

no relativity between the two. Widows and family members of ex-Servicemen or serving personnel are entitled to certain pension rights based on their husbands' service. Therefore, the questions are quite unrelated.

Kudal Commission on Gandhi Peace Foundation

*86. SHRI H. M. PATEL : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether the Kudal Commission inquiring into the affairs of the Gandhi Peace Foundation and other organisations has presented its fifth interim report to Government ;

(b) if so, what are the main conclusions of the Kudal Commission in its fifth interim report ;

(c) whether the Kudal Commission has been consistently giving interim reports for the past several years ; and

(d) whether Government propose to take final decision to wind up the Kudal Commission and if so, when ?

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH) : (a) to (d). Kudal Commission has so far presented five interim Reports to the Government. First interim Report was laid on the Table of the House on 4th December, 1985 and the second and third on 7th May, 1986. Fourth and fifth interim Reports are under consideration of the Government. No decision about winding up of the Kudal Commission has been taken.

SHRI H.M. PATEL : Sir, the hon. Minister is aware that the Kudal Commission was appointed in February 1982, and it was asked to submit its report on or before July 31, 1982. Since then, you said, five interim Reports have been submitted, and fourth and fifth are under examination. The present extension which you have given expired on the 31st of January 1986, and you have taken no decision whether to extend it further or to wind it up. Judging from your reply you have decided to extend it. What are the considerations that have weighted with you in taking such a decision ? Why is it

taking such a long time ? Is the Minister aware that in its first interim Report.....

MR. SPEAKER : Don't discuss it. Put the question.

SHRI H.M. PATEL : Sir, it is necessary.

MR. SPEAKER : I cannot allow discussion on a report. You ask the question.

SHRI H.M. PATEL : This is very necessary, Sir. All right, I will sit down.

(Interruptions)

S. BUTA SINGH : The term of the Commission is due to expire on the 31st July, not on the date mentioned by the hon. Member. And as I mentioned in the main reply, we have not decided to wind up the Kudal Commission. If you want me to give the reasons, I am prepared to read out the long list. There is sufficient work for which we want the Commission to complete it.

SHRI S. JAIPAL REDDY : What is the work, Sir ? Let him read them out, Sir.

(Interruptions)

MR. SPEAKER : That is all right, you can put it on the Table of the House.

S. BUTA SINGH : Yes, Sir.

(Interruptions)

AN HON. MEMBER : How can a question be asked now ? If he gives the reply, we would like to ask further.

PROF. MADHU DANDAVATE : What is the reply ? Has he laid the reasons on the Table ?

MR. SPEAKER : That is what he has to do.

SHRI H.M. PATEL : When he is prepared to give the reasons which might enable us to ask Supplementaries, what is the harm ?

MR. SPEAKER : He will put it on the Table of the House.

(Interruptions)

SHRI H.M. PATEL : How can I ask a supplementary without knowing what it is ?

PROF. MADHU DANDAVATE : Would he have to go to the Table to find out what it is ? The substance must be told.

MR. SPEAKER : If you want him to read, I don't mind. It will take the time of the House.

SHRI THAMPAN THOMAS : Why don't you permit a discussion on the subject ?

S. BUTA SINGH : Why it is considered necessary that the Commission should continue working is :

- (i) Keeping in view the work already accomplished by the Commission, the gravity of the matters which have so far been brought to light by the Commission and the abundance of material which is presently has in its pipeline ;
- (ii) Certain organisations are making adverse publicity in respect of the Commission to avoid further facts being brought to light by the Commission which will gravely impair their credibility in the eyes of their influence over a large number of voluntary organisations ;
- (iii) Some of the organisations were involved in anti-national activities which include the preparation, publication and export of large-scale maps of restricted and sensitive areas of the country to various foreign funding agencies under the garb of socio-economic activities.
- (iv) The Commission has issued a number of notices under section 8(B) of the Commission of Inquiry Act after satisfying itself that *prima facie* cases exist in respect of allegations concerning the procurement, publications and export of large-scale maps of restricted and sensitive areas of the country to foreign funding agencies in

gross violation of the laws of the land. Similarly, notices under section 8(B) have either been issued or are in the process of being issued on other sensitive matters such as aerial survey/photography of certain areas in the Hazari Bagh district of Bihar and supplying the same to EZE of West Germany, links between AVARD and the Gandhian Institute of Studies, Varanasi with the Asia Foundation, a front organisation of CIA, collusion between the Sarva Seva Sangh and the Swiss International Development Agency to destabilise the Government, receipt of foreign funds by the Gandhian Institute of Studies, Varanasi directly from the U.S. Embassy and Ford Foundation, collection of biological data by the Gandhi Peace Foundation from the hunger-belt of the country and transmitting, the same to a foreign agency to facilitate research on biological war, publication and circulation of inflammatory information.....(Interruptions)

AN HON. MEMBER : These are the cases which the Commission is going to inquire.

S. BUTA SINGH : These are the instances which the Commission is going to inquire.

The Inquiry proceedings in some of these cases are at a fairly advanced stage and are likely to be completed within the next two or three months, after which the Commission would record its findings and give specific recommendations to the Government on the *modus operandi* adopted by these organisations in their espionage activities.

Apart from the sensitive issues mentioned above, the Commission presently has more than 400 allegations in its pipeline, 100 of which are at various stages of investigation and inquiry.

A number of matters relating to the Commission are pending before the various High Courts. In 22 cases, the inquiry

has been stopped due to stay of proceedings granted by the High Courts. One of the most important matters...*(Interruptions)* which is pending before the Delhi High Court relates to the question whether the Commission is empowered to call for documents, books of accounts and other relevant records from the organisations under inquiry. *(Interruptions)*

MR. SPEAKER : This is what I have said. It is not feasible. This is all right.

S. BUTA SINGH : These are the various reasons.

SHRI S. JAIPAL REDDI : It is a self-perpetuating Commission.

[*Translation*]

SHRI GIRDHARI LAL VYAS : Sir, they are CIA agents and are sending the country's secrets to other countries in lieu of money. Thus, they are committing treason against the country. Stern action should be taken against them. *(Interruptions)*.

MR. SPEAKER : What are you doing ?

[*English*]

PROF. MADHU DANDAVATE : These people will call even Mahatma Gandhi as a CIA agent...*(Interruptions)*

MR. SPEAKER : Don't go to that.

[*Translation*]

You sit down. Let him put the question. You ask your question when your turn comes ? How are you doing it now ? *(Interruptions)*

[*English*]

S. BUTA SINGH : Mr. Speaker, Sir, the worst of all is, there is a serious allegation of possible eviction of Harijans who were dear to Mahatma Gandhiji.

PROF. MADHU DANDAVATE : This is non-sense.

S. BUTA SINGH : Who is non-sense—Dandavateji or myself ?

PROF. MADHU DANDAVATE : Neither you are non-sense nor am I non-sense. The allegation which is made is non-sense. *(Interruptions)*

MR. SPEAKER : No, no. No flinging please.

(Interruptions)

MR. SPEAKER : Not allowed. Not a single word goes on record. Without my permission, nothing is recorded.

*(Interruptions)***

SHRI ARUN NEHRU : Sir, may I just clarify one point ?

SHRI H.M. PATEL : Sir, my second supplementary is...

SHRI ARUN NEHRU : Mr. Dandavate has just mentioned that...

PROF. MADHU DANDAVATE : Sir, he is yet to ask second supplementary...

SHRI ARUN NEHRU : Mr. Dandavate has just mentioned about Mahatmaji's name being denigrated. I would just like to advise that one of the enquiries is being made for purchase of books for the Library denigrating Mahatmaji.

PROF. MADHU DANDAVATE : These are new disciples of Mahatma Gandhi.

AN HON. MEMBER : Gandhi is not Mahatma.

SHRI H.M. PATEL : The hon. Minister has not applied his mind to these things. This commission was appointed in 1982. I would with your permission read them out :

"To enquire into the work and activities including publications and sources and misuse of funds in the name of Gandhian institutions."

(Interruptions).

Please permit me to bring out the essential aspects. *(Interruptions)*

PROF. MADHU DANDAVATE : He is perfectly within his right to point out

what were the terms of reference and what they have in view. (*Interruptions*).

MR. SPEAKER : It is all right. Let him put the question.

SHRI H.M. PATEL : In the first instance, in the report, the Commission said that it has identified something like 450 cases which require detailed enquiry. 63 of these have reached the first stage of enquiry. Now this has taken them four years to do. At this rate, it seems that it would take them another something like 50 years. So far, in spite of all that the hon. Home Minister has said, he has not said that they have framed specific charges against anybody. (*Interruptions*). I think it is very legitimate thing to ask. I would like to ask how long it will take this commission to complete detailed enquiry into 450 cases if, so far, it has not been able even to frame specific charges in respect of any of these very grave matters.

PROF. MADHU DANDAVATE : Till they are out of power. (*Illustrations*.)

MR. SPEAKER : How do you object ?
(*Interruptions*)

MR. SPEAKER : What are you trying to prove about it now ? He has the right. Anybody can reply.

PROF. MADHU DANDAVATE : The primary responsibility is of the Prime Minister.

S. BUTA SINGH : We are a team of the Prime Minister.

SHRI P. CHIDAMBARAM : It is not correct to say that no cases have been registered based upon the report submitted by the Kudal Commission. On the basis of the first interim report, four cases have been registered by CBI. On the basis of the second interim report, two cases have been registered by the CBI. On the basis of the third interim report, two cases have been registered by the CBI. Many other cases have been referred to.
(*Interruptions*).

MR. SPEAKER : I cannot allow.

SHRI RAM SINGH YADAV : May I request the hon. Minister as to what action has been initiated against all those individuals and institutions which have defrauded the country and whose activities are anti-national ?

S. BUTA SINGH : After the report is received, it is processed in the Ministry of Law and wherever a *prima facie* case is established, it is registered against an individual as well as organisation. The report has been read by my colleague, Shri Chidambaram. We are in the process of registering the cases. Every report that has been submitted, even the future report that is likely to come, we will follow them up.

PROF. MADHU DANDAVATE : I would like to know from the hon. Minister whether it is not a fact that there is a growing feeling in the Press and among the social institutions, that these enquiries are instituted against those Gandhian institutions which have associated themselves with Jayaprakash Narayan in his fight against emergency...

(*Interruptions*)

I have a right to ask the question. You are not the Minister. There is only one Minister and the Minister will reply. If the Minister is not able to reply, let the Prime Minister reply. ...

(*Interruptions*)

I am perfectly within my right to ask the question. Since he might not have heard my question, I will repeat it. Is it not a fact that there is a growing feeling in the Press and also among the social institutions that these allegations are made against Gandhian organisations which have associated themselves with the late Jayaprakash Narayan in his fight against emergency ? In this context I would like to know, after this Commission was set up, how much amount has been spent on the Commission for the last several years and what is likely to be the budget by the time it completes its work ? I would like to have a specific answer.

S. BUTA SINGH : It is not true and I reiterate that the Congress Party has never

sought to follow some of the Janta Party leaders...

(Interruptions)

PROF. MADHU DANDAVATE : The question is about the Government and not about the Party.....

(Interruptions)

MR. SPEAKER : Order, please.

S. BUTA SINGH : ...in victimising their political opponents.

(Interruptions)

MR. SPEAKER : Mr. Jaipal Reddy, this is not proper.

(Interruptions)

S. BUTA SINGH : In their heydays, you yourself are aware, what was happening in the Patiala House. A Commission was set up, loudspeakers fixed right upto the Delhi main station. It never happened. ...

(Interruptions)

PROF. MADHU DANDAVATE : What is the question and what is the reply ? Why don't you pull him up ?

MR. SPEAKER : No question of pulling him up.

S. BUTA SINGH : All this was against one of the biggest leaders of the world—Shrimati Indira Gandhi. Let me assure the hon. Member that we also hold Shri Jayaprakash Narayan in the same respect and same esteem as the hon. Member on the other side do. But there are certain organisations which have been listed and which have been found guilty. If you want me, I can read the names. ...

(Interruptions)

I am reading the names.

PROF. MADHU DANDAVATE : Sir, please expunge his remark. He said that they have been found guilty. On the contrary, the Commission is trying to enquire into it. The Minister cannot sit

over the Commission. No report has come out.

S. BUTA SINGH : The investigation is in various stages, The Commission has brought out certain facts before the Government of India and we are processing it. These are the organisations. I do not know which one of them the hon. Member is about to associate with Jayaprakash Narayan because he knows the inside picture and I do not know the inside picture.

PROF. MADHU DANDAVATE : I know the inside story about the Gandhian organisations and also of Jayaprakash Narayan and also Mahatma Gandhi.

S. BUTA SINGH : I am only telling the names of the organisations.

An organisation called AVARD, Gandhi Peace Foundation, Gandhi Smarak Nidhi and All India Sarva Seva Sangh. The allegations are : total mis-utilisation of funds given to them. The type of cases being registered are : mis-utilisation and mis-appropriation of funds and grants given by the Government of India, money-lending activities, forcible eviction of Harijans and violation of aims and objects. ...*(Interruptions)* Again, AVARD, Gandhi Peace Foundation, Gandhi Smarak Nidhi, Society for Developing Gramdan, Lok Niti Parishad. The types of cases are : misappropriation of funds, violation of aims and objects, violation of provisions of FCRA, evasion of income tax, violation of terms of lease and purchase of books for library denegrating Mahatmaji and his ideas.

(Interruptions)

Again, the organisations are AVARD, Gandhi Peace Foundation, Gandhi Smarak Nidhi, Lok Niti Parishad, and the cases against them are mis-utilisation/mis-appropriation/diversion of grants and funds given by the Government of India, violation of aims and objects, violation of provisions of FCRA, violation of provisions of Income Tax Act. Again, involvement of the same organisations. These are the various types of cases under investigation. The hon. Member wanted to know...

PROF. MADHU DANDAVATE : Both the parts of my question have not been replied to.

MR. SPEAKER : He wants the amount and the time...

SHRI S. BUTA SINGH : Whatever is necessary is being spent. Ordinarily for the proper functioning of the Commission, there is an allocation made ; Rs. 2.14 crores have been spent so far.

PROF. MADHU DANDAVATE : Please protect me, Sir. He has not replied to the first part.

THE PRIME MINISTER (SHRI RAJIV GANDHI) : I will reply to the first part. As usual, certain Members from the Opposition have caught hold of the wrong end of the stick. The Commission...

PROF. MADHU DANDAVATE : That is not the country's assessment, not the press assessment, not the social institutions' assessment. That is, Mr. Prime Minister, your assessment. We do not accept that.

SHRI RAJIV GANDHI : Are you ready to listen to the answer or not ? Mr. Speaker, Sir, the Commission was set up to look into certain irregularities. We did not set up the Commission keeping in mind who might or might not have been supporting any leader at any space in time. If the organisations that are found guilty of having misappropriated funds and done other things by the Commission happen to be linked up as Prof. Madhu Dandavate has inferred—we have not inferred ; Prof. Madhu Dandavate says, these organisations which have done all these wrong things are linked up... (Interruptions). If you feel they are linked up, if you feel—you perhaps know better than us as to who were linked at that time—I have no answer to that.

PROF. MADHU DANDAVATE : Since the Prime Minister has intervened, I want to know whether a single Gandhian organisation that has supported the Emer-

gency has been brought into the picture... (Interruptions)

MR. SPEAKER : No. Not allowed. Next Question...

SHRI RAJIV GANDHI : We have not put any restriction on the Kudal Commission. They are looking precisely at the organisations they want to look at.

S. BUTA SINGH : Sir, I want to make a small correction. The amount spent is Rs. 1.2 crores and not Rs. 2.14 crores.

Steps to Control Migration of Minority Community Families from Punjab

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*87. SHRIMATI PRABHAWATI GUPTA :

SHRI BHATTAM SRIRAMA MURTY :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether a number of families belonging to minority community in Punjab have migrated from that State to Delhi and other parts of the country owing to terrorist activities in Punjab ;

(b) the number of such persons in Delhi and other places ;

(c) the steps taken by Union Government to control this migration ; and

(d) the help rendered by Union Government to such families in Delhi and other places ?

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH) : (a) to (d). A statement is given below.

Statement

According to available information about 1400 families have moved out of certain areas of Punjab to Delhi and adjoining States upto 20th July, 1986, due to extremist activities in the State. These include about 300 families which have migrated to Delhi.