point of order—not once, but a thousand times.

May I just say that if Speaker wanted the House to continue its business, the Speaker had no right to ignore the point of order, no right and no power and, therefore, I have to come to the conclusion that on the one hand, he wanted the House to do its normal business and, on the other, he himself wanted to ignore and debase the rules of the House. Otherwise, he should have, if he was not heard, asked Shri L. N. Mishra to sit down and ask Shri Madhu Dandavate to make his point of order. That is point Number one.

Then, some bogus votes were taken—absolutely bogus votes—wherein 475 people, without even reading what was being voted upon shouted 'Ayes'. After this voting had taken place, I shouted 'Noes' had it. The doors were closed; the Lobbies were cleared but, it was never put to vote again. As a matter of fact, the doors remained closed for more than 10 to 15 minutes and nobody bothered and somebody had to go out. And thereafter, the doors were opened.

Therefore, Sir, talking about the Parliamentary Procedure I say that

we, here, in the Opposition suffer from every sort of injustice and are deprived of our rights and are deprived in every way from making you and the country know what is happening in Government? Are these the procedures of Parliament? The Speaker, in collusion with Government (*Interruption*), wanting to maintain that the business of the House is proceeding not calling for a division of the House not allowing points of orders, Sir, I do not want this sanctimonious humbug to go on in this House like the save democracy campaign that these people are trying to run with the misguided leadership from above. But, nevertheless, saving democracy and knowing what democracy is, do they think that democracy is a toy and that is a play thing? This is what they have been doing all these years. Democracy is a way of life; democracy is an aptitude of mind; democracy is a liberal concept and the fresh air that you breathe—not merely a matter of counting the M.P.'s heads.

SHRI N. K. P. SALVE (Betul): Mr. Deputy-Speaker, Sir, if, during the speeches delivered in the post-lunch period, there is not plenty of barren verbiage only, then it is absolutely necessary that the points of order raised by Mr. Madhu Dandavate and Mr. Madhu Limaye should be considered in calm reason and with some degree of objectivity. Specially, I would request opposition's revered leader Shri Morarji Desai to give a serious thought to what we have to submit on this matter.

The first and foremost submission that I have to make on this point is, if we cloud the real issue, we will be nowhere near solution unless Shri Morarji Desai and his followers do want a solution to this impasse and do not want to strain parliamentary democracy unnecessarily. The question, Sir, is, is there anything in the statement of the Prime Minister which creates a conflict between the rights of Parliament in a matter of

Parliament's privilege and what constitutes action to be taken by Government in implementation of due processes of law. I fail to see, Sir, that there is any such conflict. In fact, the demand in regard to tabling of the CBI report, I thought, was primarily motivated to ensure that Government was not trying to conceal, not trying to shield somebody unduly; some favourite people are not sought to be shielded by keeping this report a secret. I thought, that was the purpose. What, Sir, is the purpose of the CBI report? Is the CBI report prepared by the Criminal Bureau of Investigation for the purpose of debating a privilege motion in this House or is it prepared for purposes of bringing the guilty people to book after unearthing the necessary facts connected with the case? If the primary purpose of the CBI report is to unearth a fraud or a crime which has been committed by a particular person or by a set of people, then it is that purpose which has to be primarily fulfilled. But, Sir, it is certainly open to the Opposition which has to be a faithful watchdog of the people in parliamentary democracy and therefore their right, to see that under the garb of fulfilling the due processes of law, Government is not indulging in any corruption. For that purpose, the Prime Minister came out clearly that it is open to the Opposition leaders to look into that report and to go into the case diary even under oath of secrecy. So, the view that there is a conflict between the implementation of the due processes of law and Parliament's privilege is something which I am not able to understand. The privilege of Parliament is entirely separate, Prime Minister has given the reasons why the CBI report should never come on the Table of the House unless where it is found that the CBI report contains material in which Government is trying to shield some people or is indulging in corruption. Then, certainly a healthy precedent would be established that the Opposition leaders under oath of secrecy are given access to such

[SHRI N. K. P. Salve]

reports. If the real purpose of the Opposition, if the real intent of the Opposition was to ensure a clean and healthy working of the Government, then there is more than necessary in what had been offered by the Prime Minister. If a privilege motion is brought in, if a privilege motion is to be debated in this House, do we take it that all the laws which we have enacted in the meanwhile are abrogated or are suspended? Are we to think that our own rules and procedures are supposed to be abandoned? Firstly, Sir, the report was asked to be laid on the Table of the House in terms of the provisions of Rule 368. When, it was found that under that Rule, the CBI report could not be forced to be tabled by Government, then it was Shri Morarji Desai himself who made a statement that in pursuance of the assurance given by the Home Minister, the tabling of the report was implicit in such an assurance. When that failed, thirdly, it was said that placing of the report on the Table of the House was necessary to implement the ruling given by the Chair. None of these contentions are tenable. My respectful submission Sir, is that this type of shifting stand has been taken and the report sought to be tabled in the House—I thought—was for the limited purpose to ensure that Government is not indulging in corruption by shielding any corruption

But when it is open to the opposition leaders to go into a case and in case they did find some corruption, was it not open to them to prevail upon Government: 'Look. This is the report. This is what has been found. You are prosecuting a wrong man' or 'you are prosecuting only one man whereas more than one, two or three or four are guilty of various offences, various frauds on the people?' But that offer does not seem to be acceptable to Shri Morarji Desai.

SHRI MORARJI DESAI (Surat): May I explain? The hon. member does not seem to remember what I

said here. I was told by the accredited member of the Cabinet on behalf of the Cabinet before I came in here that 'whereas the reports and other papers will be put before us, we cannot take any action on them, even if action is necessary about some members until the case against Shri Tulmohan Ram is decided in a court of law'. This can take twelve years; some cases are pending for twelve years. How can we accept that position? We do not want to go beyond an understanding that is given. I do not want to flout anything like that. Therefore, I asked for a clear statement. If my hon. friend is of this view, let him persuade the Prime Minister to say that. That is enough for me.

SHRI N. K. P. SALVE: My view is simple. In case you did find more than one person guilty, would you be violating any of the undertaking in prevailing upon the Prime Minister and Government to take further action?

SHRI MORARJI DESAI: When I am told that no further action can be taken either in the House or outside until that case is over, am I not bound by that condition if I agree with it? Therefore, I do not agree with it. It is a simple matter; it is a short matter; it is a straight matter. I would thank you if you can make her agree to that.

PROF. MADHU DANDAVATE (Rajapur): That is the clarification sought.

SHRI N. K. P. SALVE: I do not for a moment accept that any private dialogue between Shri Morarji Desai and Shrimati Gandhi is prohibited as a result of whatever undertaking is given.

SHRI MORARJI DESAI: What private dialogue? It is not a private dialogue. This was conveyed to me in the presence of the Speaker.

MR. DEPUTY-SPEAKER: May I point out at this stage that whatever

people may discuss between themselves, once it is mentioned in the House it is not private any more. It becomes part of the record of the House.

SHRI N. K. P. SALVE: It is certainly part of the record. What I was submitting was this. I very carefully heard the assurance given by the Prime Minister. She made it categorical and clear that it is open to the Opposition leaders to come and pursue not only the report but also the diaries under an oath of secrecy. But does it go to the extent of preventing a revered leader like Shri Morarji Desai from suggesting that a certain action which could have been taken has not been taken?

SHRI MORARJI DESAI: That is what I want (*Interruptions*)

SHRI N. K. P. SALVE: That is their thinking. That is not what I think.....

SHRI PILOO MODY: The point is quite simple and quite clear and that is why it is the great tragedy. Everybody in this House understands what the Prime Minister has said. But ten minutes before she said it, Shri Morarji Desai who was called by the Speaker was told in front of the Speaker by an authorised representative of the Government and the Cabinet that 'we are prepared to do all this, but as a result of this, you cannot take any further action'. He was categorically told so.

SHRI MORARJI DESAI: Till the case is over.

SHRI PILOO MODY: Till the Tulmohan Ram case was over. It might take twelve years. Also it is a criminal matter. Whatever matter of privilege concerning the members of the House, which is outside the jurisdiction of the court, even that matter we cannot bring up. This was the implication of what was told to Shri Morarji Desai. It is therefore only but natural that after the statement..

MR. DEPUTY-SPEAKER: You have made the point.

SHRI PILOO MODY: Don't you realise that we are trying to arrive at something? Do you want to stop that from happening?

Therefore, it is a legitimate question for reassurance that Shri Morarji Desai asked. I want therefore to ask you: why was the Prime Minister averse to restating what she had already stated?

SHRI C. M. STEPHEN: No question of restatement. She has said it in her statement.

SHRI N. K. P. SALVE: There is no question of re-statement. I maintain what I have stated. It is one thing to assert that you will not bring up something in the House. It is completely another thing to assume the prerogative in case more than one person is guilty. It is clearly open to him to suggest to the Government that action should be taken against more than one person. I do not see anything explicit or implicit prohibiting such course. In what the Prime Minister has said is any one prevented from giving this suggestion? In the end I submit only one thing. So far as the CBI report and other things are concerned, these are all demanded in the process of character assassination. We have faced this sort of thing not once but many times against Ministers including Morarji Bhai. We have been against this sort of witch-hunting against the roving enquiry, a fishing enquiry asking for various documents, reports to malign the Ministers. We have been against this in the past. We are doing the same thing today and the Opposition is also doing the same thing but my only regret is that Morarji Bhai is speaking differently today than when he was a Minister and when he was attacked.

SHRI S. A. SHAMIM (Srinagar): I feel that what should have been a day of triumph for the Opposition has turned into a moment of tragedy. What exactly have been demanding for the last 20 days? According to my wisdom and understanding we have

[Shri S. A. Shamim]

been demanding the CBI report to begin with; we have demanded relevant papers and case diaries also. The Prime Minister this morning very reluctantly agreed to all these demands. Had I been the Opposition leader I would have said: Welcome. If you climb down it is my victory. We did not do that, unfortunately. Though you accept me and respect me as leader of the opposition, the opposition parties have not recognised me and I was not consulted. Otherwise I would have advised them. That is the tragedy of it.

Leaving that aside the fact remains that we succeeded in getting from the Government what the Government refused to give us up to this moment. What I have understood from the Prime Minister's statement is this.

"If this report was placed on the table of the House the ensuing debate would virtually amount to a concurrent trial which will not only defeat the ends of justice by pre-judging the trial in a court but may also result in a conflict between the courts and Parliament."

This relates to a situation when CBI report would have been placed on the table of the House. The Prime Minister rightly or wrongly says that this cannot be done. I remember that when Shri Morarji Desai made a speech here threatening Satyagraha in case the diaries were made not available. (*Interruptions*) Make some allowance for my poor English. He was saying here that he would resort to Satyagraha. I fairly remember that he asked for the report, the relevant papers, and the case diaries. This morning I was surprised when he added one more rider that this Committee should have the authority and Government should give assurance .. (*Interruptions*).

श्री मधु लिमये : यह मांग तो शुरू से है—शर्तीयक माहव ।

SHRI S. A. SHAMIM: I say, Sir, that Members on that side have been

labouring this point. Members of the Opposition have been demanding this. It is our inherent right and no assurance from the Prime Minister is needed. Assurance or no assurance, committee or no committee, the moment we come to know of a Member who has committed a misdemeanor, this House is vested with inherent power and right to take action, whatever the accredited member or the Cabinet might have told Shri Morarjibhai Desai, I do not know. But even if the Prime Minister has made that statement, if any Member is found to be guilty of misconduct you cannot take action. I will say .

SHRI SHYAMNANDAN MISHRA. Would you clarify one point? If we make a promise under oath, are we expected to break it? If we give a promise we shall certainly fulfil it, we will not take any action. Then may I also implore him to consider this point? A clear and categorical promise was made to the House by the Government that it would come before the House with the results of investigations before deciding on any future course of action. That promise was broken by the Government. Would Mr. Shamim believe this Government which breaks a clear and categorical promise made only a few days back?

SHRI S. A. SHAMIM: What does the oath of secrecy relate to? It is, you will not divulge the contents of what you have seen. Suppose you have not seen the report. For instance, I am not a leader and I will not see the report. I am not one of those who demanded the placing of the CBI report on the Table because I have my own report. I wanted to share it with the House, but they did not agree.

SHRI MADHU LIMAYE: Place it right now on the Table.

SHRI S. A. SHAMIM: It is too late in the day. At the time when I made the offer, you said, "We do not want Mr. Shamim's report. We want it from the Government."

As I said, the oath relates to the contents of the CBI report, not the conclusions you derive from it. Shri Shyamnandan Mishra said, this Government is a promise-breaker and it can be assurance-breaker also. What is your remedy if the Government gives you an assurance today and breaks it tomorrow? There is no remedy.

I do not know why the leaders, particularly opposition leaders, have accepted this suggestion that only the leaders will have a peep at it. Why don't they demand that the whole House should have a look at it? Alternatively, the suggestion would have been, let us have a secret session. The oath of secrecy would have been applied to the entire Parliament. The entire Parliament could discuss it and arrive at certain conclusions. The entire Parliament would have been the committee which they have been asking for. My suggestion event at this stage is, let us have a secret session of the entire Parliament. Let all those who are real leaders like me and those who claim to be party leaders sit together and discuss it and arrive at a conclusion.

श्री शंकर प्रयास सिंह (बतारा) :

उपाध्यक्ष जी, मैं कोई विशेष समय सदन का नहीं लेना चाहता हूँ— पिछले सत्र से यह गम्भीर मामला सदन के सामने है और लगभग 85 घण्टे तक इस सदन में इस बात पर चर्चा हो चुकी है। सदन के एक मिनट समय की कीमत 300 रुपये होती है, इस तरह से करीब करीब 14-15 लाख रुपये इस डिस्कशन के मद में अब तक खर्च हो चुके हैं। यह बहुत अधिक है।

मैं, उपाध्यक्ष जी, अपनी व्यक्तता का ज़रूर वाक्य के रूप में नहीं, बल्कि नियमों के अन्तर्गत आप के सामने प्रस्तुत करना चाहता हूँ। इसीलिए सामने सदन को चलाने के लिए प्रक्रिया प्रस्तावकी और विधान है और इस में एजेंड

मेंट मोशन का विधान है, प्रतिश्वास प्रस्ताव का विधान है, जो बारबार सदन में आया करता है, कालिग प्रॉटेशन और नियम 377 का विधान है। उपाध्यक्ष महोदय, इस में कहीं भी सत्याग्रह का विधान नहीं है। अगर सदन के कोई माननीय सदस्य सत्याग्रह की बात करते हैं तो वह कौन से विधान के अनुसार करते हैं? क्योंकि सदन की कार्यवाही विधान के अनुसार चलेगी, आप की हलिंग के अनुसार चलेगी, बा इम सदन की कार्यवाही उन के अनुसार चलेगी जो यहां आ कर तरह तरह की बातें करते हैं?

उपाध्यक्ष महोदय, मैं इस संबंध में माननीय मोरार जी भाई के कुछ शब्द आप के सामने रखना चाहता हूँ, यह उन की भात्म कथा है, "मेरा जीवन वृत्तान्त" जो छपी है नव जीवन प्रेस में और मूल्य है 15 रु०। इस में से एक छोटा सा अंश मैं पढ़ता हूँ जो पृष्ठ 101 पर लिखा हुआ है। अब तो मुझे पूरा विश्वास हो गया है कि क्रोध किसी भी परिस्थिति में अक्षम्य है, और आध्यात्मिक प्रगति में उस से बड़ी रुकावट पड़ती है क्योंकि वह बुद्धि को अक्षय कर देता है। क्रोध में आदमी न कहने योग्य बात कहता है और न करने योग्य आचरण करता है ऐसे प्रत्येक को अनुभव होता है। दूसरों के दोष हम जल्दी देख लेते हैं जब कि अपने दोष हमें दिखाई नहीं पड़ते क्योंकि क्रोध का वास्तविक रूप एक दम समय में नहीं आता और हम यह स्वीकार नहीं करते कि हर हालत में यह अक्षम्य है। मनुष्य क्रोध के बर्बर काम करे तो उस की कार्य क्षमता बढ़ती है तथा उस का जल्दी और अच्छा परिणाम निकलता है।"

[श्री शंकर दयाल सिंह]

इसलिए मैं उन से पूछना चाहता हूँ कि सत्याग्रह की जो वह घमकी दे रहे हैं और सत्याग्रह के नाम पर दुराग्रह कर रहे हैं वह क्रोध का परिचायक तो नहीं है? न सविधान में और न नियमावली में कहीं भी नहीं लिखा है कि सदन के भ्रन्दर अपनी बात को मनवाने के लिए हम सत्याग्रह या दुराग्रह का सहारा लेंगे। इसलिए जो कुछ भी माननीय सदस्य करने जा रहे हैं वह विधान के अन्तर्गत है या उसके प्रतिकूल है? क्योंकि आप जब एक बार इस बात को कहेंगे कि विधान के प्रतिकूल है, और मोरार जी भाई ने खुद अपनी आत्म कथा में लिखा है कि क्रोध आदमी को पागल बना देता है तो मैं नहीं चाहता कि मोरार जी भाई ऐसा आदमी ऐसा कार्य करे जिस से आपके माने वाला इतिहास यह कहे कि उन्होंने क्रोधित हो कर एक कदम उठाया। इसलिए मैं आप से इस पर व्यवस्था चाहता हूँ।

SHRI SEZHIYAN (Kumba Konam). Mr. Deputy-Speaker, Sir, I will confine myself only to the submissions made inside the House and I will not refer to whatever has happened outside the House. Coming to what has happened inside the House, the Prime Minister this morning made a statement in which she offered to place the CBI Report, the case diary and so many other documents before a committee of the leaders of the opposition. Afterwards, Shri Morarji Desai made a statement in which he accepted the offer with one rider, and that rider was that after perusing the documents they should be allowed to make suggestions for future action. So, the point of difference has been narrowed down to this. Those who spoke on the other side, Shri Sathe, Shri Salve and others are convinced that if you have a document for your perusal, you would be allowed to make suggestions. We only want that to be made explicit. You make it explicit;

you put it in black and white. What is the pleasure to go through the bulky volumes if we are not allowed to come to a conclusion and make our recommendations? If you give us a document, allow us to spend days over it and then you say, "You have read the document; please keep quiet", what is the use of that? What we want is, after going through the document, we should be allowed to make our recommendations. That is the only point now hanging fire

16 00 hrs

Then, they said that the Opposition was shifting the ground, that first they wanted the CBI Report and, when the CBI Report was being given to them, then they want a Parliamentary Committee. When this matter was taken up on 28th August, the first demand made not only by us but also by those Members, on the other side, who one by one rose in his seat and denied having put a signature, demanded a probe by a Parliamentary Committee. It is they who started it. Mr. Krishan Kant in the other House said that he would not believe in the CBI and that he wanted a Parliamentary probe.

We talked about the Mudgal case and other cases. Why? It is because, we said, it pertains to the dignity of the House. When a Member by his conduct brings a disgrace to the House, it is the House which is concerned with it. Therefore, we wanted a parliamentary probe. At that stage, they said that a parliamentary probe could not start because the case had been given to CBI for investigation.

On the last day of the last session, the Government gave an assurance to this House—I am not concerned as to who gave the assurance, whether Mr. Dikshit gave an assurance or Mr. Reddy gave an assurance; it is the Government who gave the assurance—a categorical assurance that, after the investigations are over, they would come to the House before taking further action. Therefore, on the open-

ing day of this session, the CBI Report was demanded. The original demand was for a parliamentary probe. Even the Members on the other side wanted to have that one. The demand for the CBI Report was raised only now. The two things are not separated. We do not want the CBI Report just for the pleasure of reading it. It is not a mystery of Parry Mason. We have to read the CBI Report and then take some action on it.

Now, these reports are given to us on an oath of secrecy, that we will not reveal anything to anyone. Let a committee to which the documents are being given be allowed to make recommendations. We will give only the recommendations, not anything else. We will not give the source. We will only make recommendations. We can give recommendations to the Speaker.

Very many things have been said by the Members on the other side about the Opposition. I sit in the Opposition and support the demand of the Opposition. It has been said that the Opposition is out to disgrace Parliament. Somebody said that the Opposition is out to make a scandal. The scandal is already there. We are not creating any scandal. The scandal is sticking to them.

As to what has happened in the House, I am not taking as a confrontation between Shrimati Indira Gandhi and Shri Morarji Desai. It does not pertain to only two persons. Yours ago, I have been opposing Shri Morarji Desai; years ago, I have been supporting Shrimati Indira Gandhi. This is not the issue. The issue is about the House itself. It does not concern only one or two persons. It is not a confrontation between the ruling party and this party. The members of the ruling party are in the stream. There is a suspicion and, to remove that, a Parliamentary Committee should be appointed to go into that.

Somebody was saying about the Rules of Procedure, that they have not been observed and that points of

order are being raised. I also feel very much sorry. We should not raise so many things. But the basic rules of procedure of parliamentary democracy have been simply thrown to the winds in this country. What does the Opposition want? The Opposition may be divided; it may have a small numerical strength. But it has got a case. It feels that democracy should be protected in this country. That is why the Opposition is raising these things. Why do you want to shut it out? Why should not this matter go to a parliamentary Committee for a probe?

Even then why are you afraid of sending this to a Parliamentary Committee? Somebody was saying, 'We are prepared to give the CBI report to the leaders of the Opposition because we feel quite strong and we are quite clear that, once you go through the report, you will be convinced that what the Government has done is quite right'. If you are so much convinced, why are you afraid? Suppose, I am not convinced, what is the remedy? Where can I go and say, that after reading the reports, I feel that some action is to be taken?

Some members have said that the area of difference is very slight. If they feel that this is implicit in the assurance given by the Prime Minister, I would request the Prime Minister—she is not only the Prime Minister not only the Leader of the Congress Party, she is also the leader of the House; therefore, we look forward only to her—to make it clear that sending the reports to the Committee does not debar the Committee or does not prevent the Committee or its members from coming to conclusions and making them known to the Speaker. The whole Opposition here will accept that.

SHRI C. M. STEPHEN: Mr. Deputy-Speaker, Sir at the outset, I would like to make the submission that I am not one of those who see in the statement of the Prime Minister an assurance, implicit or explicit, that, after seeing the records, the Committee will have

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the right or jurisdiction to take a decision with respect to any person who is found guilty on perusal of the records. I say this because my hon. friend, Mr. Sezhiyan, was mentioning that there was this implicit undertaking or implicit meaning in the Prime Minister's statement. I am not one of those who read in the statement or see in the statement that implication at all. The statement need not be taken any more than what it is, namely, that whereas the demand of the Opposition was that the CBI report be placed on the Table of the House, the Government have come to the extent of saying that it would be placed, not before the House, but before only the leaders of the Opposition—not even before a Committee. It is only a matter of placing that before the leaders of the Opposition. This is what is stated in that statement. This is all, as a human-being, I could read from the statement of the Prime Minister.

Now let us go back and see how the whole thing started. The whole thing started with Prof. Chattopadhyaya revealing to the Rajya Sabha a list of names who were alleged to have signed a memorandum. That was taken up here as a question of privilege against the members of this House. That was how it started. Immediately 20 of the members, those who were here, came out with a statement that they had not signed it. Therefore, forgery was the main allegation there. Then the whole of the last Session was devoted to a discussion on that. As was reminded by Mr. Sazhiyan, our members themselves asked for a Parliamentary probe. Finally, without allowing that matter to rest there they came to the floor with a Resolution that a Parliamentary Committee be appointed. The House considered the Resolution and technically speaking, unanimously rejected that Resolution. That was how it ended in the last Session. During the discussion, of course, the then Home Minister, Shri

Uma Shankar Dikshit, made a statement that, after the CBI investigation was over, they would come to the House and apprise this House as to what had happened and would seek the wishes of the House for further proceedings.

This Session started with privilege motions against the Ministers for alleged violation of the assurance—that was the simple question, there was no question of CBI report there—, violation of the assurance in the sense that on the 11th when the House opened, they did not place before the House the conclusions they had arrived at and did not seek the advice of the House as to how to proceed further.

The Home Minister made a statement and in that statement he told the House what exactly the finding of the CBI report was. The opposition jumped on it and said, 'Here is a quotation from the CBI report, and, as it has been quoted from the report, the report must be placed on the Table of the House.' The demand for the CBI report started like this—'You quoted from the report, so place it on the Table of the House.' Even on the 22nd even before the demand was made, the Home Minister had made clear that he was not quoting from any report at all. Finally, it ended with a ruling which is said to be not a ruling by the other side but wherein it was clarified that the Government was not under compulsion to produce the CBI report. That is where we are.

Now, assuming that the CBI report was placed on the Table of the House, would it immediately mean that a Parliamentary Committee would follow? Would it immediately mean that the persons concerned would be punished? That certainly was not meant. It would just be placing a report on the Table of the House.

Then, privilege motions were brought and elaborate hearings were

afforded to them against all these Ministers and finally, we had an elaborate ruling from the Speaker.

One aspect of the ruling of the Speaker had very clearly state:

"There is, therefore, no question that the Government deliberately declined to implement the assurance."

He said:

"Indeed they have come to the House, though a little late, and have placed before the House the gist of the inquiry held by the CBI, the charge-sheet filed in the court against the accused and he explained the manner in which the assurances have been fulfilled. There is, therefore, no question of the Government having deliberately declined to implement the assurance."

So Sir, the implication is very clear, that the Government was here saying deliberately, consciously, persistently not accidentally, but, after deep thought, that they would not place the CBI report on the Table of the House. The opposition says, Unless you do this, you will be violating the assurance you gave the House. The Speaker said that this Government have not deliberately violated the assurance given by them. If placing of the CBI report is a part of that assurance, then, of course, failure to place it is certainly a deliberate violation. If the Speaker is to say that there is no deliberate violation in spite of the deliberate protestation by the Government that they will not place the CBI report on the Table of the House, the implications are absolutely clear that the Speaker has given a ruling and conclusion that the assurance did not include the placing of the CBI report on the Table of the House. Now here it is a part of the whole thing.

What I submit is that at no stage they wanted the CBI report, and nothing more than that. After that, the speaker gave two avenues, two forms to them. The Speaker said, 'You can have Shri Tul Mohan Ram's case dis-

cussed here.' The Speaker also said that the question as to whether the assurance was fully and in time implemented, is also open for the House to consider. These two avenues were left open for the Opposition. The Opposition avoided taking recourse to these two avenues and they are now making a demand for placing the CBI report.

MR DEPUTY SPEAKER I thought you were making a point of order.

SHRI C M STEPHEN Well, Sir, I have no comment to make. I suppose everything that was said here, was said strictly in accordance with the rules and procedure.

I was on a point of order and elaborating it. The point of order is that all this was foreclosed by the various stands they have taken so far. That is why I was citing the events before and after and this is how the demand for CBI report came in.

Now, this morning new demand comes. I challenge the opposition to cite any part of the proceedings upto to-day to show that at any stage of this discussion they made the demand that the CBI report be placed on the Table of the House and that, as may be shown from the records and the CBI report, a committee be given the power to punish the persons concerned.

Never was there a demand like this. Stage by stage they are shifting. As was pointed out by Mr. Shamim, whatever they demanded, the Government conceded. The moment they found that Government conceded, they jumped to something else. They made a fresh demand. I am absolutely clear in my mind that if that demand is conceded then they will resort to a fresh demand. They will come up with another fresh demand. This is what they want. They do not want discovery of truth at all. They do not want the punishment of the guilty. They do not want to track down the persons who are guilty or charged of misde-

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meanour. They want to create a scene in the House in tune with the scene which they create throughout the country. That is what they are attempting to do. With respect to CBI report, as was pointed out here, please permit me to just read out one section, section 162. It says:

'No statement made by any person to a police officer in the course of an investigation under this chapter shall, if reduced to writing; be signed by the person making it nor shall such statement or any record thereof whether in a police diary or otherwise or any part of such statement or record, be used for any purpose, save as hereinafter provided, at any inquiry or trial.'

This is a clean prohibition and this prohibition is what gives sanctity to that document and gives freedom of conscience to persons who go before the investigating officers. It is violation of this provision which is now being demanded.

The Government has gone to the extent of accommodating them and saying, you go through the report, you find whether there is anything wrong. But it is a Parliamentary Committee which they are demanding. A Parliamentary Committee is to be appointed by the House, not by Government, nor by the Speaker. None has got the authority to appoint a Parliamentary Committee. Mr. Speaker said, you please bring the Tul Mohan Ram matter before the House. You are avoiding placing it before the House; you are avoiding a discussion; you are avoiding finding the will of the House; you are trying to force yourselves on the House; you are trying to force your own decision upon the House. This is what you are trying to do. You were making statements against Shri L. N. Mishra. Uninterruptedly we heard you. But when he wanted to make a statement, you did not allow Mr. Mishra to reply to the points raised. You are given a forum, you would not use it. You would attack, but you would not hear the re-

ply. This is what is happening: absolutely moral cowardice. This is what is very demonstrative, downright moral cowardice. They obstruct the proceedings of the House. What they say is, we will not allow Parliament to function, unless you succumb to us, violate the mandatory provisions of the Cr. P.C. which are clear and categorical. What I am submitting is that this is clear violation of all rules and of the Constitution also. It is a pathetic sight indeed that the Parliament of India has seen today. We found demonstration of rowdiness, we found them jumping upon the table and shouting, we found records being torn over, we found demonstrated sanctimonious humbugism. Citing and quoting Mahatma Gandhi, what they are doing is, they are tarnishing the sacred precincts of Indian Parliament and democracy. They are tarnishing the sacred name of our nation. Shame to you, shame to the opposition, shame to Morarjibhai who is indulging in such tactics, they are only tearing democracy to pieces by such behaviour. That is the point of order that I am making.

SHRI ABRAHIM SULAIMAN SAIT (Kozhikode): Mr. Deputy Speaker, Sir, I am not here to narrate to history of...

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND CIVIL SUPPLIES (SHRI B. P. MAURYA): Sir, I want to rise on a point of order.

MR. DEPUTY-SPEAKER: This is only symptomatic of the troubled-time in which we are. I am in the process of hearing the different points of order on this very emotional question which has agitated the minds of the people and the hon. Minister comes forward to raise another point of order within that point of order. I think we can stretch and hear his point of order. But this is again unusual for a member of the Treasury Benches to get up and say I want to make a point of order within another point of order. But I will go out of my way and hear him.

उद्योग और नागरिक प्रति संघालय में राज्य मंत्री (श्री बी० पी० मौर्य) : श्रीमन यह बहुत ही असाधारण बात है कि सत्ताधारी दल का मंत्री होने के नाते मुझे पांचट आफ आर्डर पर नहीं खड़ा होना चाहिए था ! दोपहर से पहले जब यह सदन चल रहा था, तो सिक टैक्स्टाइल अडरटेकिंग सम्बन्धी बिल की कुछ क्लोजिंग ले ली गई थी।
(व्यवधान)

श्री पी० जी० मावलंकर (अहमदाबाद) : नहीं ली गई थी। कोई कार्यवाही हुई ही नहीं। (व्यवधान)

श्री बी० पी० मौर्य : आप ने अपनी ओर से कुछ नाराजगी का इजहार किया है। उम के लिए मैं क्षमा चाहता हूँ। लेकिन जिस बिल के लिए मैं यहाँ 11 नवम्बर से बैठा हूँ, दोपहर से पहले उस के कुछ अंश, ...
(व्यवधान)

MR. DEPUTY SPEAKER: I think you have made your point of order. The Minister's point is that he wants discussion on his Bill to be resumed.

श्री बी० पी० मौर्य : श्रीमन दोपहर से पहले इस बिल के कुछ अंश ले लिए गए थे।
(व्यवधान)

श्री पी० जी० मावलंकर: नहीं। (व्यवधान)

श्री बी० पी० मौर्य : मैं आप से यह नम्र निवेदन कर रहा हूँ कि यह बिल ले लिया गया था, यह बात अपनी जगह सत्य है। उम वक्त बहुत शोर था, यह भी अपनी जगह सत्य है। उम के बाद यहाँ पर व्यवस्था के प्रश्न पर बहुत से प्रवचन हो रहे हैं। मेरा निवेदन केवल यह है कि उस बिल के बीच में ये व्यवस्था के प्रश्न कहां से आए। जो बिल बकाया रह गया है, उस का प्रारम्भ होना चाहिए।

MR. DEPUTY-SPEAKER: I would describe this interlude—I am referring to the hon. Minister's point of order
2895 LS—10.

and not to you—I have called Shri Ebrahim Sulaiman Sait who has been interrupted—and I would describe this interlude—as a rift in the lute. Why? I think that all us should have taken some satisfaction from the fact that the discussion in the House which was going off the rail has now come back to the rail and that we are able to have a meaningful discussion. That is my point. We have been talking so much of *satyagraha* and all that. I really do not know what it is. But the fact is that the hon. Members here have raised points of orders and made submissions. That itself is a full participation in the proceedings of the House and, to that extent, I think the Minister should have been happier than anybody else that this has been done. Your Bill can be passed tomorrow; it can be passed day after tomorrow. But, if this House does not function, how do you expect any Bill to be passed at all? I am surprised.

SHRI EBRAHIM SULAIMAN SAIT: Sir, I do not want to waste the time of the House in narrating the events that took place regarding this scandal which has led to the presentation of the CBI Report. We are today rather at a crucial stage in the whole of the discussion. One can take a decisive step in a direction of getting the CBI Report from Government and also in fully studying it and also recommending some action about the CBI Report to Government.

I consider that the Opposition, to a great extent, has succeeded in their demand. Because of certain things, the Government is evading presentation of the CBI Report on the Table of the House and they never want the Members of the House as also the Opposition Leaders to know anything about the CBI Report. Still they want the CBI report to remain as a top secret document. But, events have gone and as the pressure of the united Opposition grew, the Government has been trying or has been forced to climb down so that they are prepared

[Shri Ebrahim Sulaiman Sait]

to show this CBI Report to the leaders of the Opposition Party.

Then, again, Sir, one more development has taken place. That is that not only that the Government has come forward to give this CBI Report to leaders of the Opposition but they have also agreed to give all the connected documents and the case diary also to the Leaders of the Opposition now. There is only one hitch. The Opposition is not satisfied with this. We have definitely come to a very decisive stage. It is very clearly pointed out that in case we suggest action after the perusal of the report, which they are not ready to take, then there is no value in going through this CBI Report. Therefore, one little thing is that the Prime Minister should come forward and say that after studying the report, the Opposition can suggest some things which the Government can consider. If the Prime Minister comes forward with this change, then the whole matter can be decided and all of us will feel happy so that the matter will be closed and we can naturally allow the other business of the House to go on. Otherwise, the time of the House is wasted and the time of the House has already been wasted all these days.

Therefore I would suggest that we must do one thing. The Government should come forward and agree to consider whatever be the suggestion of the Opposition Party Leaders after the perusal of the Report and give this assurance that it would be considered. This will leave the matter to come to a close. This is what I want to suggest. I hope this will be agreed to. I feel that as far as *satyagraha* is concerned, such unconstitutional methods should not be adopted inside the House. Though, as far as my party is concerned, we have full sympathy to the demand of the Opposition, I cannot join the *satyagraha* but Government must give this assurance to the Opposition. I may say that all my

sympathies will remain with the Members of the Opposition.

PROF. NARAIN CHAND PARASHAR (Hamirpur): Sir, what has happened in the morning has brought a bad name to Parliament. Sir, I perfectly agree with you, with your observation, that an achievement has been made that all sections of the House are participating in a meaningful debate. This is a significant observation. This is a significant achievement because the fact that from the chaos and confusion in the morning, we have come to this orderly discussion in the evening shows that we are trying to observe the principles of parliamentary democracy which I am hopeful our friends on this side and our friends on the other side will not fail to miss. I am hopeful that they would continue to strive hard to see that that ugly scene which we witnessed in the morning does not recur in the House. Sir, we owe it to the generation of future to represent a better image, to represent a bright image. Sir, I was rather amused to listen to the objections made by hon. Member Shri Vajpayee that he wanted to put certain questions to Shri L. N. Mishra. What right has he got to put questions to Shri L. N. Mishra when Members of his own Party were standing on the bench and shouting at the top of their voice and making it impossible for any Member in the House to listen to what Mr. L.N. Mishra was saying? Sir, what right has he got, what right the Members of the Opposition have got to ask questions when they snatched from the Secretary General a statement laid by the Minister, tore it into pieces and threw it on the floor of the House? This is a shameful act. From Members of Opposition, we would have expected a better behaviour, as Members of Parliament, who claim to represent as many as ten lakhs of people.

Coming to the point about the Prime Minister's statement, I am not one of those who would try to explain or elucidate the Prime Minister's state-

ment. I feel that that was absolutely clear and whatever she said needed no explanation or elucidation. But when Shri Morarji Desai got up in his seat and wanted to ask certain questions from the Prime Minister, she said that she had made everything absolutely clear and that there was nothing more to add to it. Sir, I do not agree that the Prime Minister's statement requires any kind of elucidation or that there is something implied or implicit in it. After all, parliamentary democracy implies meaningful and fruitful discussions, negotiations and all that. Mr. Morarji Desai, Members of his Party and Members of the Opposition are perfectly within their rights to see the Prime Minister, to meet her personally. But, so far as her statement is concerned, I personally feel that it is crystal clear and it needs no explanation and there is nothing more which can be added to it. Whatever she wanted to say, is clear to all of us. I do not want to say anything beyond this. Sir, I agree with Mr. Shamim in regard to one point, at least on this point, that the Opposition leaders could not have got a better opportunity to show to the world, to show to their countrymen, to show to the lovers of parliamentary democracy that here was a Prime Minister who offered the olive branch and that they refused to accept it. The moment of triumph for the Opposition has turned into a moment of envy for the Opposition, not only for the Opposition, but for parliamentary democracy. I would request them to show themselves better next time.

श्री जनेश्वर मिश्र (इलाहाबाद) :
उपाध्यक्ष महोदय, अपनी बात शुरू करने में पहले मैं दो शब्दों का इस्तेमाल करना चाहता हूँ। आप के सामने ही इस सदन में उन का इस्तेमाल हुआ है। विरोध पक्ष की तरफ से कांग्रेस पार्टी के लिए यह कहा गया कि ये लोग बेईमान हैं और उस के जवाब में सत्तारूढ़ दल की तरफ से विरोधियों को कहा गया ये बेकूफ हैं। मेरा खयाल है कि ये दोनों शब्द अपनी जगह पर दुबस्त हैं और लड़ाई भी

शायद इन्हीं दो शब्दों की है। अक्सर जब हम लोग रूलिंग पार्टी के लोगों से मिलते हैं तो हम लोगों को कहते हैं कि कहां विरोध में पड़े हो, बेकूफी करते हो, खासो पीसो मौजा उड़ाओ और हम लोगों की जब कभी बात होती है तो हम लोग उन से कहते हैं कि कहां खाने पीने के चक्कर में पड़े हो, यानी बेईमानी कर रहे हो, कभी कभी मुल्क की तरक्की के लिए, मुल्क के चरित्र के लिए भ्रष्टाचार के माहौल में बाहर निकल कर सोचा करो। आज भी जो बहस और लड़ाई चल रही है वह इसी की चल रही है, एक तरफ इन को ऐसा लगता है कि जो कोई इन के भ्रष्टाचार के खिलाफ उम्ली उठाता है या कम भ्रष्टाचारी है वह बेकूफ है और दूसरी तरफ विरोधी पक्ष को ऐसा लगता है कि पूरे मुल्क की दौलत और तरक्की के बारे में जैसे कि मैंने अभी एस.एम.बैनजी को सुना, उन्होंने कहा कि राजकीय कर्मचारियों का महंगाई भत्ता फसा है (व्यवधान)
. . . और दूसरे प्वाइंटम उन्होंने उठाए, मैं केवल यह कहना चाहता हूँ कि सारे के माने सवालत इस समय सत्ता के दल के भ्रष्टाचार की जकड़ में फस गए हैं, जैसे मकड़ी के जाल में कोई सर्जिया किस्म का जानवर फस जाया करता है उसी तरह पूरे का पूरे मुल्क फसा है इनके जाल में।

अब, उपाध्यक्ष महोदय, सुबह की बात बहुत ही दुखदाई बात है, जितनी दुखदाई सत्तारूढ़ दल के लोगों को नहीं है। उसने ज्यादा हम लोगों के लिये है, क्योंकि पहले प्रधान मंत्री जी ने अपना बयान दिया, उनके बाद मोरारजी भाई ने अपना बयान दिया, उसके बाद स्पीकर साहब कुछ कहने जा ही रहे थे कि प्रधान मंत्री जी ने कहा कि मेरे पास संसद आया है, मुझे राज्य सभ में जाना है। उनके राज्य सभ में जाना हो या जहन्नुम में जाना हो, मुझे उससे कोई मतलब नहीं, इतने जबरदस्त सिस्म का मामला फसा है, जिस पर 300 रुपया प्रति मिनट खर्च होता है,

[श्री जनेश्वर मिश्र]

कितने दिनों से यह मामला फना है, खुद प्रधान मंत्री जी को मालूम है, सत्तारूढ़ दल को मालूम है, हम लोगों को मालूम है कि इस समय बहुत तनाव की हालत है, उस समय को नजरअस्बाह करके प्रधान मंत्री जी कहती है कि मुझे राज्य सभा जाना है—तब मैंने कहा कि आप को इटली समझियाने जाना पडगा, इसके अलावा और जगह आपको नहीं मिलेगी. . . .

उद्योग और नागरिक प्रति संभालय में राज्य मंत्री (श्री बी० पी० नौब) यह क्या प्वाइन्ट आफ ऑर्डर है ?

श्री जनेश्वर मिश्र हा, यह प्वाइन्ट आफ ऑर्डर है। उपाध्यक्ष महोदय, ये लोग बड़ी बारा दलील देते हैं क्लज वा, सविधान के नियमों वा लेविन; आज मैं बहना चाहता हूँ—जिस हालत पर सत्तारूढ़ दल ने इस सदन को पहुँचा दिया है—क्लज और सविधान के परे की हालत हो गई है—इस विधि प्वाइन्ट आफ ऑर्डर से आज आपका कोई मतलब नहीं रहा है—उस बात का नोट कर लीजिये।

उपाध्यक्ष महोदय, अब हम लोग के सामने क्या रास्ता रह गया है—आज सुबह बहुत आप्रह के साथ विरोध पक्ष के लोग 'प्वाइन्ट आफ ऑर्डर' चिल्ला रहे थे। यहाँ कुर्सी पर स्पीकर साहब बैठ थे, उन्होंने हम लोग की बात नहीं सुनी लेविन; क्लिप नारायण मिश्र वा, मुझसे देने के लिये बुला लिया, प्रिवलेज के सवाल पर वे न्यायानुस भक्षण करने गये, उनकी बात सुन ली गई—हम लोग उनकी क्या माने ? वे अध्यक्ष है, अध्यक्ष की कुर्सी पर बैठे थे, लेविन; विरोध पक्ष को नजरअस्बाह कर रहे थे। एक बार प्रधान मंत्री जी ऐसा बरती तो ठीक था, क्योंकि उनके हाथ में तलवार है, वह तलवार से किसी की गर्दन का उडा सकता थी, बाहर निकलते तो पुलिस के द्वारा जेल में डाला सकता थी—लेविन यहाँ तो सब लोग बह रहे थे

कि हमारी बात को सुन लीजिये, लेकिन अध्यक्ष महोदय कहते हैं—नहीं, नहीं, रेलवे मिनिस्टर बयान दीजिये। इस तरह से तो हम लोगों का कोई हक नहीं रह गया है।

आज मैं एष' चेतावनी देना चाहता हूँ—हम कम है, अकेले भी रहेंगे, हम उन लोगों में से नहीं है कि इस्तीफा दे कर चले जायेंगे, जब हमारा मन बरेगा तब जायेंगे, लेकिन अकेले भी रहेंगे तो भी इरादा बना कर रहेंगे कि आप वा बहुत बडा राक्षसी बहुमन कोई ऐसा काम न करने पाये जो गलत हो। विरोध पक्ष कमजोर रहने के बाद भी अपने उद्देश्य में कामयाब होंगा।

उपाध्यक्ष महोदय, हम लोग आपको बधाई देना चाहत है। अगर इस समय हमारे अध्यक्ष महोदय कुर्सी पर बैठे हो तो सदन वा यह माहौल नहीं होना—मेरा एरा यहाँ है। आप ने आ कर इस सदन के माहौल का आपसी बातचीत के योग्य बनाया है—उनके लिये मैं फिर से आप को बधाई देना ह। लेविन; मैं आप से पूछना चाहता हूँ—अब लोग क्या करें। ये लोग आज सत्तारूढ़ पक्ष में मजबूत उठाते हैं। ये लोग, जिन सत्तारूढ़ शब्द को दुराग्रह बहते हैं—सन् 1947 के पहले इसी तरह के प्रपोज के दौरान उन लोग का जो भारी ज़ाके पाठे चलने वाले लोग थे, जब सत्याग्रह करने थे, तो उनका दुराग्रह बहता करते थे। इनमें सत्तारूढ़ सत्तारूढ़ लोग ऐस रह गये हैं जो 1947 के पहले के है, मुश्किल से 30 फीसदी हागे. . . .

SHRI VAYALAR RAVI: By your leaders.

श्री जनेश्वर मिश्र हमारे लीडर्य के बारे में आपको मालूम नहीं है कि कितनी बार जेल गये है, आप क्या जानें। 1947 के बाद वाले लोग सत्याग्रह की महिमा को नहीं समझ सकते। इस सदन में मैं एक बार और कह चुका हूँ—इस मुल्क की आजादी और

यह सरकार सत्याग्रह के पेट से पैदा हुई है। बेंटी जब अपनी मां के बारे में मजाक करने लगती है तो बड़ी ही भयानक पोखीशन हो जाता करता है—यह बात मैं सुता, रूठ दल के लोया से निवेदन करना चाहता हूँ।

प्रधान मंत्री जी ने दो-तीन बाने अपने बवतव्य में नहीं है—मैं उ.को सुनाऊंगा—मुझे पूरा पढ़ कर सुनाने का ज़रूरत नहीं है—एक जगह उन्होंने कहा है—

"but may also result in a conflict between the courts and Parliament".

यह बात केवल सो.बी.आई. की रिपोर्ट के बारे में ही है, इस भ्रष्टाचार के मुकदमे के बारे में ही है? अभी हाल में सुप्रीम कोर्ट ने चुनाव के खर्च के बारे में फैसला दिया था और उस फैसले को गण्टूपति जी के अध्यादेश के द्वारा आपने रद्द करवा दिया और इस मद में आप उस पर बिल भो लाने जा रहे हैं—मैं जानना चाहता हूँ—कौन सी पार्लियामेन्ट और कोर्ट की बात आप कर रहे हैं? क्या ताम-हजारी की अदालत और पार्लियामेन्ट अलग लड़ जायगी तो जुर्माने मर जायगी या सुप्रीम कोर्ट लड़ जायगा तब मरेगा? ताम-हजारी के जुर्माने वरिक्टर का हिकमत करने वाली इन्दिरा गांधी की सरकार सुप्रीम कोर्ट के जुर्माने वरिक्टर की हत्या कर रही है। और उसके बाद भी हिम्मत करके कहता है कि पार्लियामेन्ट और जुर्माने में कांफ्लिक्ट हो जायगा, क्योंकि ताम-हजारी की अदालत में शायद तुलसीदास राम वाला मुकदमा चलेगा।

दूसरी बात—इन्होंने कहा है—

"Does this not indicate that the real intention behind the demand is not a proper discussion of the case but rather its exploitation for a political purpose?"

यानी विरोध पक्ष के लोग जो बार-बार कहते

हैं कि रिपोर्ट यहाँ पर रखी जाय, वह बहुत करने के लिये नहीं, बल्कि अपनी राजनीतिक स्वार्थ पूर्ति के लिये चाहते हैं कि रिपोर्ट यहाँ रखी जाय—क्या दलील है? चोर को पकड़ने में राजनीतिक स्वार्थपूर्ति हो जाती है, लेकिन आप की स्वार्थपूर्ति चोर को बचाने में है, दोनों तरफ से स्वार्थपूर्ति है। विरोध पक्ष की स्वार्थपूर्ति नहीं चार के पकड़े जाने में है और इनको स्वार्थपूर्ति तब होगा जब चार पकड़ा न जाय। नरुना चार, छठे छठे चार, नम्बर 2 और नम्बर 4 के चारों के पकड़े जाने में आपकी स्वार्थपूर्ति है, शायद तम्हार इममें नहीं है, लेकिन जो सब से बड़ा प्रवाण-चार है, वह न पकड़ा जाय। इसमें मुझे क्या कमी डर लगना है—इन में सुत्रधार बलित नारायण मिश्र नहीं बल्कि प्रधान मंत्री हैं—यह मेरा आरोप है।

आखिर में ए. बात मकई के साथ कहना चाहता हूँ—मन् 1947 के पहले गांधी जी की रहनुमाई में जा मुल्क का राजनीति त्याग की तरफ जा रही था, वह 1947 के बाद भांगवृत्ति का शिकार हो गई और इस समय मुल्क का तरकका उता भांगवृत्ति के चलते हुए—शासक पार्टी के लोग नाराज हो जाते हैं** मैं किसा भी नाम नहीं ले रहा हूँ—नाराज मत हो जाना** जब तक उस** काखात्मा नहीं करेगा . . .

(Interruptions)

SHRI R. S. PANDEY (Rajmandgaon): It should not go on record; it is derogatory; it should be expunged.

SHRI B. P. MAURYA: It is very unfortunate. When I wanted to raise a point of order, you did not allow me.

SHRI PILOO MODY: Mr. Maurya should speak as a Minister or he can

[Shri Piloo Mody]

speak as a Member; he should choose to be one of them, not both.

SHRI R. S. PANDEY: The word used by that hon. Member must be expunged.

MR. DEPUTY-SPEAKER: I am checking up on that word because my knowledge of Hindi is very limited.

SHRI B. P. MAURYA: You have got interpretation.

MR. DEPUTY-SPEAKER: Interpretation comes half a minute later after the storm has broken out. I am checking up on that word, what exactly is its meaning and I shall take suitable action after finding out what that word is.

SHRI CHAPALENDU BHATTACHARYYA (Giridih): When the Opposition, particularly Mr. Piloo Mody is never tired of accusing all as having empty heads... (*Interruptions*). His head is stuffed and it is just as well that he is walking out. The basic point at issue is whether the House will run according to the rules of business or according to the whims and fancies of parties and of some individuals.

MR. DEPUTY-SPEAKER: I must appeal to all members that despite our strong feelings or passions, let us try to use polite language. I am told by the Table that the word used in Hindi is**... I think this is unfortunate. This word should not go on record

श्री जनेश्वर मिश्र : उपाध्यक्ष महोदय, आप हिन्दी की जानकारी कम रखते हैं इसलिए हो सकता है कि आप वा टेबिल आप को मिसेगाइड करता हो। . . . (ब्यवधान) . . . उपाध्यक्ष महोदय, आप हमारी बात सुन लें। . . . (ब्यवधान) . . .

SHRI MALLIKARJUN (Medak): Under Rule 380, he cannot use defamatory language. The rule says:

"If the Speaker is of opinion that words have been used in debate

which are defamatory or indecent or unparliamentary or undignified, he may, in his discretion, order that such words be expunged from the proceedings of the House."

MR. DEPUTY-SPEAKER: I have given my ruling. What else do you want?

श्री जनेश्वर मिश्र : आप ने हम को एक डे के लिये इजाजत दी है, आप मेरी बात सुन लें।

श्री मल्लिकार्जुन मकरुटी की कोई आवज्यता हा नहीं है, जब आपका कर्ता हो चुका है।

MR. DEPUTY-SPEAKER: There is no harm in my listening and taking suitable action.

SHRI MALLIKARJUN: You have given the ruling. There is no question of explanation. He is guilty of using unparliamentary language.

श्री जनेश्वर मिश्र : मुझे अपना बात कहने में ही हर्ष या न सुन इजाजत दी है। अगर इनका कोई मन्त्रा, प्रधान मन्त्रा या माननीय गृह मन्त्रा एतयाज करने तो मैं बत्ता देना कि क्या माने जाने है। इसलिये आप मेरा बात सुन लें।

* PROF. MADHU DANDAVATE: All of us agree that not only for the Prime Minister but for any leading member of the House such a word should not be used. I would request the hon. Member to withdraw these words.

श्री जनेश्वर मिश्र : हम ने एक व्यवस्था को ** कहा।

सन् 1947 के पहले जागृति थी उस के बाद भोगवृत्ति आयी और** उससे मुल्क को दूर करता है। . . . (ब्यवधान) . . .

*Expunged as ordered by the chair.

PROF. MADHU DANAVATE: This explanation should be accepted . . . (Interruptions).

SHRI S. A. SHAMIM: When he says he withdraws the words against the Prime Minister, his words should be accepted.

MR. DEPUTY-SPEAKER: I think the whole thing has been resolved. Even Shri Janeswar Mishra has tried to explain that he did not mean it. Whatever it is, if any such language has been used, which has this particular meaning, that will not form part of the record.

श्री जनेश्वर मिश्र : हम जो बात कहते हैं क्या बिना किसी मुद्दे के शक्ति राजा दे रहा है।

MR. DEPUTY-SPEAKER: That is a matter of record which has to be checked up if any such language has been used.

SHRI ATAL BIHARI VAJPAVEE: What language?

MR. DEPUTY-SPEAKER: Even if I use that word, that will not go on record.

SHRI SHYAMNANDAN MISHRA: Let it be quite clear, as he has tried to make out . . . (Interruptions). What exactly do they mean? If the hon. Member says that he has not applied it for the Prime Minister, what have you to say on that? (Interruptions)

The hon. Member says that he used for the person, for material enjoyment. He did not use it against any person. It is indeed a perverse imagination of any person that this word could be applied to any person in this House. He has not used it against any person. He has used it for the person, for material enjoyment.

PROF. MADHU DANAVATE: Sir, I agree with the sentiments of every

Member on that side that for no lady Member this word should be used. He has said,**

That is the word used. You can check up from the record; you can check up from the tape tomorrow. If, as explained by the hon. Member, it is not referred to any person, that word is perfectly in order. (Interruptions).

Even Shri Shyamnandan Mishra agrees with you that if that particular word has been attributed to any Member or to any lady for that matter, even outside the House, that is not justifiable. But, as he has said it very clearly, it does not refer to any person. I agree with every Member on that side that this word should not be used against the Prime Minister or against any other lady Member. He has said,**

There is no reference to the Prime Minister.

SHRI CHAPALENDU BHATTACHARYYA: Sir, just now you had an exhibition of the language..

MR. DEPUTY-SPEAKER: You don't refer to that language any more. That has been expunged.

SHRI CHAPALENDU BHATTACHARYYA: And worse than that, we had a number of devil advocates supporting that language.

The point is that the difficulties are being entirely created by the Opposition for political purposes. They are not of our making. The Government has gone to the utmost, consistent with due processes of law, and the Government has agreed to show everything to the leaders of the Opposition. We have nothing to hide. As was said by Mr. Shamim, this should have been acceptable to the Opposition. Unfortunately, they think that they can press further so that more might follow.

**Expunged as ordered by the Chair.

[Shri Chapalendu Bhattacharyya]

नाम्न का बंशी बजाने से वह खट्टा हो जाता है।

That is what they are doing.

We are being told about parliamentary democracy and their eagerness to protect democracy. Was that a shining example of protection of democracy that we saw this morning when some of the Members there jumped on the Benches, went forward and sat here? They tore the statements. They are raising it every day; they are bringing motions every day, they are using innuendos; they are abusing the Members of the Treasury Benches and other Members on this side. But when it comes to replying them, they don't like or permit it. Their understanding of democracy is, don't allow anything to be said from this side. That is precisely their understanding. Mr. Puro Mody is never tired of accusing us of having empty heads. But when we reply in kind, he puts his stuffed head with obsolete ideas and a lot of avordupois into the bargain and walks out. I do not know for what it is worth.

17.00 hrs.

Now, Sir, a discussion is on, but we must discuss with a purpose and discuss to an objective. For four days I have been trying to raise the matter of anguished cries of lakhs of mica and shellac workers. I have given notice of a Call Attention Motion, but I could not get it through because the time of the House is being wasted and taken away in trivialities without regard to priorities.

Nothing can be shielded in a court of law. All the documents can be brought and will be brought. The entire processes of law could be hastened. You lose nothing by not getting all the connected papers. We have nothing to hide here.

Under the guise of raising points of order, they are holding up the proceedings of the House. This must be

stopped. My point of order is that *Satyagraha* is out of place because it does not form part of the Rules of Procedure and is not *bona fide*. L

SHRI P. G. MAVALANKAR: Mr. Deputy-Speaker, Sir, I am very grateful to you for allowing me to participate in what has been described very rightly as a very meaningful debate. Several points of order involving several fundamental issues that affect Parliamentary dignity and honour have been raised. When we enter this august House, a very interesting and very instructive *slokha* from the ancient Indian philosophy and writings is seen by many of us; it is inscribed on the wall in Sanskrit; it says:

न सा सभा यत्र न सन्ति—बृद्धा

There is no Assembly which does not contain people with wisdom. 'Bridgha' does not mean merely old people; it means people with sanity, people who talk rather than shout, people who will make points because they feel that they must make those points.

बृद्धा न तो यो न वदन्ति धर्मम्

They are not old people or wise people who do not talk *dharma* meaning the truth.

The whole demand of the Opposition since the beginning of September this year, particularly since September 9 when my esteemed friend, Shri Atal Bihari Vajpayee, moved his motion, is—practically all of us are asking for that—for a Parliamentary probe into the whole matter. It is not only because we have been interested in seeing the honour of the House fully maintained and enhanced but we are also entitled—indeed, it is our duty—to arrive at the truth, and if any obstacle of curtain comes in our way in getting at the truth, then we in this Parliament shall never keep quiet until those obstacles and curtains are lifted.

Mr. Deputy-Speaker, above your Chair, is a quotation—it has been there from the beginning of the first Speaker of Lok Sabha—a quotation from King Ashoka's time. It says:

धर्मचक्र प्रवर्तनाय

There shall be a rule of law, the Wheel of Dharma. If it is right, it must be done and if it is wrong, it must be opposed, opposed at any cost, even at the cost of being misunderstood, even at the cost of being misunderstood that what we are doing by way of protesting is described by the Prime Minister as obstructing. Therefore, I request you to please find out what has been happening, particularly, to-day and also on the last Friday. Last Friday, we, many of us from this side, told the Government that we would not keep quiet until we arrived at the truth and the truth said that there was no case whatsoever because we were interested in truth and not in any individual, much less after his blood, but, if after arriving at the truth, we understood that people a higher up were involved, then we would not be quiet. Sir, Mr. Richard Nixon, the President of as big a democracy as America, a prosperous nation, under mounting pressure from a free Press, from an independent public opinion, from an awakened Congress... (*Interruptions*) I hope, Sir, he understands what I am speaking. I hope he understands English... (*Interruptions*) I also hope the Hindi translation is well provided so that he can understand what I am speaking. Therefore, when pressures were mounting up, as the President of as big a nation as the United States.

Mr. Nixon, had to go because the basis of democracy is that nobody is indispensable, not even the Prime Minister and not even the President of any country... (*Interruptions*).

Therefore, the point is that if Mr. Richard Nixon can face this democratic pressures and, if ultimately, he had to go and if the Japanese Prime Minister, Mr. Tanaka had to go because of his involvement in corrup-

tion, I ask you: are any of the Ministers sitting on those Benches more important than Mother India?...

SEVERAL HON. MEMBERS: No, no.

SHRI P. G. MAVALANKAR: Are they more important than democracy?

SEVERAL HON. MEMBERS: No, no.

SHRI P. G. MAVALANKAR: Are they more important than truth?

SEVERAL HON. MEMBERS: No, no.

SHRI P. G. MAVALANKAR: If, therefore, for serving the truth and serving Mother India, we say and, rightly so, that we must have all possibilities of avenues open to us to arrive at an objective, free and uninterrupted debate and discussion, on all aspects of the matter involving this sordid, unfortunate and dirty affair, then what is your guidance? I ask you. That is part (a) of my long point of order.

Then I now come to part (b) of my long point of order. Please give us guidance. Are we not entitled to perform our duties? Why are we here for? We are here merely because we want to please this or that constituency? We are here in order to serve the highest dictates. We are conscious that we are here to serve the highest national interests of the country. I am one with the Prime Minister even when she says that a number of reforms in terms of economic planning, social uplift, educational endeavour and other reforms of the country are being dropped because of debates here. I would ask you. What is more important? Reforms can never come in a climate of confusion and corruption and if, after all this, the Government want corruption to be covered up, are we to be helpless witnesses to that shameful drama? We want every single aspect of corruption to be uncovered, not only uncovered but the guilty to be punished even if the guilty happen to be members of the Treasury Bench-

[Shri P. G. Mavalankar]
and even if they happen to be still better people—'better people', meaning thereby higher people in terms of power and in terms of integrity, if they are involved and even if they are members of this or that Cabinet Committee or indeed, the Head of the Government, because, as I said the basic principle and basic hypothesis of democracy is that no-one is indispensable in this country. The country will go, Parliaments will go, but we cannot go on with corrupt Ministers not getting punishment they rightly deserve as early as possible.

Therefore, as I was telling you, the Prime Minister gave us a statement to-day in response to Shri Morarji Desai's point. We could have started this on last Friday. When we talked of trying to arrive at the truth, we were not in any hurry. If the Prime Minister wanted time, we were ready to give her and we gave her and waited till this day and it was done to-day. But it was not with a view to give her time to continue her manoeuvres, not with a view to give her time to harden her attitude because she knows that her hardened attitude can be backed up by these 375 people who are often not present in the Parliament for months together.

She issued a three-line whip. She is only Leader of the House, she is leader of the Government. But this Parliament is something bigger. This entire House is bigger than that portion of the House. The Prime Minister said, Morarjibhai is obstructing. It is very interesting. Look at the statement: She said, 'using coercive methods to prevent the functioning of the House'. I ask you in all humility, in all sincerity at my command, that if she charges the Opposition of obstructing methods, what about the oppressive dictation by her and by others whom she finds in her own ranks? It is only because of the oppressive dictation of this massive and difficult and terribly inflexible majority that we are saying

these things. Gandhiji has been quoted time and again. I was in Ahmedabad and also in Baroda and in Kavia district during the last week-end. The Congress President said something very interesting and this is reported in Gujarati papers. He said only two persons understood what mass welfare means and they were Gandhi and Mao. I am sure he did not mean Mahatma Gandhi! He meant Mrs. Gandhi! Acquaintance with Gandhiji is not the monopoly of those sitting in those benches.

SHRI VAYALAR RAVI: Mr. Borooah knows Mahatma Gandhi. He was born before you.

SHRI P. G. MAVALANKAR: He may have been born before me. As a young and active student in my younger days, I met Mahatma Gandhi, I have listened to him. I had correspondence with him. And you cannot tell me that we are using obstructionistic methods. This is a natural reaction to the oppressive dictation of the party in power. Mahatma Gandhi has taught this that if you want freedom to be preserved and Swaraj to be enshrined and enhanced to the people of a free country, then, the people must have the capacity to resist authority and power especially when power and authority know no bounds. The attack of Morarjibhai and indeed all of us is against this corruption of power. And, as Lord Acton, the well-known British Historian said, "Power tends to corrupt and absolute power absolutely". And then, the Prime Minister said that those who are opposing are basically not for fully representative democracy. But the way in which the ruling party is behaving, I must say, they are neither responsible nor responsive these days. The Prime Minister and her party have made non-sense of electoral laws. Day in and day out they use the newspapers and Radio and TV for their propaganda and then they are giving lessons on representative democracy day in and day out! The Prime Minister said, CBI report can't:

be laid on the Table. I have it on very learned and high judicial authority that placing the report in Parliament will not come in the way of the Court in respect of judicial aspects and inquiry into criminal issues of the matter in question.

I obviously cannot give the name of high judicial authority but in so many words I have been given to understand that even if CBI says X Y and Z things all those things will have to be proved in the court of law. Therefore, if CBI report and all the other documents are being made available to the Parliamentary Committee for a probe then it is in no way coming in the way of justice as the Prime Minister tried to point out.

Lastly, the Prime Minister said that Government is willing to accept your (Speaker's) suggestion that the leaders of Opposition might see in confidence or under oath of secrecy the CBI report. I object to this whole idea of in confidence or under oath of secrecy. I also object to who are the leaders of Opposition. As a matter of fact all Members of this House are equal. You cannot have the Orwellian dictum that all are equal but some are more equal than others. All Members of Parliament are equal. Yes, if it is a Parliamentary Committee than all Members are represented through that Committee. That is with regard to Prime Minister's statement.

SHRI DINESH CHANDRA GOSWAMI: Are you also objecting to Prime Minister's meeting the leaders of the Opposition?

SHRI P. G. MAVALANKER: I am saying that CBI report and other documents cannot be shown only to the leaders of the Opposition. It is inherent right of every Member of Parliament. All are equal, Parliamentary democracy as we understand

—whether it is in England, Canada or Australia or in this country—cannot function with any technique of satyagraha on the Floor of the House or inside Parliament. But I want to ask the fundamental question: If because of this majority they behave in a manner which makes the majority function in an oppressive manner—Parliamentary government is by majority with the consent of minority—but if the consent is not there and if the minority is being crushed and the majority becomes oppressive what is the way out? I ask you if this oppressive majority corners us or if this oppressive majority tortures, twists or perverts all standards and values what are we to do? Then Morarji asked for a clarification on P.M.'s statement. But the P.M. did not give the clarification whether leaders who will be shown it will read it for any action. If no action is to be taken are we going to read it merely as a matter of academic exercise? We want it because we want to arrive at the truth. Now, what happened immediately after Morarji asked for the clarification? Within a few seconds my friends, Mr. Dandavate, and many others including myself got up on a point of order but I am sorry to say the hon. Speaker did not give anyone of us an opportunity to speak on our points of order. How was the Speaker to know that we were obstructing and how was he to know that we were not going to raise important points of order? So, since that point of time when we asked for various points of order, the Speaker asked the Railway Minister to make the statement. I do not know what he was doing. Was he reading or was he praying to God? He was saying one, two, three, etc. I want to ask: is that all part of business for today?

What will be the Bulletin for tomorrow? Whatever has happened from the rising of the points of order until the lunch hour, will it form part of business?

[Shri P. G. Mavalankar]

Lastly, Mr. Deputy-Speaker, this majority should know that if they tell me, if they tell us, that they are trying to govern, then what they are doing is not democracy but a facade of democracy without the contents and spirit of it. And that is why we are compelled to obstruct till the last minute even though we have faith in democracy and democratic ideals of the society in this country.

SHRI S. M. BANERJEE: Sir,**...

MR. DEPUTY-SPEAKER: I do not want you to mention what has happened in the other House. This will not go on record. I do not like the idea that while we are discussing something any reference is made to what happened in the other House. This is an unhealthy practice. I won't allow this. Please sit down. I do not know anything unless any message comes here to us in a proper manner. I take no cognisance of what happens in the other House. Mr. Banerjee, kindly sit down.

I am on my legs. I have something to say. Please sit down. I have to go along with the House or I have to take the House along with me. I think this afternoon we have achieved a limited objective, that is to restore the House on the rails and to have a discussion when it was going off the rail. Now, I would like to have the pleasure of the House. I personally feel that we have had enough discussion.

SHRI JAGANNATHRAO JOSHI: (Shajapur): Sir, I rise on a point of order.

MR. DEPUTY-SPEAKER: I am not shutting out anybody. I am only formulating certain things. Then you may give your opinion after that. Why do you assume that I am shutting out anybody? I feel that we have had full discussion. You say

that you may have said it long ago. But I have a responsibility to this House and it is what I say that matters.

Now, I feel we have had enough discussion, very important and very useful discussion. I see some silver lining in the cloud as a result of this discussion. I am here referring to everybody. I shall come to that later on. I am optimistic and as long as I sit here I have a responsibility to see that this House functions. I do not know what the hon. Members want despite the fact that they have had 21 speakers and many of them have spoken with passion—on both sides of the House—and they have spoken at length also. (*Interruptions*).

Mr. Rahman, kindly sit down. I think the longest speech that is on record today is that of Shri Stephen. I have a feeling that the longest speech was made by Mr. Stephen.

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI): Because he is a tall man he should have made a long speech!

MR. DEPUTY-SPEAKER: Maybe, because he was a tall man, he may be entitled to a long speech. I agree with the hon. lady Member. He is an intelligent man. I do not know what the Biologists say—maybe intelligence is measured by the physical length of a person, although some of the greatest people on earth from Napoleon to Julius Caesar, to Hannibal were short people.

Now, even so, I would really take the guidance of the Members, their wishes. So many of them yet want to make their submissions. What do you want to be done? Should we conclude now or should we hear some more? In a situation like this, where feelings are very high, one cannot be

*Not recorded.

very very strict. (*Interruptions.*)
Order, please I want your guidance only on this limited question. Points of order have been raised and points of order have to be disposed of by the Chair. Now, I want your opinion only on this limited question whether we should hear some more Members or we should close here because I feel that every group, every party has had its say. Now, let me fix a time limit. I do not want to shut out anybody. But, let us place a time limit for the rest of the Members.

SHRI SAMAR GUHA (Contai): What will you do after this debate is concluded, a debate which is pointless?

MR. DEPUTY-SPEAKER: I know what I am going to do.

SHRI SAMAR GUHA: We will speak up to 6 O'clock and then we will adjourn.

MR. DEPUTY-SPEAKER: I am grateful to Mr. Guha for being very concerned about my position, very very concerned; it is a very easy thing to let Members talk and adjourn the House and go home. You have made a suggestion and you have asked me a question, 'What will you do?' What I will do you will know when I do. I would only say this that I am not one who runs away from responsibility. I do not tread into other people's responsibility. I do not want to snatch responsibility. But, I am not going to run away from responsibility. Let us fix a time limit and hear each Member, two minutes for each. Will they be satisfied?

श्री सरजू पाण्डेय (गाजीपुर) : उपाध्यक्ष जी, हमारे साथी बनर्जी साहब ने अपनी बात को कहते हुए कहा था कि लगभग 10-15 दिन से लाइसेंस का मामला चल रहा है और 10 दिनों के बाद प्राइम मिनिस्टर ने इस रिपोर्ट को प्रस्तुत करने की बात कही है।

मेरा खयाल है, यह रिपोर्ट अगर पहले काल तो सदन का बहुत समय बच जाता। इतना शगड़े के बाद रिपोर्ट आई तो वह भी इ शर्त के साथ कि अर्जेंट, के मेम्बर देख तो सकते हैं लेकिन उसके बाद फरदर कार्यवाही की माग नहीं कर सकते

मैं सदन का ज्यादा समय नहीं लेना चाहता हूँ—मैं यही निवेदन करना चाहता हूँ कि सरकार को इसे बिद-कण्डीशन नहीं बनाना चाहिये कि हम रिपोर्ट लेख तो मकेंगे लेकिन तभी लेखेंगे जब इस बात का अण्डर-स्टैंडिंग देंगे कि इसका फरदर कार्यवाही के लिये नहीं उठायेंगे। अर्जेंट को भी ऐसी शर्त नहीं लगाना चाहिए कि पहले कण्डीशन की बात हटाई जाय उसके बाद रिपोर्ट देखेंगे। मैं समझना हूँ—जैसा प्राइम मिनिस्टर ने कहा है—वे उन तमाम चीजों को रख दे और अर्जेंट को लीडर्स उनको देख ले—दोनों तरफ से इनमें शर्तें हटा ली जाय ताकि लोगों को फरदर बात करने का मौका मिल सके। मैं समझता हूँ—इन शर्तों में बहुत जोर है—अगर रिपोर्ट देखने के बाद उन पर कोई कार्यवाही न हो तो उनका कोई लाभ नहीं है। इस लिये दोनों तरफ से शर्तें हटाई जानी चाहिये और देखने के बाद पतः बातचीत हो। अगर उनमें कोई ऐसी चीज निकल सकती हो . . .

SHRI SHANKERRAO SAVANT (Kulaba): Are we not taking up the half hour discussion today?

SOME HON. MEMBERS: No, no.

MR. DEPUTY-SPEAKER: Points of order have been raised. Other businesses before the House, the Sick Textile Undertakings (Nationalisation) Bill, the statutory resolution and other Bills, are there. Everything has now been postponed until we are able to dispose of these points of order.

SHRI SHANKERRAO SAVANT: It is our procedure everyday to close

[Shri Shankerrao Savant]

the discussion at 5.30 when there is a half hour discussion and take it up (Interruptions).

MR. DEPUTY-SPEAKER: We will continue with these points of order until we dispose them of.

SHRI VASANT SATHE: The normal practice, when there is a half hour discussion on the agenda, is that at 5.30 or disposal of the earlier business, whichever is earlier, the House is to take up that business. Suppose there was a Bill being discussed. At 5.30, we stop there and take up the half hour discussion. Similarly, let this be continued tomorrow and we can take up the half hour discussion. At least you should cooperate in this.

SOME HON. MEMBERS: No, no.

MR. DEPUTY-SPEAKER: We have to bear in mind what is being discussed in the House. It is a point of order and therefore it has to be disposed of. It cannot be postponed. If it is any other business, you can adjourn and resume it. But points of order have got to be disposed of.

SHRI VAYALAR RAVI: It is continuing for the last one week.

SHRI VASANT SATHE: Under rule 376, you have a right to listen to a point of order before you give a decision. But it is not necessary that the decision must be given on the same day. If you find these points of order so important that you have still to listen to other members, even tomorrow you can continue to do so. There is no bar. But I believe the half hour discussion can be taken. It is very seldom that we get the right to have such matters discussed. It is an important issue. Let it be discussed.

SHRI SHYAMNANDAN MISHRA: The Sick Textile Undertakings (Nationalisation) Bill is no less important.

SHRI S. M. BANERJEE: I have suggestion. Since points of order

are going on and you have not been able to give a ruling yet and it is difficult for you to make up your mind, let Shri Savant rise to a point of order and say whatever he wants to say on the subject of the half hour discussion and the Minister should rise to a point of order to reply to it.

SHRI SHANKERRAO SAVANT: I rose on a point of information, whether it is to be taken up or not.

SHRI S. M. BANERJEE: After Shri Sarjoo Pandey has finished, let him take ten minutes on a point of order and say the same thing he wants to say during the half hour discussion. The Minister should also reply by way of a point of order.

SHRI ATAL BIHARI VAJPAYEE: The half hour discussion should be postponed. Shri Savant should not be deprived of the opportunity of raising the discussion again.

MR. DEPUTY-SPEAKER: It happens like that.

SHRI SHANKERRAO SAVANT: It is for the Chair to decide; I am in its hands.

MR. DEPUTY-SPEAKER: It is only postponed; it does not lapse.

श्री सरजू पाण्डेय : उपाध्यक्ष जी, बहुत अधिक समय इन मामले में सदन का बर्बाद हो चुका है। जिनकी इन मामले पर ज्यादा बहस होती है, सारे देश में उतनी ही ज्यादा शंका उत्पन्न होती जाती है। हमारा अनुरोध है कि दोनों तरफ से कण्ठीशमज न रखी जाय, रिपोर्टें प्रस्तुत की जाय, अपोजीशन के लोग उसको देखें और रिपोर्टें देखने के बाद जैसी स्थिति हो उस पर पुनः बहस की जाय। चूँकि उन्होंने स्पीकर को रेफर किया है— और यही एक रास्ता निकल सकता है मैंने सुना है कि इसी आधार पर दूसरी जगह बातचीत चल रही है, और विरोधी दल के लीडर्स बैठकर सोचें। जो भी जिम्मेदार

आदमी हो उसको सजा मिलनी चाहिए। यही पार्लियामेंटरीय इति को चलाने का तरीका होना चाहिए, और जब तक जनता के मन में इस स्कैंडल के बारे में साक्ष्य भावना नहीं बनेगी यह मामला हल नहीं होगा। इसलिये आप उपाध्यक्ष, जी, सरकार से इस बातचीत को चलाने और इस मामले को यही समाप्त किया जाय और कोई प्रीकंडीशन न लगाय।

श्री शक्ति भूषण (दक्षिण दिल्ली) :
उपाध्यक्ष जी, सत्य की खोज और मातृभूमि के लिये माननीय मावलकर जी ने कहा, कोई गांधीवाद का वास्ता दे रहे हैं, वह लोग जो गांधीवाद के नाम पर ट्रस्ट बना कर लाखों, करोड़ों रु० खा गये। मोरारजी भाई ने सत्याग्रह के लिये कहा है इस लक्ष्य को सामने रख कर कि हमारे दल की तरफ से सी०बी० आई० की रिपोर्ट नहीं दिखा रहे हैं। मोरारजी भाई अनेक बार सत्याग्रह की कह चुके हैं और मैं तो उनको हमेशा सत्याग्रही के रूप में ही देखता हूँ। तो वह कोई महत्वपूर्ण बात नहीं है। जब हमारे दल से यह आश्वासन दिया गया कि सी०बी०आई० रिपोर्ट दिखाने को तत्पर है इसके पीछे भावना यही है कि उसमें कोई चीज छिपाने की चीज नहीं है। हालांकि छिपाने का जहाँ तक सवाल है सी०बी०आई० को बहुत सी पुरानी रिपोर्ट्स नहीं दिखायी गईं। लेकिन अगर यही प्रथा बराबर चलती रही कि कोई सत्याग्रह की बात करे उसके बाद सी०बी०आई० की रिपोर्ट दिखाई जाय तो काउन्टर सत्याग्रह भी हो सकता है। बहुत से मिनिस्टर और डिप्टी मिनिस्टर ऐसे हैं जिनके खिलाफ सी०बी०आई० की रिपोर्ट्स हैं। तो क्या इन रिपोर्टों की नुमाइश सेन्ट्रल हाल में दिखायी जाय? . . . (व्यवधान)

अगर यह प्रथा चालू की जाय कि रिपोर्ट पेश करनी है तो इसका कोई अन्त नहीं है। पहले मैंने इस सदन में एक, दो बार मांग की लेकिन नामंजूर कर दी गई। लेकिन अगर इससे बिरोधी दल को संतुष्ट होती है तो उसमें कोई प्रीकंडीशन की बात नहीं होनी

चाहिए। और जो रिपोर्ट दिखाई जा रही है इसमें कोई सत्याग्रह की बात नहीं है, यह बिरोधी दल को तसल्ली के लिये हो रहा है। यह नहीं कि सरकार सत्याग्रह से डर गई हो। लेकिन यह जरूर है कि अगर ऐसी प्रथा चल गई तो और लोगों के लिये भी आइन्दा मांगी जा सकती है और सरकार को दिखानी होगी।

SHRI ERASMO DE SEQUEIRA (Marmagoa): Based on one fact on which there can be no difference of opinion in this House I wish to submit three points for your consideration. My friend Mr. Goswami of the ruling party in this discussion a little while earlier said that the opposition was playing a political game. It is absolutely right because in the political game under the system that we have chosen, it is part of the game that the conduct of Members of this House should be above reapproach. What is worrying is not that the opposition is making the demand that it is making but that it is only the opposition that is making it and not the entire House. To consider the point that I seek to place before you we must go back and see how this started. There were charges levelled against about 20 Members of this House including Ministers that they seemed to be guilty of some kind of misdemeanour, and after those charges were levelled an investigation was made by a Government agency. This Government agency, we have been informed in this House, has come to the conclusion that one hon. Member of this House has committed a criminal offence. It exonerated the other Members.

The three points that arises are: Firstly who can consider whether Mr. Tul Mohan Ram is guilty of misdemeanour, as a Member of this House or not? My submission is that the Government cannot, the CBI cannot and the Court cannot. It is this

by standing up on his seat and than House which must do it. Secondly, once the charge has been made outside and inside this House against other members whose names were mentioned, including ministers, who is it that can exonerate them of parliamentary misdemeanour? Can Government do it? Can the CBI do it? No. It is this House that must do it. Therefore, I come to my third point: Can this House ever come to the conclusion (a) whether Mr. Tulmohan Ram is guilty of parliamentary misdemeanour or not and (b) whether the other members who have been exonerated have been rightly exonerated or not, without having in its possession all the information that today the Government is trying to keep away from this House? My answer to the third question is again, it cannot. Therefore, while we have this long discussion, let us not lose sight of the fact that to the extent that this House seeks to discharge its responsibility to ensure that the behaviour of members as members of the House is above reproach, this House is doing its duty and seeking to protect the democratic system that we have adopted. And, to the extent the Government abrogates in favour of itself the right to make this decision, Government is destroying the democratic system that we have. Therefore, whatever method is chosen, whether the information first goes to a committee or it is given at some secret session of the House, it cannot be kept away from Parliament. It is Parliament that must peruse the information and indict or exonerate as far as behaviour of members as members of this House is concerned.

SHRI VAYALAR RAVI: Mr. Mavalankar was vigorously arguing about the rightness and wrongness of what happened in the morning. The hon. member Mr. Kachwai made a scene [Shri Erasmo de Sequeira]

by sitting down in the pit. We on this side were rather keeping quiet. Somebody unfortunately said that we are taking advantage of the situation because there may be some difference

between you and the Speaker. It is very unfair to say like that. We respect both of you. Mr. Janeswar Mishra and Mr. Mavalankar tried to flatter you, but I hope you will not fall into their trap.

MR. DEPUTY-SPEAKER: I am old enough these days to fall into any trap.

SHRI ERASMO DE SEQUEIRA: Two wrongs do not make one right.

MR. DEPUTY-SPEAKER: I am a veteran bird.

SHRI VAYALAR RAVI: Mr. Mavalankar said that corrupt ministers must be exposed. Sir, this party and this Government has had the courage all along to appoint commissions and send out corrupt ministers. But when they go out of our party, they become their leaders. That is how Shri Morarji Desai has become their leader. I was not a member of this House those days, but when Shri Morarji Desai was a Minister, charges after charges were levelled against him on many occasions, but he never budged an inch, whereas the Prime Minister has shown grace today.

SHRI SHYAMNANDAN MISHRA: After so much of hammering, she has come down.

SHRI VAYALAR RAVI: Did Mr. Morarji Desai budge an inch on those occasions?

Even today this Government has come forward telling that we have nothing to hide, we can show you what you want, but protect the integrity and honour of the CBI. . . (Interruptions) Because, the Governments may come and go but this institution has to function and we have to protect it. If you want to ridicule this institution, then nothing is safe in this country.

Unfortunately, Shri Mavalankar made a reference to the Congress President, Shri Borooah. Shri Mavalankar might be knowing him well because he has lived in Delhi for a long

time and he must also have had the opportunity to meet many national leaders. He must be knowing Shri Borooah, the Congress President, as you, Sir, must be knowing him.

MR. DEPUTY-SPEAKER: I do not know.

SHRI VAYALAR RAVI: He is one of the best servants of the people. He has that honour. He is a learned man and he has served the country in many capacities. I am sorry that such comments were made about him.

Lastly, so far as Shri Tul Mohan Ram is concerned, the Speaker has already given a ruling. The Speaker has agreed that you can have a discussion. Now Shri Sequeira has said that we have to discuss only his criminal conduct.

SHRI ERASMO DE SEQUEIRA: The parliamentary misdemeanour.

SHRI VAYALAR RAVI: There is the ruling of the Speaker on that point. He has said that you can have a discussion if you bring forward a motion.

SHRI ATAL BIHARI VAJPAYEE: Suppose some other members are involved, what about them? Their cases are not before any court of law.

SHRI VAYALAR RAVI: Those Members have made a statement before the House that they have nothing to do with it. The charge-sheet itself, which is framed on the basis of the CBI Report, clearly stated that the other members are not involved and Shri Tul Mohan Ram was involved in the forgery. On the basis of that, a ruling has already been given by the Speaker.

श्री जनकनारायण जोशी: एक सदस्य के नाते मैं कुछ जानना चाहता हूँ इसलिए यह व्यक्तता का सवाल मैं उठा रहा हूँ। जब से यह मामला उठा है तब से सदन की गरिमा, यहां की पद्धति और इसका देश पर क्या असर होगा, इसके बारे में काफी बातें कही गई हैं। किन्तु मैं जानना चाहता हूँ कि किस

प्राधार पर हम यहां पर इस मामले पर चर्चा कर सकते हैं। बहुमत तो केवल एक आधार ही होता है। एक बार बहुमत से आधार मिलने के बाद जब हम को यहां पर लोकतंत्र की पद्धति से काम चलाना है तो न्याय, नीति और नियमों से चलाना होगा। हमें बहुमत का आधार मिला है इस वास्ते हमें चाहे जो करे यह सही नहीं है। जैसे जब तक कोई अठारह साल का नहीं होता है तब तक उसको शादी के लिए सक्षम नहीं समझा जाता है किन्तु एक बार अठारह साल का हो गया तो शादी करने के लिए वह सक्षम समझा जाता है लेकिन इसका मतलब यह नहीं है कि वह जो चाहे करे। उनको सपना लेनी पड़ती है "धर्म च अर्थ च कामे च नाति चरामि" इसलिए आपको बहुमत मिला इसका अर्थ यह नहीं है कि आप जो चाहें करे और जो भी चीज चाहेगी वह बहुमत से सिद्ध होगी। लोकतंत्र भी एक खेल है और जब तक इसको खेल के नियमों से नहीं खेला जाता है तब तक खेल में भ्रष्टा नहीं आयेगा। इस सदन में जब तुलमोहन राम की इस सदन का एक सदस्य होने के नाते बात उठी थी तो हम इस पर चर्चा चाहते थे और इसका हमने अनुरोध भी किया लेकिन यह कह दिया गया कि हम चर्चा नहीं कर सकते हैं। इसलिए 31 अगस्त को जब सदन की बैठक स्थगित होने वाली थी...

MR DEPUTY SPEAKER: We are not debating. You are raising a point of order.

SHRI JAGANNATHRAO JOSHI: I am making my point of order. I am formulating it. Therefore, in the beginning itself, I requested that I want a ruling from you.

MR DEPUTY SPEAKER: I shall give that. Now, you make your point of order.

SHRI JAGANNATHRAO JOSHI: I am formulating it.

[श्री जगन्नाथ राव जोशी]

मैं यहाँ एक सदस्य के नाते बैठा हूँ। यदि मझे जवाब नहीं मिलता है तो मेरे बैठने का मतलब क्या है। मैं सुनता रहा हूँ, बोला नहीं हूँ। जब हम तुलमोहन राम के बारे में यहाँ चर्चा करना चाहते थे तो आप ने इसी पर झड़गा डालना शुरू किया। नतीजा यह हुआ कि सदन की बैठक जोकि 31 अगस्त को समाप्त होने वाली थी, चार तारीख तक चली, फिर चार तारीख के बजाय सात तारीख तक चली और फिर सात के बजाय नौ तारीख तक चली। आप विरोधी दलों को दोष देते हैं। एक बार जब हम प्रधान मंत्री से मिलने के लिये गये थे तो प्रधान मंत्री ने बताया था कि जब तक सी०बी०आई० जांच करके पूरे तथ्य सामने नहीं ला देती है तब तक चर्चा कैसे करेंगे। फिर भी हम ने कहा कि चर्चा करने का अधिकार हमें है। सी०बी०आई० को तथ्य सामने लाने दीजिये, फिर आप चर्चा हो सकती हैं। इसलिये श्री वाजपेयी का मोशन था कि संसदीय समिति के सुपुर्द इस मामले को कर दिया जाये। इस पर चर्चा 9 सितम्बर को हो गई। अब सी०बी०आई० की जांच पूरी हो गई है और स्वाभाविक है कि उस जांच रिपोर्ट को सामने रख कर इस मामले पर हम चर्चा करते। अध्यक्ष महोदय ने विशेषाधिकार के मामले को स्वीकार नहीं किया है। और श्री तुलमोहन राम के आचरण पर चर्चा कराने के लिए वह सहमत हो गये हैं। सी०बी०आई० ने उनको दोषी ठहराया है। अब जब तक सी०बी०आई० की रिपोर्ट हमारे सामने नहीं तब तक हम या सदन उनके आचरण पर चर्चा कैसे कर सकता है। इसी आधार पर .

MR. DEPUTY SPEAKER: The hon. Member may conclude now.

SHRI JAGANNATHRAO JOSHI:

मूझ बढ़ियमत करना पड़ेगा।

You have allowed the Members to go on for even half an hour. You cannot give me even 2-3 minutes....

SHRI ATAL BIHARI VAJPAYEE: This is not fair; he seldom speaks. You allow him to complete his submission.

SHRI JAGANNATHRAO JOSHI: You allow me to complete my submission I want a ruling from you.

MR. DEPUTY SPEAKER: I think, we had agreed sometime ago that the Members speaking now would not take more than 2-3 minutes

SHRI JAGANNATHRAO JOSHI: I have raised a point of order. As a Member of this House, I have every right to know, when the Speaker has allowed that we can discuss the conduct of Mr. Tulmohan Ram, unless the CBI Report which held him responsible has been placed on the Table of the House, how can we discuss it? We cannot discuss it in the air. The Prime Minister comes forward and says that it will be shown to a few specified Members of the House. What does it mean? She says that it will raise a controversy between the House and the judiciary. Who raised it?

यह कंट्रोवर्सी किस ने खड़ी की? सी०बी०आई० की रिपोर्ट आने के बाद वह सदन के सामने आती तो न्यायालय और सदन के बीच में संघर्ष नहीं होता। यदि इस मामले को संसदीय समिति के सुपुर्द करते तो संसदीय समिति उसके अन्दर जाती और अपने निष्कर्ष आपके सामने रखती। प्रधान मंत्री ने जो बात कही है अध्यक्ष महोदय ने उसके ऊपर यह निर्णय दिया है कि जब तक तुलमोहन राम के सारे मामले को न्यायालय में निपटा नहीं दिया जाता है तब तक इसके बारे में या किसी दूसरे के बारे में हम चर्चा नहीं कर सकते हैं। इसका अर्थ क्या है? इस पर मैं आपका कर्त्तव्य चाहता हूँ। सदन का एक सदस्य होने के नाते यह जानना मेरा अधिकार है। यदि अध्यक्ष

महोदय ने स्वीकार किया है कि हम चर्चा कर सकते हैं तो मैं जानना चाहता हूँ कि किस आधार पर हम चर्चा करें जब तक उस रिपोर्ट को हमारे सामने रखा नहीं जाता है। इस पर मैं आपका निर्णय चाहता हूँ।

SHRI K. SURYANARAYANA (Eluru): Mr. Deputy-Speaker, Sir, after hearing several hon. Members from both the sides, there is no necessity of any arguments as in the court. As Mr. Ploo Mody said, we are not born professional politicians or even born professional businessmen. We are only ordinary people. Some of us this side have been trained in *Satyagraha* from the very beginning. Only a very few people know, including Shri Morarji Desai, know the meaning of *satyagraha* led by Mahatma Gandhi. Mahatmaji said that *satyagraha* is not only for small things like this.

There are so many ways, so many laws enacted to bring out the truth in this particular case, according to law. Even when Shri Morarji Desai was in the Government, so many laws were enacted to bring out the truth. I am not prepared to allow Shri Morarji Desai to sacrifice his life only for a small issue, like this that is, Shri Tulmohan Ram's corruption case.

My family was a born *satyagrahi* family right from 1921. I am not able to express my views in English because I could not receive much English education. Whatever English I have learnt, I learnt in the jail. I want to appeal to both sides that Shri Morarji Desai should not be allowed to offer *satyagraha* for this purpose in this House I do not believe that only by this kind of *Satyagraha*, the truth will come out. Everybody knows who started *satyagraha* and what for *satyagraha* is done. *Satyagraha* was started by Mahatma Gandhi to get rid of the British rule. And whenever Mahatma Gandhi did not agree with Government's

policies, he was going in for elections even though he was not directly involved in the elections; but he did not offer *satyagraha* for each and every thing.

I want to appeal to both sides that Shri Morarji Desai and others should not be allowed to offer *satyagraha* inside the Parliament House. They may, if they want, go to the Prime Minister's house and offer a *dharna* there. But they should not be allowed to do *satyagraha* inside the Parliament House.

Once *satyagraha* is started in the House, it will not be in the hands of Mr. Morarji Desai to stop it. We saw in the morning today the hon. Member, Shri Kachwal, sitting on the floor and not going back to his seat even though several of his own friends begged of him to do so.

I, once again, appeal to our friends not to resort to *satyagraha* for trivial things like Tulmohan Ram's case but to do it on bigger issues like increasing food production, rooting out black money, smuggling and so on.

SHRI DINEN BHATTACHARYYA (Serampore): Mr. Deputy-Speaker, Sir, the Prime Minister's statement has come here after about a month. Since the beginning of the Session, the demand has been made for setting up a Parliamentary Committee to go into the records of the licence scandal. After so much of speech and so much of agitation in this House and outside, the Prime Minister has, ultimately, come with a statement, but in a half-hearted way. She has agreed to place the documents, but on certain conditions, namely, that only the leaders of the Opposition will see them and they will not disclose it to anybody; and even if the leaders, after going through the records, consider that further probe is necessary, that will not be allowed. My point is that if records are placed before a Committee and if that Committee consi-

[Shri Dinesh Bhattacharyya]

ders that further probe is necessary to bring the matter to a logical end and if they are not allowed to do so, then what is the meaning in placing the records before them? Even the Congress members agree and have spoken that that should be done. I would request you, Mr. Deputy-Speaker, to give us your ruling on this. When the Prime Minister has agreed that the Government will place the records, including the case diaries, before the leaders of the Opposition, she should give free scope to the persons who will go through the records to suggest to the House if any further steps are necessary to make a full probe into this licence scandal

18.00 hrs.

If anybody other than Shri Tul Mohan Ram and if any Minister or Ministers are involved, that also should be brought to light and if the signatures of any other Members were found genuine that should also be brought before the House for further action. If that is not done, I do not know what purpose will be served by simply asking the leaders of the Parties to come, see and read the records. So, simply reading will not serve the purpose. If any purposeful end is to be there, then these persons will go through the records and they should suggest whether any action is necessary against any Member of this House, not outside the House. At least, the cases of hon. Members or Ministers, whoever he may be, should be brought before the House for a full-fledged discussion and actions which may be suggested should be taken against them

जीवन्तो रोषा देशपांडे (बम्बई मध्य) .
उपाध्यक्ष महोदय, मेरे खयाल में यह तुलमोहन राम का महाभारत अब खत्म हो जाना चाहिये। तुलमोहन राम की तुलना में हमारे सदन के बाकी बहुत से महत्वपूर्ण काम-काज

की रोक रखा है, यह मुझे बहुत बुरा लगता है। जैसा कि श्री मॉयने ने कहा है, ऐसे कोई बहुत महत्वपूर्ण बिस्स भी हैं, जिन पर पिछले पंद्रह बीस दिनों में कोई चर्चा नहीं हो सकी है - उन को नहीं रखा जा सका है।

यह भी सच है कि हमारी सरकार भी ऐसी है कि उस में कोई बात मन्जूर करवाने में न जाने कितना समय लग जाता है। उस के कदम बहुत आहिस्ता आहिस्ता उठते हैं। अगर वह पहले ही दिन कह देती कि यह सी० बी० आई० की रिपोर्ट रखा है, इस के बारे में जो कुछ कहना है, वह कह दीजिए, तो देश का कितना भला हो जाता। लेकिन दूसरे लोगों के साथ बिस्स कर उस ने इस सदन का पंद्रह बीस दिन का समय बर्बाद किया है और बहुत महत्वपूर्ण काम नहीं होने दिया है। आखिर में अब वह यह रिपोर्ट दे रही है। अब वह यह भी मान ले कि रिपोर्ट पढ़िये, और जो कुछ भी कहना हो, कह दीजिए, और उसके बारे में हाजम में चर्चा हो।

सी० बी० आई० की रिपोर्ट के बारे में यहाँ बड़ा भारी मतदायक करने की बातें बही गई हैं। इस पर लोगों के कान खड़े हो गये। श्री मोंरागजी देसाई - वह बहुत बड़े हैं, बुजुर्ग हैं - कह रहे हैं कि देश में इतना ज्यादा बरखान हो रहा है, और इस लिए हम अष्टाचार को एकदम बन्द करने के लिए तुलमोहन राम के दागे में जांच कर ली जाय। इस में कोई हर्ज नहीं है। लेकिन यहीं साहब जब महाराष्ट्र में मुख्य मंत्री बने, तो उन्होंने बड़ा प्राधिकार का लागू किया और इस तरह वहाँ अष्टाचार की नीच रखी, उस की स्थापना की। तभी से बम्बई शहर में बूटलेगिन शुरू हुआ और नीचे पुलिस वालों से लेकर मंत्री महोदय तक बरखान फैली। मैं यह नहीं कहती कि यह कुछ लेले थ, लेकिन इस से वहाँ बरखान फैल गई।

यह जनता का श्ला चाहते हैं। यही है वह, जिन्होंने संकुत महाराष्ट्र के आन्दोलन

में 105 लोगों को मार दिया। इन के हाथ हमारे लोगों के खून से रंगे हुए हैं। वह कहते हैं कि हम लोकसाही की रक्षा करने वाले हैं। हमारे लोगों ने संयुक्त महाराष्ट्र की मांग की, तब उन्होंने हमारे 105 लोगों का कत्ल कर दिया। ऐसे खूनियों का साथ हम देने वाले नहीं हैं। हम आप को कहेंगे कि आप चाहे जो भी करिए लेकिन हम इन का साथ देने वाले नहीं है। . . . (व्यवधान) . . .

जब प्रामुख देभाई ने इन को डिफीट दिया था इन को हरा दिया था . . . (व्यवधान) . . .

जो हमारे कमिनि पार्टी के लोग हैं इन को मैं यह कहूँगी कि रिपोर्टें रखिए और हम की भी चर्चा आप होने दीजिए।

श्री बरबारा सिंह (होशियारपुर)
 काफी धरसे से हम हम चीज पर बहम कर रहे है और प्राइम मिनिस्टर के बाजह बाधान के बाद फिर हम तरफ सेर्टिफिकेशन होनी चाहिए थी। ये कहते रहे है कि सी० बी० आई० रिपोर्ट मेज पर रख दो। फिर कहा कि पार्लियामेंट, कमेटी बने। पार्लियामेंट, कमेटी के बाने से यहा रिजैक्ट हो चुका है। सी० बी० आई० की रिपोर्ट के बारे में यह कहने रहे हैं कि मेज पर रखी जाये। अब यह कहा गया कि सी० बी० आई० की रिपोर्टें कुछ दोस्त देख लें तो उस के बाद यह शिफ्ट किया है कि हम बह सारी रिपोर्ट हाउस में भावेंगे। . . . (व्यवधान) . . .
 आप शिफ्ट करते रहे है। वही डिमांड नहीं है। इसीलिए आप का प्राइम मिनिस्टर के बधान के बाद चुप कर के बह रिपोर्टें देख लेनी चाहिए थी और जो उन्होंने कहा उस के मुताबिक निः उस की सीक्रेती रखेंगे बह रखनी चाहिए थी।

श्री इयानमन्दन मिश्र . टेबल पर रिपोर्टें रखी जाती तो हमारा अधिकार होता कि हम उस बात को बह उठाएं। हम ने कहा अपन, स्टैंड शिफ्ट किया है ?

श्री बरबारा सिंह : आप ने यह कहा, है कि आपके लीडर उस रिपोर्ट को अन्दर देख लेंगे। बाहर आकर अपनी मर्जी के मुताबिक कहेंगे यह आपने अब शिफ्ट किया है, उस सिचुएशन ने निकलने की कोशिश की है।

आप ने शायद इसमें बाजिस्ता तौर पर कुछ अच्छी बात समझने की कोशिश की है आप उसको पूरा कर पायेंगे मुझे इसमें शक मानूँ होता है। लेकिन मैं एक प्रश्न करना चाहता हूँ कि अगर आपका यही मंशा हो तब भी यह बात सीची जा सकती है। लेकिन आपकी मंशा तो यह है कि हम इस प्रेसिडेंट्स में लड़ाई नहीं लड़ना चाहते, हम बाहर भी लड़ना चाहते हैं, बॉटलफील्ड सारे हिन्दुस्तान को बनाना चाहते हैं। एक तो बात यह है . . . (व्यवधान) . . . आप फिर लड़ कर आयेंगे हम भी लड़ कर आयेंगे। भाइए 20 दफा भाइए। इस मामले में मुझ से मत लड़िए। हम ने देखा है आप को पहले भी।

मैं यह कहता हू कि इसी हाउस में बह माहब मौजूद है कि जो जब सरकार में थे तो कहा था कि सी०बी०आई० की रिपोर्ट सदन की मेज पर नहीं रखनी चाहिए। मैं समझता हूँ कि उन्होंने भी अपनी पोजिशन शिफ्ट की है इसलिए कि वह अब किसी अपोजीशन में चले गये हैं, यह उनकी जान के खिलाफ है।

मैं एक बात कह कर खरम कर देता हूँ कि यहा मेजरिटी का सवाल नहीं है, यहा माइनरिटी का सवाल नहीं है। सवाल है जस्टिस का। अगर हम जस्टिस के लिए कोर्ट में चले गये हैं तो जस्टिस वही मिलेगी। जो इस पार्लियामेंट ने उसको अधिकार दिये हुए हैं उस अधिकार को उनसे खींच नहीं सकते, वह हमे उन्हें देने पड़ेंगे।

SHRI SHANKERRAO SAVANT:
 There should be some time limit.
 How long are we going to sit? Time

[Shri Shankarrao Savant]

is already over. We can take it up tomorrow.

श्री मुक्तिधर सिंह मलिक (रोहतक) :
उपाध्यक्ष महोदय, अच्छा होता कि इस इश्यू को जैसे कि हमारे कुछ साथियों ने क्लिब डाउन करने की कोशिश की है, उसको उस स्टेज के ऊपर छोड़ कर इस चीज के लिए टाइम दिया जाता . . . (ब्यवधान) . . . मैं अपनी सबमिशन कर रहा हूँ। साठे साहब ने श्रीर साल्वे साहब ने यहाँ एक चीज रखी कि जो अपोजीशन चाहता है, मोरारजी भाई ने बताया कि उसके लिए इनकार किया कि फरवरी ऐक्शन कोई नहीं लिया जायगा। अमेरिका का जिक्र किया गया, वाटरगेट का जिक्र किया गया और निक्सन का जिक्र किया गया, यहाँ तो करप्शन के फलट गेट्स इन्होंने खोल दिये हैं। मेरी समझ से बात नहीं आती (ब्यवधान)

MR. DEPUTY-SPEAKER: Please sit down. I am not preventing you. I am only pointing out that we have agreed that Members from now onwards will be given two minutes each. I have given three chances to your Party. I am only telling you to be brief and conclude your point

श्री मुक्तिधर सिंह मलिक : मैं आप से यह कहना चाहता हूँ कि प्राइम मिनिस्टर के इस स्टेटमेंट का हम क्या करेंगे? सी०बी० आई० की रिपोर्ट को लीडर्स देख कर क्या करेंगे? उसको चाटेंगे? अगर फरवरी ऐक्शन नहीं होगा तो उसका क्या करेंगे?

Will it be hurried as Time Capsule or will it be put in the Prime Minister's House?

I want to draw your attention to a very alarming news about this scandal:

"Did CBI suppress political dynamite?"

The CBI raid on Mr Tulmohan Ram's house yielded documents

which mentioned money deals involving politicians and bureaucrats. The CBI, however, singled out only one documents concerning Mr. Tulmohan Ram's acceptance of money and slept over the others. A CBI source called the other documents 'political dynamite' involving Central and provincial leaders and officers."

अब रोजाना ऐसे डिस्क्लोजर्स किये जाते हैं इन्हीं दोस्तों से . . . (ब्यवधान) . . . यह आज के हिन्दुस्तान टाइम्स से मीने पढ़ा है। मैंने इसके ऊपर ऐडजर्नमेंट मोशन दिया है और मुझे इन्फार्म किया गया है कि मेरा ऐडजर्नमेंट मोशन रिजेक्ट कर दिया गया है किसी ग्राउन्ड पर। मेरी समझ में साठ नहीं आती कि स्पीकर साहब ने एक आबजर्बेशन किया कि दिस तुलमोहन राम हैज बिकम ए नाइटमेयर फार भी। लेकिन आज जो स्पीकर साहब का एटीट्यूड हाउस के अंदर रहा है वैंट हैज आलसो बिकम एक नाइट-मेयर फार अस। अगर वह उसी वकत हम को प्राइम मिनिस्टर से क्लैरिफिकेशन सीक करने की इजाजत दे देते और इस सेंटर को फर्दर नहीं जाने देते तो बात वहीं किसी किनारे पर पहुँच जाती। मैं इन दोस्तों से पूछना चाहता हूँ कि तुम्हारी बाबत, तुम्हारे मिनिस्टरो की बाबत, तुम्हारे लीडरों की बाबत इस तरह के सेन्सेशनल और एलामिंग डिस्क्लोजर रोजाना अखबारों में किये जाते हैं तो मेरी समझ में नहीं आता कि उसको लेकर हम चाटे क्या? और यही नहीं, दि कोर्टियर्स हीव प्रूव्ड टुबी मोर लायल दैन दि किंग हिमसेल्फ। साठे साहब ने श्रीर साल्वे साहब ने कहा कि इसका मतलब यह नहीं है। लेकिन स्टीफेन साहब और दूसरे शंकर दयाल सिंह ने कहा कि बी डोन्ट टो इन देयर लाइन्स। उन्होंने एकदम उसके लिए कह दिया कि जो कुछ प्राइम मिनिस्टर ने कहा, वस वही काफी है। डिप्टी स्पीकर साहब, हमें कैसे पता लगे कि उसमें क्या है। तुम्हारे घर में

लड़की हुई है या लड़का हुआ है। जब तक तुम्हारे पेट में खड़ेगी हमें क्या पता लगेगा। तुम जब पेट से निकाल दोगे तब हम को पता लग सकेगा।

MR. DEPUTY-SPEAKER: Mr. Malik, you must conclude now. There is a limit.

SHRI MUKHTIAR SINGH MALIK: Sir, I am an obedient Member. I shall have to obey your orders.

MR. DEPUTY-SPEAKER: Now you have all made your submissions. Can you give me at least five minutes?

PROF. MADHU DANDAVATE: Take more than that.

MR. DEPUTY-SPEAKER: These are only points of order and I shall deal only with the points of order. Before I go into the points of order. I would like to mention one or two things that come to my mind as I sit here and listen to all the hon. Members.

Now this House is not only a parliament of this country but it is also a high visibility forum. What you state here is seized by the national press and the whole country to know of it tomorrow—not only the national press but the international press also comes to know of it. We have to remember that that should be at the back of our mind. Now, we are in a log jam and the question is how to break this log jam. And that is exactly my responsibility and the responsibility of any person sitting in this Chair. We are now in a position as to whether this House can continue because there has been a threat of *satyagraha*. Let us take that.

SHRI K. S. CHAVDA (Patan): No threat.

MR. DEPUTY-SPEAKER: Therefore, we are really faced with a problem as to how this House should continue to function. The Prime Minister, in her statement, to-day also emphasises that point. I may quote here:

"In this situation, we must all conduct ourselves in the fullest consciousness of our high responsibility. The first element of this responsibility is to ensure that this Parliament functions."

That is the problem we are in a log jam and my duty is to break the log jam and, I think, the duty of all of us here is how to break the log jam. Nobody thinks that the House should come to a standstill. I do not think anybody thinks so. I do not think that the ruling party wants that; I do not think that the Opposition wants that. Therefore, there we are on a common ground. The only grouse of the Opposition is that they want this House to function more as a true House.

That is what they want. That is why, they say 'If we do not have those things which we expect to have, we cannot function; our wings have been clipped'. That is why, they say this. It is never their case that they do not want this House to function. It is never their case. Let us be fair to them.

There was another thought that came to me. I have said before that we are a true House of the people. That is to say, we reflect the people and we measure the moods of the people. There is something wrong that is going on in our country, whatever it is, and we are all responsible for it. I am not saying that you are responsible or he is responsible. We are in this situation where there is something wrong in the country. If I am to describe our country to-day, it is like a body that has an abscess building up within itself, an abscess. It is an abscess that is building up within the body. There is pain, and therefore, we thrash here and there. If I am to describe this House, this is the top of the abscess, our House here. Whatever happens all over the country is being collected and this is the top of the abscess. Now, how is the abscess

[Mr. Deputy-Speaker]

cured? It is cured only when the top is opened and all the bad blood and the pus and everything comes out and then the body is restored to health. Now, I think, this is a function which we have to perform. We are passing through a catharsis in the country. We are passing through that. Once the catharsis is gone, we shall come back to real health. I think what we did this afternoon was the right thing. We have done just what is expected of us. If we do not give expression to these things in this House, where else shall we give expression? Where else shall the Nation give expression? It is there that I would like to put it across to my colleagues, very respected colleagues, whether it would be right and proper for us to saw off the branch on which we sit. We sit in a branch and we saw that out. Then, what happens to us? If we deny ourselves this opportunity of a discussion here, then is it not like sawing off a branch on which we sit? I would request you to think very deeply on that matter.

Now, a little while ago, I had occasion to say that through all these statements and long debate we have had, I saw some silver linings in the cloud. This is very clear. Whatever be the merits and demerits of the Prime Minister's statement, it is there before us. I think it has been good that Members of the Opposition had expressed how they felt about this statement and the Members of the Ruling Party also gave expression to what they felt, what they saw and what they thought was the meaning of this statement. All these opinions have been given expression to. Also, they gave expression to how they felt about the statement made by Shri Morarji Desai and the declaration of his intention to offer Satyagraha. We have also had occasion to express ourselves on that too, which is only right and proper. I think all these expressions given by the hon. Members are very worthwhile, very

important, apart from showing how their minds worked and how they react to this particular thing. All these things are there. I think they have made some useful contributions and it would be only right and proper for both the Prime Minister and Shri Morarji Desai to take note of these things which the Members have expressed.

SHRI MORARJI DESAI: I have taken note.

MR. DEPUTY-SPEAKER: I am just making this appeal. I see very clearly that despite the passions there is a lot of common ground between the two. The first common ground is that nobody wants Parliament to come to a standstill and because both of them are motivated by this, I see there is an inching on both sides towards some of an understanding. It is very clear from the Prime Minister's statement that she has conceded, to some extent, the demand. It is very clear from the kind of statement that she has made that she has conceded this. She has come a certain distance. And even on the Prime Minister's statement there have been certain opinions expressed. For example, Shri Sathe had gone on record to say that even when the documents which the Prime Minister has mentioned are examined by the Leaders of the Opposition in secret, nothing prevents anybody or these members after that from having a discussion with the Prime Minister again, that in view of all this, we feel that this particular line should be taken. He has said that

SHRI VASANT SATHE: Yes.

MR. DEPUTY-SPEAKER: Whatever be in the mind, I do not know. Shri Shamim had said that even after we have perused all these documents even under an oath of secrecy, after we have perused them, true, we may not reveal what these documents contain, but nothing prevents us from

drawing conclusions and coming even before this House with certain suggestions as to how we should proceed in the matter. He had said that—it is a matter of interpretation.

Therefore, I feel here is where there is still room for negotiation, there is still room for compromise, because exactly what Shri Desai, if I understood him correctly, said in the morning was that he would like a clear assurance that the Committee, whatever it is, whether it is a committee formally constituted or is just a gathering of Leaders of the Opposition—they are members of this House—should be free to initiate any action after that. That is exactly what he said.

From the speeches that have been made, I feel that there is still room for discussion and for talk. I would earnestly request the members to bear all these things in mind and not to

precipitate any kind of action and to see if we can reach some compromise. The whole country looks up to us, the whole world looks up to us, how does the Parliament of India resolve this log jam? This is a very big question. If we can do it, it will do credit not only to us but it will be an example to many other countries in the world. If America and China can now be on speaking terms, after treating each other, mutually, as polecats, why cannot we resolve this problem ourselves through discussion?

With these words, we adjourn to meet again tomorrow at 11AM

19.30 hrs.

The Lok Sabha then adjourned till eleven of the clock on Tuesday, December 10, 1974/Agrahayana 19, 1896 (Saka).