

LOK SABHA

DEBATES

(Sixth Series)

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LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA DEBATES

1

LOK SABHA

*Mondy, August 6, 1977/Sravana 17,
1899 (Saka)*

*The Lok Sabha met at Eleven of the
Clock*

[MR SPEAKER in the Chair]

QUESTION OF PRIVILEGE AGAINST MINISTER OF IN- FORMATION AND BROADCAST- ING AND CHIEF EDITOR, NEWS SERVICES (ENGLISH), AIR

Mr SPEAKER On the 5th August 1977, Shri K P Lunikrishnan gave notice of a question of privilege against (1) the Minister of Information and Broadcasting Shri L K Advani and (2) the Chief Editor News Services (English) All India Radio on the ground that in the English News Bulletin broadcast by the All India Radio at 9.00 P.M. on the 4th August, 1977 it was said that some of his remarks made in the House on that day were expunged by the Speaker whereas none of his remarks were expunged.

I referred the matter to the Minister of Information and Broadcasting for his comments and also called for a copy of the transcript of the said News Bulletin broadcast by the All India Radio.

The Ministry of Information and Broadcasting has with the approval of the Minister, informed me as follows:

In the 9 P.M. English bulletin broadcast on August 4, 1977, the following passage occurs at the end of the news item pertaining to the discussion in the Lok Sabha on the Congress motion seeking to disapprove the conduct of the Home Minister

'During the acrimonious debate, fresh charges were flung by Congress members. Reacting sharply to one of these, Mr Charan Singh challenged the relevance of the charge and offered to resign if it is proved correct. The Speaker agreed with him and expunged the Congress members' remarks. The Prime Minister will speak on the motion tomorrow.'

2

There is no doubt that All India Radio had erred in reporting this particular item from the uncorrected copy of the day's proceedings of Lok Sabha it appears that the hon. Speaker has used the words, 'I may expunge it'. Unfortunately, the AIR Correspondent understood this to be 'I expunge it'. It was incumbent on the AIR Correspondent to have checked with the official Reporters before mentioning any expunging of remarks, but in his anxiety to beat the deadline of the main 8.45 P.M. Hindi and 9 P.M. English News Bulletins the AIR Correspondent overlooked this important precaution.

The mistake was however, unintentional and is regretted. Suitable instructions are being issued to AIR Correspondents to be more careful with a view to ensuring avoidance of recurrence of such mistakes.

There was however no question of any wilful misrepresentation by AIR. Under these circumstances it is requested the Privilege Motion may kindly be dropped.

In view of the explanation and the regret expressed, I decline to give my consent under Rule 222 of the Rules of Procedure and Conduct of Business in Lok Sabha. The matter is treated as closed.

I hope the accredited Correspondents in the Press Gallery, particularly the Correspondents of an official agency like the All India Radio, will be more careful in future. Whenever in doubt, they should check up with the official record of the proceedings of the House.

11.05 hrs.

PAPERS Laid ON THE TABLE

NOTIFICATION UNDER MOTOR VEHICLES ACT AND A STATEMENT

THE PRIME MINISTER (SHRI MORARJI DESAI) I beg to lay on the Table—

- (1) A copy of the Delhi Motor Vehicle Third (Amendment) Rules, 1977

(Hindi and English versions) published in Notification No. SECE-3 (79)/76-Tpt/1783, in Delhi Gazette dated the 18th February, 1977, under sub-section (3) of section 133 of the Motor Vehicles Act, 1939 together with an explanatory memorandum.

- (2) A statement (Hindi and English versions) showing reasons for delay in laying the above Notification.

[Placed in Library See N^o LT-970/77]

NOTIFICATIONS UNDER ALL INDIA SERVICES ACT, 1951

गृह मंत्री (श्री चरण सिंह) अध्यक्ष महोदय, मैं आपकी भ्राता से प्रखिल भारतीय सेवा अधिनियम, 1951 की धारा 3 की उपधारा (2) के अन्तर्गत निम्नलिखित अधिसूचनाओं (हिन्दी तथा अंग्रेजी संस्करण) की एक एक प्रति समा पटल पर रखना हूँ

(1) भारतीय प्रशासनिक सेवा (वेतन) सारवा सशोधन नियम, 1977 जो दिनांक 19 जुलाई, 1977 के भारत के राजपत्र में अधिसूचना संख्या सा० सा० नि० 531(2) में प्रकाशित हुए थे।

(2) भारतीय प्रशासनिक सेवा (सर्वग्रे में पद सनिर्धारण) ग्यारहवा सशोधन विनियम, 1977 जो दिनांक 23 जुलाई, 1977 के भारत के राजपत्र में अधिसूचना संख्या सा० सा० नि० 940 में प्रकाशित हुए थे।

[Placed in Library. See N^o LT-971/77]

STATEMENT CORRECTING ANSWER TO UNSTARRED QUESTION No 4874 DATED 26-7-1977 re ERECTION OF FERTILIZER PLANTS ON THE BASIS OF COAL AS A FEED STOCK AND PAPERS UNDER COMPANIES ACT, ETC

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): I beg to lay on the Table—

- (1) A statement correcting the reply given on the 26th July, 1977 to Unstarred Question No 4874 by Shri Annasaheb P. Shinde regard-

ing erection of Fertilizer Plants on the basis of coal as a Feed Stock. Placed in Library See N^o LT-972/77]

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

(i)(a) Review by the Government on the working of the Hindustan Petroleum Corporation Limited, Bombay, for the year 1976

- (b) Annual Report of the Hindustan Petroleum Corporation Limited, Bombay, for the year 1976 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon

[Placed in Library. See N^o LT-973/77]

(ii)(a) Review by the Government on the working of the Bridge and Roof Company (India) Limited, Calcutta, for the year 1974

(b) Annual Report of the Bridge and Roof Company (India) Limited, Calcutta, for the year 1974 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon

(m)(a) Review by the Government on the working of the Bridge and Roof Company (India) Limited, Calcutta, for the period from 1st January, 1975 to 31st March, 1976

(b) Annual Report of the Bridge and Roof Company (India) Limited, Calcutta, for the period from 1st January, 1975 to 31st March, 1976 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon.

- (3) Two statements (Hindi and English versions) showing reasons for delay in laying the papers mentioned at items (2) (ii) and (iii) above.

[Placed in Library. See N^o LT-974/77]

PAPERS UNDER COMPANIES ACT AND A STATEMENT AND NOTIFICATION UNDER ESSENTIAL COMMODITIES ACT

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

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

- (i) Review by the Government on the working of the Karnataka Agro Industries Corporation Limited, Bangalore, for the year 1974-75

- (ii) Annual Report of the Karnataka Agro Industries Corporation Limited Bangalore for the year 1974-75 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon

- (2) A statement (Hindi and English versions) showing reasons for delay in laying the above papers

[Placed in library See No. IT 975/77]

- (3) A copy of the Rice and Paddy (Southern Zone) Movement Control (Amendment) Order 1977 (Hindi and English versions) published in Notification No. SO 2390 in Gazette of India dated the 30th July 1977 under sub-section (6) of section 3 of the Essential Commodities Act 1955

[Placed in library See No. IT 976/77]

SHRI HARI VISHNU KAMATH (Hoshangabad) I will take up all these together. In regard to item (3) in the last part if it has been said "Two statements showing reasons for delay" The House has not used this sub-item 'Reasons for delay'. It has been a daily feature during the whole session practically. I would like to request you to give a directive to the Parliamentary Committee on the Papers Laid on the Table, and they should be empowered to summon or invite former Minister of the previous Government, because the delay has been due to remissness in the part of the predecessor Government. Therefore, the committee should have powers to invite the Ministers of the previous government who might have been responsible for this delay and your kind directive in this regard will be helpful.

In Item No. 5, you will kindly see that sub-item (1) refers to corrections in Schedule IV of the Delimitation of Parliamentary and Assembly Constituencies Order 1976, in respect of the State of Assam. Is there more in it than meets the eye? Are Assam Assembly elections contemplated, and in the offing in the near future? That is one question I would like to ask.

With regard to sub-item (2)—Law Commission's Report, I believe the Law Commission's term or tenure is coming to an end. I would like the Law Minister to tell us whether there would be a new Law Commission or will the present one be re-constituted. I would like to have an assurance from the Minister that the Chairman of the Law Commission Justice Gajendragadkar who used to stoutly defend the internal emergency with a zeal worthy of a better cause would not be re-appointed and he should be replaced.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) So far as the Law Commission is concerned

MR. SPEAKER It cannot be a debate. You please lay your paper on the Table.

NOTIFICATION UNDER REPRESENTATION OF THE PEOPLE ACT SIXTY THIRD AND SIXTY FOURTH REPORTS OF LAW COMMISSION AND DRAFT ORDER UNDER COMPANIES ACT & NSIC LTD

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) I beg to lay on the Table —

- (1) A copy of Notification No. SO 561 (P) (Hindi and English versions) published in Gazette of India dated the 15th July, 1977 under sub-section (2) of section 9 of the Representation of the People Act 1950 making certain correction in Schedule IV of the Delimitation of Parliamentary and Assembly Constituencies Order 1976 in respect of the State of Assam. [Placed in library See No. LT-977/77]

- (2) (i) A copy of the Sixty Third Report (Hindi and English versions) of the Law Commission on the Interest Act 1839

- (ii) A statement (Hindi and English versions) showing reasons for laying the above Report

- (3) (i) A copy of the Sixty Fourth Report (Hindi and English versions) of the Law Commission on the Suppression of Immoral Traffic in Women and Girls Act 1956

- (ii) A statement (Hindi and English versions) showing reasons for delay in laying the above Report

[Placed in library See No. LT-978/77]

- (4) A copy of Draft Order No. 33/56/75-C.L. III (Hindi and English ver-

sions) to be issued under sub-section (4) of section 81 of the Companies Act, 1956, regarding approval of the Central Government to conversion into equity share capital part of loan of M/s National Small Industries Corporation Limited under sub-section (6) of section 81 of the said Act [Placed in library See No LT-979/77]

CERTIFIED ACCOUNTS AND AUDIT REPORT OF INDIAN INSTITUTE OF TECHNOLOGY KANPUR, FOR 1974-75 AND STATEMENTS

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) On behalf of Dr Piatip Chandra Chundar, I beg to lay on the Table—

- (1) A copy of the Certified Accounts of the Indian Institute of Technology, Kanpur for the year 1974-75 along with the Audit Report thereon under sub-section (4) of section 23 of the Institutes of Technology Act 1961
- (2) A statement (Hindi and English version) explaining the reasons for not laying simultaneously the Hindi version of the above paper
- (3) A statement (Hindi and English version) showing reasons for delay in laying the paper mentioned at item (1) [Placed in library See No LT-980/77]

NOTIFICATION UNDER INDIAN RAILWAYS ACT

SHRI RAVINDRA VARMA On behalf of the Minister of Railway (Shri Madhu Dandavate), I beg to lay on the Table a copy of Notification No. S.O. 2362 (Hindi and English versions) published in Gazette of India dated the 23rd July, 1977 issued under sub-section (2) of section 56(B) of the Indian Railways Act, 1890 [Placed in library See No LT-981/77]

TEA (AMENDMENT) RULES 1977 AND REVIEW AND ANNUAL REPORT OF TEA TRADING CORPORATION OF INDIA LTD

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI MOHAN DHARIA) I beg to lay on the Table—

- (1) A copy of the Tea (Amendment) Rules, 1977 (Hindi and English versions) published in Notification No. GSR 921 in Gazette of India dated the 24th June, 1977, under sub-section (3) of section 49 of the Tea Act, 1953 [Placed in library See No LT-982/77]

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

- (i) Review by the Government on the working of the Tea Trading Corporation of India Limited, Calcutta, for the year 1975-76
- (ii) Annual Report of the Tea Trading Corporation of India Limited, Calcutta, for the year 1975-76 along with the Audited Accounts, and the comments of the Comptroller and Auditor General thereon [Placed in library See No LT-983/77]

ANNUAL REPORTS OF RUBBER BOARD AND CARDAMOM BOARD FOR 1975-76

SHRI MOHAN DHARIA I beg to lay

- (1) A copy of the Annual Report (Hindi and English versions) on the activities of the Rubber Board for the year 1975-76 [Placed in library See No LT-984/77]
- (2) A copy of the Annual Report (Hindi and English versions) on the working of the Cardamom Board, Calcutta for the year 1975-76 [Placed in library See No LT-985/77]

REPORTS UNDER ARTICLE 151 OF THE CONSTITUTION AND NOTIFICATION UNDER CENTRAL EXCISES AND SALT ACT

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATIL) I beg to lay on the Table—

- (1) A copy each of the following Reports (Hindi and English versions) under article 151 of the Constitution—
- (i) Report of the Comptroller and Auditor General of India for the year 1976—Union Government (Commercial)—Part VI—Praga Foods Limited [Placed in library See No LT-986/77].
- (ii) Report of the Comptroller and Auditor General of India for the year 1977—Union Government (Commercial)—Part I—Introduction [Placed in library. See No LT-987/77].
- (2) A copy of the Central Excise (Eighteenth Amendment) Rules, 1977 (Hindi and English version) published in Notification No. GSR 1008 in Gazette of India dated the 30th July 1977, under sub-section (2) of section 38 of the Central Excises and Salt Act, 1944 [Placed in library. See No LT-988/77].

RE ATROCITIES ON HARIJANS

MR. SPEAKER : The Leader of the Opposition wanted to say something.

SHRI YESHWANTRAO CHAVAN (Satara) : As this is the last day of the session, probably, we will not have an opportunity to raise this question. I, therefore would like to draw the attention of the Home Minister. For a couple of minutes, I would beg for your attention—Mr. Home Minister.

There is a wave of atrocities on the Harijans. When I was about to leave for the House this morning, people from a village near Hardwar came with cloth full of blood, and I think they have called on the Prime Minister also. I got a telephone call last night from the Leader of the Opposition in the Madhya Pradesh Assembly that in a village near Ratlam nearly 70-80 people went and attacked the Harijans, killed some of them, and that four people were killed on the spot.

There is a news item to-day about an incident in Gujarat. I do not want to go into the details of it.

Sir, there is some sort of a wave of atrocities. These are not merely individual cases. There seems to be some sort of a deliberate and planned attack. Only the have-nots have, now, come into their own. Those people who have been feudal warlords so far controlling the social and economic life of the rural areas are trying to be violent and this is something which requires the attention of the Central Government. If you merely tell us, 'Please refer it to the State Government, this State Government' or that State Government, it is not enough. It is a very very bad phase in our national life which we should take more seriously. I would, through you Sir, draw the attention of the government very seriously to this matter. Unless this situation is very stubbornly and very severely dealt with this thing will not be stopped. It is, really speaking, the test of any government which wants to rule in this country for the betterment of the people.

SHRI M. N. GOVINDAN NAIR (Trivandrum) : **

SHRI JYOTIRMOY BOSU (Diamond Harbour) : **

CHOWDHRY BALBIR SINGH (Hoshiarpur) : **

MR. SPEAKER : It will not go on record.

SHRI C. K. CHANDRAPPA (Cannanore) : I am on a point of order.

MR. SPEAKER : What is the point of order?

SHRI C. K. CHANDRAPPA : Please see last para of the proceedings of 6-8-1977—debate on atrocities of Harijans.

The hon. Home Minister said—'I had suggested to the gentleman (Mr. Chairman) who was presiding here before you (Speaker) that to cope with this, if necessary, the discussion might be postponed to the next session. One full day may be given for the discussion, but only one day and not more than that.'

Your decision was as under :

'Now that the Home Minister has agreed to have one full day for the discussion in the next session, there is no point in sitting further to-day. We will take this up in the next session in its due time. The House now stands adjourned.'

At that time there was no formal motion before the House. There should have been motion before the House to end discussion.

There was no motion and no motion was put to vote. You never asked the House whether the House agrees with it.

MR. SPEAKER : There is no point of order.

SHRI JYOTIRMOY BOSU : **

MR. SPEAKER : Nothing is being recorded.

MR. SPEAKER : No further discussion. Nothing is being recorded.

(Interruptions) **

MR. SPEAKER : I am on my legs. The Home Minister could not make a statement. It is not possible to do it; there is hardly any time. The Leader of the Opposition wanted to make a statement which I allowed. He made an elaborate statement. There is no further discussion which is possible now. I do not allow anything further.

SHRI SHYAMNANDAN MISHRA (Begusarai) I am raising a point of order. Only day-before-yesterday the subject was discussed very thoroughly. If the Leader of the Opposition wanted to bring in those points, he could have done it at that time.

MR SPEAKER It is not a point of order.

श्री शिव नारायण (बस्ती)

SHRI SHYAMNANDAN MISHRA.**

(Interruptions)**

MR SPEAKER Nothing is recorded. Will you all like to hear the Home Minister or not? Nothing is recorded excepting the Home Minister's statement. I am not allowing anybody. Now, the Home Minister.

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH) Mr. Speaker, Sir, just after the hon. Leader of the Opposition had finished speaking, I wanted to rise to give a reply to him. But, I have not been allowed to do so. I really felt it. I can only request the Leader of the Opposition to advise his friends to let the proceedings proceed further. I have a right to do. There was absolutely no question of raising a row. Everybody seems to be, in rage and passion and are flinging their arms and fists. Where was the occasion for it? (Interruptions)

What I was saying has now been confirmed by the hon'ble Members who stood up and started flinging harsh words. Through you, Sir, I was simply drawing the attention of Mr. Chavan to this. If this goes on no proceedings can be carried on.

As for my reply to his notice to the government well I may assure him—or I may tell him—that before he made this statement I had asked my office already to send for reports from the Uttar Pradesh government regarding the Hardwar incident as reported in the Press and a letter from the correspondent about the situation in Gujarat. So far as the third question concerning the incident near Bhopal or Ratlam is concerned that has not come to my notice. I am not able to go through all the newspapers fully but it has not come to my notice. I will ask the secretariat to ask for a report from there. The leader of the Opposition

has been pleased to remark that the situation is getting from bad to worse. Sir, as soon as the Janata Party took over (... Interruptions)

Sir, why are they flinging harsh words against me? They should address the Chair. Sir, I was saying if there are still feudal warlords extant in the country then who is responsible? For God sake let me know who is responsible if there are still feudal warlords in the country? As for the number of crimes—as my hon'ble friend, Shri Shyamnandan Mishra was trying to say but was not allowed to be heard—I do not have the figures in my possession. I did not know this question will be raised otherwise the official figures will show that in the second quarter of 1977, that is, April to June, the figures of incidents against the harijans have gone down in every State except the State of Maharashtra to which my hon'ble friend, the Leader of the Opposition, belongs.

(Interruptions)

MR SPEAKER Nothing to be recorded. He has called for the records.

RE BUSINESS OF THE HOUSE

11 30 hrs.

SHRI B. RACHAIAH (Chamarajanagar) Sir, I addressed a letter to you requesting you to allow me to raise an urgent matter of public importance under Rule 377.

MR SPEAKER I have not allowed it.

PROF. P. G. MAVALANKAR (Gandhinagar) Sir, I have a point of order. A little while ago, today, when Mr. Chandrapan invited your attention to what had happened on Saturday evening towards the end of debate.

(Interruptions) I am not making any political speech. I am only raising a point of order. If you think that there is no point of order, then I will sit down.

MR SPEAKER Now, this has become the House of Points of Order.

PROF. P. G. MAVALANKAR I am not making any political speech. On Saturday when the debate on Scheduled Castes and Scheduled Tribes was coming to almost an end, you were in the Chair. And you said that the Home Minister thought that even if the House

were to extend its sitting by one hour, from 7:00 PM to 8:00 P.M., probably the debate would not have concluded because a large number of Members would have been still left out. Therefore, the Home Minister suggested to the Chairman who was presiding over the House at that time that perhaps the discussion might be postponed to a day in the next session. Then you came and said and I quote

'Now that the Home Minister agreed to have one full day for the discussion in the next session, there is no point in sitting further today. We will take up this next time in the next session. The House stands adjourned.'

Two points arise from this. One, you yourself said that the Home Minister had agreed to postpone it. The Home Minister or any other Minister in his speech might have made a suggestion to the House through the Chair that he was prepared to have more discussion on this. But there was no regular indication from the Minister of Parliamentary Affairs whose business it is to tell the House that a particular motion or discussion will take place in this or that session. That was not coming from the Minister of Parliamentary Affairs. It came from the Home Minister. But the Minister of Parliamentary Affairs who is in charge of the business of the House has not so far confirmed it. Secondly, there was no regular motion under Rule 340.

SHRI VAYALAR RAVI (Chirayinkul) The report is there.

PROF P G MAVALANKAR Rule 340 says

"At any time after a motion has been made, a Member may move that the debate on the motion be adjourned."

Now, as far as this matter is concerned, I think that either the Home Minister or the Minister of Parliamentary Affairs has not formally put the motion under Rule 340 for adjournment of the discussion. How can therefore be a debate be postponed to a day in the next session without a formal motion being put before the House? And if that is not done, then I submit that today, Monday the 8th August, the discussion on that Motion stands, it continues because there was no motion for its postponement. You said in the house "the House stands adjourned till 11:00 O'clock on Monday the 8th August 1977."

Therefore, I submit that the discussion on Harijans should be continued today and if you accept my point, I suggest that later on in the day, let the

Home Minister come with a reply about the action which government want to take with regard to seeing that those atrocities do not take place. Between now and the next session some months will pass. We will have more time to discuss but we are not interested in merely discussing the matter, we are not interested in our voice going or not going on record, we are interested in seeing that there is no recurrence of these atrocities, we are interested in seeing that there is no record in the newspapers of the country that the Harijans are being victimised, killed or murdered. If you feel that my point is correct technically, kindly tell the hon. Home Minister that later on in the day, say at 4 or 5 or 6 p.m. he might come and tell the House what he wants to say by way of action taken, whether he wants to come with some white paper. (interruptions) I am bothered about implementation. I request your ruling on this point.

MR SPEAKER So far as the first point is concerned, the Minister of Parliamentary Affairs was not there. But the responsibility is joint responsibility and any Minister can say that. Therefore, that question does not arise. As far as the second question that there was no formal motion Prof Mavalankar is correct. But I put it to the House and I took the sense of the House that was the view of the House nobody objected to the adjournment. So, that point is over-ruled.

11 37 hrs.

CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE

COCA COLA COMPANY'S REFUSAL TO
FULFIL ITS EXPORT COMMITMENT AND
TO PRODUCE BEVERAGE OF WHOLLY INDIAN
ORIGIN

SHRI JOYTIRMOY BOSU
(Diamond Harbour) I call the attention of the Minister of Industry to the following matter of urgent public importance and request that he may make a statement thereon.

"Present situation of the Coca-Cola Company, its refusal to fulfil its export commitment and to produce beverage of wholly Indian origin and the closure of its factories rendering about 1.5 lakhs of people directly or indirectly unemployed."

THE MINISTER OF INDUSTRY
(SHRI GEORGE FERNANDES) The activities of the Coca Cola Company in India during the last 25 years fur-

[Shri George Fernandes]

nish a classic example of how a multinational Corporation operating in a low-priority high-profit area in a developing country attains runaway growth and, in the absence of alertness on the part of the Government concerned, can stifle the weaker indigenous industry in the process.

Coca Cola came to India in the early fifties when four bottling plants were set up at Bombay, Calcutta, Delhi and Kanpur based on import of concentrates worth about Rs. 8 lakhs per annum on an actual user basis. In 1958, the Coca Cola Company, USA was permitted to set up a branch Company in India under the name of Coca-Cola Export Corporation for the manufacture of concentrates from imported raw materials, ostensibly for the purpose of saving foreign exchange spent on the import of concentrates by the 4 Indian bottling plants. It was allowed to manufacture the concentrates within the country on the specific condition that the quantum of production would be such as to meet the requirements of the existing four plants only. What really happened was however very different. Taking advantage of the facts that the manufacture did not require an industrial licence and that the Registration Certificate did not stipulate any approved capacity, the Company expanded its capacity enormously within the next few years from 3 lakhs to 26 lakhs kg of concentrates per annum without seeking any formal approval from the Government. This enabled the Company to supply concentrates to 22 Indian bottling plants which had come up by 1970 in various parts of the country and to attain a dominant position in the beverage industry.

The Company was enabled to import raw material for the concentrates with a liberal export replenishment entitlement of 20 per cent, even though a subsequent study showed that the import content in the concentrate is only about 4.5 per cent. When the import entitlement was thereafter reduced from 20 per cent to 4.5 per cent, the Coca Cola Export Corporation represented that they would be unable to feed all the 22 bottling plants even though, as I had pointed out above, their manufacture of concentrates was specifically restricted to servicing the 4 bottling plants only. On this basis of *fait accompli*, another study was carried out and the actual user import entitlement of the Company was fixed at Rs 16 lakhs per annum on the basis of its performance in 1973, in addition to the export replenishment entitlement of 4.5 per cent. It was however decided, due to considerable public pressure, exerted in the Parliament and outside,

to scale down the Actual User import licence by 11 per cent and the Export Replenishment entitlement by 0.5 per cent every two years from 1973-74.

Export was stated to be another objective for setting up of the Coca Cola Export Corporation, as its name would imply. The total exports made during 1958-76 including goods not manufactured by the Company amounted to Rs 11.12 crores. However, the Company gave up exporting goods not manufactured by them in 1976 after it was decided by Government to take into account only the export of the items manufactured by the Company for purposes of fixing a ceiling on their imports and other remittances. The real worth of the exports of concentrates made by the Company is open to doubt. A study carried out by the Government has revealed that it was possible for the Company to adjust the prices for the import of the ingredients and the exports of the concentrates, both of which were handled by the different branches of the parent Company and that the entire operations were closely directed by the Head Office of the Company in the USA. It is thus not perhaps surprising that the exports have virtually collapsed and the Company has exported goods worth about Rs 1.84 lakhs only in 1976-77.

It is well known that the company has earned profits and made remittances in foreign exchange totally disproportionate to its investment in India. The Company's original investment in India by way of cash, plant and machinery was Rs 6.60 lakhs. During 1958-74, it has remitted Rs 6.87 crores in foreign exchange by way of imports, profits, home office and service charges etc. The amounts claimed by the company as still due to be remitted for the same period is Rs 3.69 crores, making a total of more than Rs 10 crores. This sum exceeds the total export earnings of Rs 9.92 crores during the same period resulting in a net outflow of foreign exchange. Figures for the subsequent years are still under scrutiny. In view of the restrictions imposed on the Company that the total remittances should not exceed 80 per cent of the total export earnings and that the value of imports should not exceed 5 per cent of the total exports, it has not been possible to issue further import licences for raw materials to the company.

Problems have also arisen in the use of the foreign brand names like 'Coca Cola' by the Company. According to the licence agreements entered into by the company, no royalty or

other consideration is payable by the user. It has, however, been held that the restrictive clause in the agreement confining the user only to the concentrates supplied by the Company would amount to 'consideration'. It has also been found that the concentrates are sold to the Indian bottlers with a very high margin of profit (ranging about 400 per cent) which would include a very large portion of hidden royalty. These matters are now engaging the attention of the Reserve Bank which is considering the applications for the continued use of these brand names.

I now come to the important matter of the application of the provisions of FERA to this Company. The Coca Cola Export Corporation is presently a fully-owned branch of the Coca Cola Company, USA. As it is engaged in a low-priority industry not requiring sophisticated technology and with little export potential, the Reserve Bank of India has issued orders in April, 1977 requiring the Corporation to convert itself into an Indian Company with foreign equity not exceeding 40 per cent within one year, that is by April, 1978. The Coca Cola Export Corporation has agreed to form the Indian company, but has qualified its acceptance by proposing that it should be allowed to have a "Quality Control and Liaison Office" of the American Company in India to protect the "confidentiality" of the "carefully guarded trade secrets" of the formulations of the American company. This proposal is not in consonance with the provisions of the FERA, since the proposed Indian company would not in reality be taking over the operations of the Coca Cola Export Corporation but would merely function as a selling company of the concentrates which would still be under the manufacturing control of the American company. Furthermore, this arrangement would also militate against the guidelines for transfer of technology into India, which provide that the technical know-how should be fully imparted to the Indian company within a fixed time limit. The Reserve Bank has, therefore, rejected the application by the Coca Cola Export Corporation in this matter. It is now for the American Company to decide whether it would fully comply with the provisions of the FERA and transfer to the proposed Indian company all the present activities including the technical know-how and the blending operations of the concentrates or whether in the alternative the American company would prefer to close down its operations in India.

Government are committed to the policy that the manufacture of beverages should be indigenised and that there should be no outflow of foreign exchange on this account. Government consider that it would not be desirable to permit a multi-national Corporation to operate in this field in the country to the detriment of the Indian companies. Government have, therefore, been encouraging research and development for the manufacture of wholly indigenous beverages based upon Indian technical know-how. I am happy to announce that the Central Food Technological Research Institute, Mysore, has been able to develop a suitable formulation which is now available for commercial exploitation. I am sure that the Indian bottling companies would take advantage of this development and arrive at satisfactory arrangements for the manufacture and sale of indigenous beverages based on this or other suitable formulations. If these arrangements can be made with expedition, I am confident that the investment of about Rs. 10 crores made by the Indian bottling companies can be saved and the workers, numbering about 6000, presently employed in these plants kept on their jobs. Government would be willing to consider proposals for suitable assistance to the Indian manufacturers of beverages and the Indian bottling plants for rapid indigenisation of this industry.

SHRI JYOTIRMOY BOSU : This Coca Cola is a Yankee Coca culture. It is a US-owned multinational racket as a result of whose operation in this country, our industries in the small-scale and cottage sector producing soft drinks and beverages have gone out of existence. If you look into the dictionary, you will find that 'coca' is a Peruvian shrub and the leaves of shrub produce narcotics. Therefore, a person who drinks Coca Cola is always inclined to drink more of it and at a fixed time because it has a narcotic effect. In this company, many fishy things are happening. The Minister has chosen to divulge many things for which I am thankful. One Mr. William Kerske, U.S. Operator and Lobby Man came on a tourist visa in June 1976 at the height of the emergency—all glory to that regime—but stayed for on year under the garb of legal adviser. But when this Government came into power and initiated certain moves, he ran away. So you can understand what he was doing. I want to tell the country through you, Sir, that this is positively harmful to health. It not only causes tooth decay but the report of the Nutrition Research Laboratory—Annual Report for

[Shri Jyotirmoy Bosu]

1st October 1965 to 30th September 1966, page 73—clearly says that the drink is harmful to children and young people of growing age. It says :

"The results which are presented in Table 29 indicated that the gain in body weight of animals consuming Coca Cola was significantly lower than that of the other three groups. This appeared to be a direct result of the lowered food intake in this group. Animals receiving Coca Cola consume about twice the volume of the fluid as those drinking tap water . . .

Levels of haemoglobin were not different in the various groups but serum albumin levels were significantly lower in the group consuming Coca Cola . . . Analysis of Coca Cola revealed that it had a pH of 2.7, a total solid content of 12% and contained caffeine."

Sir, this is a drink that has been sold freely extending beyond proportion during the last so many years. Although it is a synthetic product, it is going under the garb of a fruit product and the conditions of fruit products clearly stipulate certain things, but those were amended to suit the convenience and conditions of Coca Cola. The man who was having the latest research institute in our country, Dr. Gopalan, tried to tamper with the earlier report on the Coca Cola.

MR. SPEAKER : No, no. I would not allow it.

SHRI JYOTIRMOY BOSU : Sir, you do not allow us to say anything. But I am sure you understand what is national interest.

MR. SPEAKER : I do, but I have to protect the individuals also.

SHRI JYOTIRMOY BOSU : What happened to the Grape Fanta? Were they not using unapproved colouring matter which is seriously harmful to the health of the people who are consuming? What happened to the prosecution? They are so powerful. There are so many politicians in power under their pay role. They very comfortably wriggled out of the whole thing. First, the prosecution could not be brought before the court for years. Then we had to do a lot of wheeling on the floor of this House and that had compelled them to bring the matter before a court of law. But with their influence, they managed to wriggle out. After that Mrs. Gandhi's Government was setting up committees. But they are all eye wash. In 1958 they had only four bottling plants, but in 1976 they had 22 bottling plants. The Minister has said that the capital for the unapproved area was Rs. 6.6 lakhs, but my figure was Rs. 6.6x

lakhs. This is an item wholly in the non-priority sector, yet there is no restriction on profits and 90 percent of the business is in foreign control. Mr. Subramaniam, in his reply to Unstarred Question No. 287 had stated :

"Foreign concerns and subsidiaries and branches of foreign companies will be eligible to participate in the industries specified in Appendix I along with other applicants"

What are those? If you look at the Appendix there, you cannot find this. You only find electrical equipment, transportation, machinery, industrial machinery, machine tools, agricultural machinery, earth-moving machinery and industrial instruments, but you cannot find the soft drinks and beverages. Yet they were allowed to grow beyond every proportion.

The Minister has already given the actual remittances. It is more than Rs. 10 crores. Visibly there are some invoices. But there are other methods. I cannot say, but it may be Rs. 25 crores. In 17 years the growth of production has been 900 per cent. *Ad hoc* import licences were given by our glorious previous regime. They were shedding crocodile tears all the time. In one year, 1975 Rs. 30.25 lakhs worth of *ad hoc* import licences were granted. I would like clarification on the same.

Now, Coca Cola raised the price from 25 paise—I do not consume it much, I seldom consume it—to Rs. 1.25 paise. Now, what happened? It is much more expensive than beer which has a heavy dose of excise duty in it. The cost of Coca Cola is the dearest of all beverages in the country, alcoholic and non-alcoholic. The unit sales have gone down, but the profits have gone up. This is the most important thing. I want to ask the hon. Minister here in this context if he can give a clear and categorical reply. In the Central Food Technological Research Institute (CFTRI) the research was started in 1973 and perfected two years ago. Is it or is it not a fact that under orders of a supreme commander of the erstwhile Government in Delhi the research perfection was put into cold storage and it was never allowed to be marketed for consumption of the people?

I would like to have a clear reply from the Minister in this regard, and to know whether government is giving a categorical assurance before the House that within a target date they are going to prohibit the production and marketing of Coca-Cola in this country, and bring

out at the same time, a national beverage which will be wholly Indian-owned, managed and controlled, and at the same time, it will be a beverage which will not be a hazard to health.

One more point: what action is government going to take in the defiance with regard to compliance of the Foreign Exchange Regulations Act? They had kept sitting over it for 3 years. They have given a qualified consent as the Minister said. The company wants to have a liaison quality control officer in the organization which will go and bribe the people in power, so that Coca Cola can be left out of focus in this country. What does the Minister want to say about the first and second questions?

SHRI GEORGE FERNANDES

Several questions have been raised by my friend Mr. Jyotirmoy Bosu. I thought that after the very exhaustive statement that I had made, all fears about Coca Cola and all questions would have been set at rest.

MR. SPEAKER You have underestimated his ability.

SHRI GEORGE FERNANDES

He referred to the report of the National Nutrition Laboratory at Hyderabad, about the harmful effect of Coca Cola on all those who consumed it, particularly growing children. It is a fact that the report is there, and it is said in this report that apart from the narcotic effect, this drink does have a harmful effect on growing children. Certain tests were conducted, and the results have been analyzed in the course of this report. My friend, the hon. Health Minister is here in the House. It is for him to take action.

SHRI VASANT SATHE (Akola)
He believes in uri-cola.

SHRI GEORGE FERNANDES

I am sure my friend the Health Minister will most certainly investigate into this question.

MR. SPEAKER Not to-day.

SHRI GEORGE FERNANDES

Not to-day. Now, Mr. Jyotirmoy Bosu referred to a foreigner who was allowed entry into this country on a tourist visa in June 1976,—when most of us on this side were in jail—and who stayed in till about 2 months ago. This gentleman, one Mr. William Kertesky, was allowed to stay on till after the Janata government assumed office. When we got to know about this, we drew the attention of the External Affairs Ministry to it. And a little later, I think about two months ago, this gentleman applied to our embassy in Washington

for a visa to go to India to take over the operations of the Coca-Cola Export Corporation. Our doubts and suspicions that during the one-year period this gentleman was in our country on tourist visa he was not here as a tourist but was in fact concerned with the operations of the Coca-Cola company, have since been confirmed. No question of giving a visa to this gentleman to come to the country to take over Coca-Cola operations now arises for two reasons. Firstly, there is hardly any operation left just now. Secondly, it is the policy of the Government to see that so far as the management in these areas is concerned it is completely indigenous.

12.00 hrs.]

SHRI BOSU referred to the price of Coca Cola. It is true that they started with 25 paise and now I think it is Rs. 1.25. It is also true that the per unit consumption has gone down. The figures that I have pertains to the calendar years 1974, 1975 and 1976. The production in millions of bottles are as follows:

1974	609.29
1975	452.10
1976	462.19

It is obvious that with the increase in price the overall unit production has gone down. That is a matter for the bottlers and the Coca-Cola Company. With the increase in prices, the profits are bound to go up and they have gone up.

It is true that the Central Food Technological Research Institute started research into producing Indian concentrates in 1973 and completed their research in 1975. What were the circumstances in which the results of this effort were not made known, or were not made available for commercial exploitation is a question which will have to be investigated.

I can assure the House that we shall go into this question.

SHRI JYOTIRMOY BOSU My question was specific. Was it on orders by the supreme commander in Delhi? I have positive information. Kindly confirm it.

MR. SPEAKER He will enquire into it.

SHRI GEORGE FERNANDES

Very often my hon. friend has more information than we have. But I can assure the hon. Member and the House that we shall look into this, we shall

[Shri George Fernandes]

make definite investigations and find out the circumstances in which the product did not come to be exploited commercially.

He has also asked me to state very categorically whether we are prepared to fix a time-limit for complete indigenisation. I would like to make it very clear that the CFTRI are ready with their concentrates and if the Indian bottlers are prepared to market this beverage, we are in a position to provide them with all the concentrates.

I think I have answered all the questions.

श्री अमृत सिंह अहिरिया (इटवा)

उद्योग मंत्री जी ने जो उत्तर दिया है वह अभी एकांगी है। नए नूक्तेनिगाह से इस पर हम की सोचना होगा। कोका कोला पर आप प्रतिबन्ध लगाए यह तो नहीं है क्योंकि यह एक विदेशी पेय है। लेकिन उसकी जगह कौनसा पेय लिया जाए इस पर भी आपको विचार करना होगा। एक नया उद्योग इसके लिए मुल्क में स्थापित करना होगा। मैं एक परामर्श देना चाहता हूँ। दुग्ध हमारे देश में एक आदर्श पेय है। दही को बलो कर जो मट्ठा बनता है वह भी अमृत समान होता है। सरकारी आधार पर हमें अपने मुल्क में कोई न कोई ऐसा उद्योग स्थापित करना होगा जो दूध, मट्ठा इत्यादि पर आधारित हो, और इन के कारखाने हम को बड़े शहरी और छोटे कस्बों में भी स्थापित करने होंगे ताकि जो नई सताने और नई पीढ़ियाँ हैं उन का इस जहरीले पेय से पेट और मस्तिष्क जहरीला होने से बच सके।

अमेजी ने हमारे विचारों को जिस तरह से जहरीला बनाया उसी तरह से यह पेय है चाहे वह कोका कोला हो या और कोई पेय हो। यह हमारे मस्तिष्क के साथ साथ हमारे शरीर को भी जहरीला बनाते हैं। इसलिये उद्योग मंत्री दुग्ध पेय, मट्ठा पेय नीबू पेय तथा अन्य भारतीय पेय तैयार करायें। सौभाग्य से हमारे

स्वास्थ्य मंत्री जी भी बैठे हुए हैं उनसे भी कहूंगा कि आयुर्वेद के आधार पर कोई इस तरह का पेय निकाले जिससे हमारे बच्चे स्वस्थ हो सकें।

श्री जार्ज फर्नान्डिस अध्यक्ष महोदय, मैं माननीय सदस्य के विचारों का बहुत ही आदर करता हूँ, लेकिन कहा तक हम सरकारी पैमाने पर छाठ वगैरह बनाने के उद्योगों को लगा पायेंगे इस पर कुछ कहना मुश्किल है। लेकिन इतना जरूर कहना चाहता हूँ कि इस सन्दर्भ में और इस अवसर पर कि यह पिछले 30 सालों की हमारी जो दुर्दशा रही उसका यह एक उदाहरण है कि दूध और मट्ठा वाली बात तो रहने दीजिये, लेकिन जिन ढाई लाख गावों में पीने का पानी नहीं पहुँचा पाये वहाँ कोका कोला जरूर पहुँच गया। हमारी सरकार माननीय सदस्य के मुद्दाब पर कहा तक अमल कर पायेगी, यह मैं नहीं कह सकता हूँ। लेकिन इतना जरूर कहना चाहूंगा कि कोई पेय गावों में पहुँचे या न पहुँचे, लेकिन अगले तीन सालों के भीतर तमाम गावों में पीने का पानी पहुँचाने का काम हम जरूर करेंगे। इसलिये हमारी नीति का धुर इसी पर रहेगा कि लोगों की जो बुनियादी जरूरतें हैं वह सबसे पहले उनको मिलें और अन्य पेय वगैरह जो खास तौर पर शहरी थे लेकिन गलत नीतियों के चलते गावों तक पहुँचाने का काम हो गया उसको जिस तरह से नियन्त्रित किया जा सकता है वह जरूर नियन्त्रित किया जाय।

12.07 hrs.

STATEMENT RE REVISED AND
LIBERALISED POLICY FOR GRANT
OF PASSPORTS

THE MINISTER OF EXTERNAL
AFFAIRS (SHRI ATAL BIHARI VAJ-
PAYEE) : Mr. Speaker, Sir. In the
course of my reply in this House during

the Debate in Foreign Affairs, I had mentioned that ever since I took office, I have been considering the question of how best to reduce delays in the issue of passports. I am fully aware of the importance of this question to which many Hon'ble Members have drawn my attention.

I had committed myself to undertaking a complete review of the present procedures for issuing passports in order to determine how far we could simplify existing procedures and reduce to a minimum, the inconvenience and hardship to applicants, specially those from the weaker sections of our people.

I would like to draw the attention of Hon'ble Members to the fact that there has been a very extraordinary increase in the number of passports that we have been issuing from year to year. For instance, in 1972, we issued only 1.6 lakh passports, but by 1976 which is the last year for which complete figures are available, the figure almost came up to 6 lakhs. The estimates for the current year are of the order of 8 lakhs and if this trend continued, it seems a reasonable assumption that within the next couple of years, we shall be issuing over 1 million passports a year.

It is against this background that I would like to acquaint Members with the new simplified procedures which we propose to introduce.

In future, endorsements will be given for travel to all countries with whom India has diplomatic relations. This would naturally exclude countries like South Africa and Rhodesia whose present Governments we do not recognise because of their illegal or racist character. Secondly, the present process of verification leads to delays in the issue of passports. Upto now, the authority to give a verification certificate has been confined to Government and Judicial officers of a certain level. I feel that Members of Parliament who are representative of the people and are in close touch with the people of their constituencies should be enabled to give such certificates of verification. I, therefore, propose to introduce a system by which Members of Parliament would be fully competent to give verification certificates. However, in this context, may I express the earnest hope that Members will take every care and precaution to see that they issue certificates only on the basis of personal knowledge, and further when they are requested by the Passport-issuing Authority to confirm that such a certificate has been given, they will speedily reply to such queries.

As far as police verification procedures are concerned, we propose to introduce a uniform system which will be designed to elicit simple and basic information, so that there will be no need to probe into an individual's life and his antecedents and thus become a source of harassment. With this end in view, we are initiating consultations with State Governments who are primarily responsible for the issue of police verification certificates.

Passport application forms at present are available only from the Regional passport offices and the District Headquarters. We now propose that passport application forms should be available also through the network of post offices against a small fee to cover printing and distribution costs involved in the process. I would like, in this context, to express my gratitude to the Posts & Telegraph Board who have agreed to cooperate with us to introduce this system on a selective basis as a trial measure.

I propose to introduce the new liberalised endorsement policy with effect from the 15th August. It is possible that there will be administrative delays in bringing about the changeover, but I have given instructions to see that these delays are cut to the minimum and the new procedure is implemented as speedily as possible.

I would like to mention, as a matter of prudence, that I propose to watch the effect of the new policy in all its aspects, and ensure that there are no adverse effects on our citizens at home and abroad consequent on the simplified and liberalised procedure for the issue of passports. I, therefore, intend to review the working of the new policy after a year and in the light of the experience gained, changes if required, will be made to correct any abuses or difficulties that might come to light.

I would like to close this statement with an earnest appeal to all concerned that the new and simplified procedures should not become a cause for the exploitation of our people by unscrupulous elements. I have issued directions that, when a new passport is issued, the holder is suitably cautioned about the need to familiarise himself with the entry regulations in foreign countries and to get whatever visas are necessary. If the passport-holder seeks to go abroad for

[Shri Atal Behari Vajpayee]

employment, he should ensure that he has a firm employment contract or is sponsored by a close relative who will take some responsibility for his maintenance. We must ensure that passport-holders are not duped into travelling abroad on the basis of spurious offers from foreign countries. This is a matter on which public opinion should ever remain vigilant.

SHRI K. LAKKAPPA (Tumkur) : He had promised on that day that a regional office at Bangalore will be opened. May I know from him what steps he has taken in this regard? Will he kindly tell us about it?

SHRI A. C. GEORGE (Makandapuram) : The hon. Minister was kind enough to point out that between 1972—76 the number of passports issued had gone up from 1.6 lakhs to 8 lakhs.

SHRI K. LAKKAPPA : The Minister is not attentive when we are raising the issue.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Yes.

SHRI A. C. GEORGE : Even then I am thankful to him.

MR. SPEAKER : Mr. Foreign Minister.

SHRI A. C. GEORGE : I am thanking you—Minister. In 1977, he is expecting that the number of passports to be issued would be nearly 8 lakhs. The hon. Member and the Foreign Minister is quite aware that out of six lakh passports issued in 1976, more than 1.5 lakhs that is, 25 per cent was from Kerala alone. There is a heavy rush at Ernakulam office and in view of the fact that more than 25 per cent of the total passports issued in the whole of the country was from Ernakulam office, I am thankful to him for the benefit for all the liberalization on behalf of the Members concerned, especially from Kerala. If the benefit of this liberalized procedure is really to go to the people, the number of staff must be increased and one more office has to be opened at Calicut or at Trivandrum.

SEVERAL HON. MEMBERS rose—

MR. SPEAKER : One Member at a time can speak though it is not allowed. No answers are given under 372. (Interruptions) I will call you. Shri Shyamnandan Mishra.

SHRI SHYAMNANDAN MISHRA (Begusarai) : May I know what is the position of the Ministry of External Affairs, so far as the impounding of the

passport is concerned? Since the hon. Minister has been pleased. (Interruptions) No, Yes, it does. Since it relates to the issue of the passport and so on, it is directly connected with whether the Ministry of External Affairs is merely a service Ministry or it exercises checks and scrutiny with regard to the impounding of the passport because it has been reported, Mr. Speaker, that certain recommendations made by certain Ministries with regard to the economic offenders, had not been heeded by the Ministry of External Affairs. So, some of the economic offenders have got away with the passports and their passports could not be impounded. (Interruptions)

MR. SPEAKER : I cannot call all of you together. In fact, nobody should be called but, anyway, now that it has started.

PROF. P. G. MAVALANKAR (Gandhinagar) : I do welcome. (Interruptions)

MR. SPEAKER : It looks as if under 372 no question can be asked. But, anyway, as a liberalised method, we allow you. (Interruptions)

SHRI JYOTIRMOY BOSU : It is a free day for all.

PROF. P. G. MAVALANKAR : I do welcome the statement by the hon. Minister of External Affairs. In fact, many of us in the House and also outside have been waiting for this kind of a liberalised policy. I want to make a few points. One is that although it is true—as the Minister and you also said—that within a couple of years, the people wanting to have a passport will reach a million mark or even more than that—the mere fact that more people want to get passports should not mean that the procedure should be so simple or so loose that some difficulties or dangers might later on crop up. (Interruptions) There are two points. One is with regard to Members of Parliament signing the passport application. I notice that many of us, while he was making a statement, at that point of time, cheered him up. I also welcome it. I want this assurance because I welcome it, because it is better, if a Deputy Secretary of a Government Department can sign the passport, why not a Member of Parliament? And it will cut a long delay. I appreciate it because it will put us higher than a Deputy Secretary. That is a good thing.

MR. SPEAKER : You represent more than that.

PROF. P. G. MAVALANKAR We do represent much more than that. We represent nearly a million voters and many more people. But we cannot know every one directly. Therefore, the point is this. Once it begins to operate, it will be difficult for us. What will happen is this. As soon as an individual comes to a Member of Parliament, the Member of Parliament will write to the S. P. or a higher authority of that area asking for a clearance report about that individual because he would not know about all the individuals and their records. And if we sign without a verification and the passport is given, we will be in difficulty. Therefore, I want this to be operated with a caution. When we refer a case for verification, the S. P. or a higher authority should reply to us quickly.

Secondly, he has mentioned that the application forms for passport will be available, apart from the Regional Passport Offices, from the Post Offices also. So far so good. But my point is this. The Regional Passport Offices, including those in major cities like Bombay, Delhi, Calcutta, Madras and also Ahmedabad are suffering from inadequate staff and absence of fullfledged Regional Passport Officers for a long time, also the persons working in those offices do not know the language of the region. This is the difficulty. So, while simplifying it, I would like the Minister to take into account all these points and see that the staff there is adequate and know the language of the area, also fullfledged Passport Officers are appointed there.

श्री श्री लाल (बिजनौर) अध्यक्ष महोदय, इस समय गन्ना उत्पादकों का लाखों रुपया मिला मालिकों पर बकाया है। मेरी आपसे प्रार्थना है कि सदन के उठने से पूर्व इस सम्बन्ध में कृपि मन्त्री से एक वक्तव्य दिलवा दीजिए कि सरकार उनकी बकाया रकम उन्हें दिलाने के लिए क्या कर रही है ? (अव्यवधान)

MR SPEAKER Let me read out this rule. There are several new Members. They are probably not fully aware of the rule. This is Statement under rule 372. Rule 372 reads as follows —

“A statement may be made by a Minister on a matter of public importance with the consent of the Speaker but no question shall be asked at the time the statement is made.”

AN HON MEMBER. You have already allowed a few Members

MR SPEAKER I cannot allow all the 540 Members

(Interruptions)

श्री उपसेन (देवरिया) अध्यक्ष महोदय मैं व्यवस्था के प्रश्न पर खड़ा हुआ हूँ। मेरा प्रश्न आपसे यह है कि आपने अभी कहा कि जब नियम 372 के अन्तर्गत माननीय मन्त्री वक्तव्य दे तो उसमें प्रश्न नहीं किया जा सकता है। मैं आपसे इस पर व्यवस्था की मांग करता हूँ कि यदि उनके उत्तर में कोई बात स्पष्ट न आए तो क्या माननीय सदस्य उस सम्बन्ध में स्पष्टीकरण मांग सकते हैं या नहीं ?

MR SPEAKER Even if a statement is not clear, you cannot ask for any clarification under rule 372. You may raise it at a later date as a separate motion for discussion at the proper time. I will not allow any further questions because this is being converted into a debate.

SHRI A BALA PAJANOR (Pondicherry) Several Members have been allowed. I want to congratulate—

MR SPEAKER You can go and congratulate him later.

SHRI A BALA PAJANOR Since some Members have been allowed to make certain observations, I should also be allowed to make some observations ..

MR SPEAKER No; please sit down. If each Member wants to congratulate the Minister ...

SHRI A. BALAJANOR : Party-wise.

MR. SPEAKER : No, not even Party-wise.

I am not allowing any further questions. Kindly sit down.

SHRI SAMAR GUHA (Contn) : Sir, you have allowed me to say a few words; I only want to draw attention to . . .

MR. SPEAKER : No please, I have not called you. I am not allowing anybody.

SHRI ATAL BIHARI VAJPAYEE : Sir, some clarifications have been sought by the hon. Members . . .

MR. SPEAKER : No, you need not give them otherwise, there will be any number.

SHRI ATAL BIHARI VAJPAYEE : But, in the form of a clarification, Mr. Shyamnandan Mishra has made a definite allegation and I must be given an opportunity to refute it. He has no business to cast aspersions.

SHRI SHYAMNANDAN MISHRA : It has been reported and I can give out the name if you like.

SHRI ATAL BIHARI VAJPAYEE : I am prepared to place all the facts before the House, but this hardly arises out of this statement.

SHRI SHYAMNANDAN MISHRA : It is not for the Minister to say that it does not arise out of the statement; he can only make a submission. (Interruptions).

SHRI A. BALAJANOR : The Minister must be allowed to answer.

SHRI JYOTIRMAY BOSU : Sir, all the rules are being suspended today.

MR. SPEAKER : No, I have not suspended any rules.

श्री मनोराम बागड़ी (मयूरा) : अध्यक्ष जी, मेरा व्यवस्था का प्रश्न है। माननीय विदेश मंत्री ने एक बक्तव्य दिया, उसके ऊपर आपने कुछ लोगों को सवाल करने की इजाजत दी। आपने इस परम्परा को मान्यता दी कि सवाल करने

की इजाजत है। जब उसमें से ग्रहण श्री जरूरी सवालाल निकलने लगे तब आपने अपनी व्यवस्था को बदल दिया। आपने ही तो इजाजत दी सवाल करने की, एक के बाद दूसरे वह इजाजत कभी और जब महत्वपूर्ण सवालाल निकलने लगे तब आप उस पर दूसरी व्यवस्था देने लगे। मैं आपके सामने रखना चाहता हूँ कि यह देश गांधी का देश है। (अवधान) आप गांधी और लोहिया जैसे हजारों व्यक्तियों को परम्पराओं को सिर्फ कानून से नहीं काट सकते हैं। ममार की परम्पराएँ ही कानून बन जाती हैं। आप इस तरीके से उनको रोक नहीं सकते हैं। जैसे कि गांधी जी कहते थे कि सारे ममार में पासपोर्ट की जरूरत नहीं है और डा० लोहिया भी कहते थे इसलिए यह सवाल उठता है कि कम से कम भारत, पाकिस्तान और वगैरा देश के लिए पासपोर्ट की व्यवस्था खत्म कर दी जाये, वहाँ आने जाने के लिए कोई रारता बनाना चाहिए तो माननीय विदेश मंत्री इस नीति की तरफ कोई कदम उठा रहे हैं या नहीं? यह बहुत ग्रहण सवालाल है जिनको आप कैसे रोक सकते हैं।

SHRI S. KUNDU (Balaore) : Mr. Speaker, Sir, most respectfully, I would submit that you have the power to allow members to ask questions and seek clarification. Nobody can take away that power; it is very much inherent. But having used that power once, you just cannot stop half-way. Not all the 544 Members want to ask questions; there are only five or six. I would most humbly appeal to you that you may kindly give one minute to each of them.

Secondly, Shri Shyamnandan Mishra made some statement and Shri Atal Bihari Vajpayee said that he feels that there has been some allegation in that against him and he wants to make a clarification. You may kindly consider giving him a chance to do that.

SHRI KANWAR LAL GUPTA (Delhi Sadar) : On a point of order . . .

SHRI S. KUNDU: Sir, you may kindly reply to my point of order first. Once a point of order has been raised and you are seized of it, nobody should be allowed to come in between. That sort of procedure must be maintained.

MR. SPEAKER: So far as this point of order is concerned, certain suggestions have been made.....

SHRI SHAYMNANDAN MISHRA: With your permission, Sir, on a point of personal explanation, I would only take half a minute....

MR. SPEAKER: I am replying to his point of order; you can do it later.

So far as Mr. Kundu's point of order is concerned, under Rules 372, no question is allowed, but sometimes some clarifications are asked, but once the question takes the shape of the debate, the Speaker has the right to control it. As it has taken the form of a debate, I am not allowing any further questions on this.

As regards the second point, Shri Kundu is right; if there is any personal accusation made in respect of any allegation made in the course of the remarks, the Minister for Foreign Affairs will be given an opportunity to explain his position.

SHRI SHYAMNANDAN MISHRA: May I make my position clear..

SHRI SAMAR GUHA: Sir, If you permit the hon. Minister to make a statement, I would like to draw attention..

MR. SPEAKER: I am not allowing the hon. Minister to make any clarification, only I am allowing him to expalin the personal accusation made. Beyond that I am not allowing:

SHRI SAMAR GUHA: I will not take more than two minutes.

MR. SPEAKER: It is not a question of minutes.

SHRI SAMAR GUHA: You know the relationship between West Bengal and Bangladesh. Thousands of people..

MR. SPEAKER: I am on my legs; please sit down. If senior Members do not cooperate, how can we conduct the business of the House. My regret is that it is not the new Members, who are obstructing, but it is the senior Members.

SHRI SHYAMNANDAN MISHRA: Sir, under Rule 357, I wanted to make my position clear. I want to draw your

attention to the fact that earlier I had given notice of a question on this subject, which was not allowed, seeking information on this very matter. Today, what I sought to do was to seek a clarification with regard to the impounding of the passports, which is a subject connected with this. I did not say that this is, in fact, the position. I said that it has been reported that certain persons probably involved in economic offences—probably I used the words some economic offender—have not away with that and the Ministry of External Affairs did not heed the recommendations of the Ministries which had made those recommendations. Now I want the position to be clarified. I said, it has been reported. May be, I would like to add, this is wrong but I want the position to be clarified because certain names were mentioned in this connection and they are very much in my mind.

MR. SPEAKER: Only on the question of personal allegation. Other points I do not allow.

SHRI KANWAR LAL GUPTA: I rise on a point of order.

You allowed certain Members to seek clarification and certain members wanted some clarification—1, 2, 3, 4 and 5. It is entirely in your discretion to allow or not to allow. Now, it is the right of the Minister to give clarification. But once you allow the clarification—you please see the rules—if the Minister does not give the clarification..

MR. SPEAKER: No, please, I am not allowing.

SHRI KANWAR LAL GUPTA: Unless the Minister clarifies it, there is no point at all. There is no point in asking a question if the Minister does not clarify it.

My submission is that when a Minister makes a statement, it is your right to allow members to seek clarification or not..

SHRI VAYALAR RAVI (Chirayinkil): There is no rule.

SHRI KANWAR LAL GUPTA: There is no rule. But once you allow members to seek clarifications, you must allow the Minister to reply. Otherwise, what is the point in asking for a clarification?..(Interruptions) He is only allowing the Minister to give reply to the allegations. About the point raised by my friend there about Kerala and all that and some points were raised from

[Shri Kanwar Lal Gupta]

here also, the Minister is supposed to clarify all these things, not only the allegation. That is my point.

MR. SPEAKER : It is only a suggestion and not a point of order. You kindly reply to the allegation.

SHRI ATAL BIHARI VAJPAYEE : I am sorry that I..

AN HON. MEMBER : made a statement

SHRI ATAL BIHARI VAJPAYEE : ...lost my temper for a minute while replying to my hon friend—he is an esteemed member of this House—Shri Shyam-nandan Mishra. Obviously habits persist. But I would like to assure Mishraji and through you, the entire House that the Ministry of Home Affairs and the Ministry of External Affairs have been working in close co-operation on the question of impounding of pass ports. But my statement related to the liberalisation, not to issuing of passports. That is why I said... (Interruptions) There should be no misunderstanding on that score. Whatever has been published in the papers is not correct. There is perfect co-ordination between the two Ministries.

MR. SPEAKER : Shri Verma.

SHRI VAYALAR RAVI : On this I want a clarification.

MR. SPEAKER : No further clarification. I am not allowing... (Interruptions) I am not allowing any more clarifications. I have called Mr. Verma.

SHRI VAYALAR RAVI : I want a clarification on item No. 12.

In this very House Mr. George Fernandes when he was in charge of this Ministry made a policy statement. According to Constitution, Art. 75(3) it is the collective responsibility of the Ministry. When Mr. Fernandes made a statement of policy on the Communications Ministry on the floor of this House, we believed it was the policy of the government. Now, the Minister has changed. Here it is stated "some aspects" and not a change. You are within your right to change the policy. I am not questioning. Here, the order paper says "some aspects of the policy". It is not a new policy or a change in the policy but some aspects of the policy. My point is whether the government can change policies according to the change in the Ministers.

MR. SPEAKER : There is no point of order. It is always open to the government to change its policy.

12.40 hrs.

STATEMENT RE. SOME POLICY AND TELECOMMUNICATION SERVICES

संचार मन्त्री (श्री बृज लाल वर्मा) :

मैं संचार मन्त्रालय को कार्य सम्बन्धी नीतियों में मोटे तौर पर जो कुछ तब्दीलियां करने की सोच रहा हूं उनकी सूचना सदन को देना चाहता हूं। अब देश में ग्रामीण और पिछड़े इलाकों में दूरसंचार और डाक सुविधाओं के विकास पर और साथ साथ इन सुविधाओं को सुदृढ़ बनाने पर अधिक ध्यान दिया जाएगा।

अब तक की नीति के अन्तर्गत टेलीफोन और तार सुविधाएं सभी जिलों सब-डिवीजनों तस्सीलों और ब्लाकों के सदर-मुकामों और उन जगहों में जिनकी आबादी 10,000 से अधिक है, दी जा रही थी। अब मैंने निर्देश दे दिया है कि ग्रामीण इलाकों में जिन जगहों की आबादी 5,000 या उससे अधिक हो और पिछड़े और पहाड़ी इलाकों में जिन जगहों की आबादी 2500 और उससे अधिक हो उन जगहों में भी टेलीफोन और तार की सुविधाएं देने की योजना बनाकर कार्य प्रारम्भ कर दिया जाय। नई नीति के अनुसार इन सेवाओं को उपलब्ध कराने के लिए विभाग को होने वाली आमदनी का अन्दाजा लगाने की कोई जरूरत नहीं होगी जैसा कि पहले होता था। इस नीति से करीब 2000 हजार नए स्थानों में टेलीफोन के पी० सी० ओ० और तारघर खुल जायेंगे।

ग्रामीण इलाकों में ऐसी जगहों में भी जिनकी आबादी इससे कम हो टेलीफोन और तार की सुविधाओं का विस्तार करने की दृष्टि से मैंने हिदायत दी है कि उन जगहों में भी ये सुविधाएं दी जाएं जहां सब-इन्स्पेक्टर के चार्ज वाला पुलिस थाना हो।

क्षेत्रों में यह देखा जाएगा कि ग्रामवर्गीय कम से कम सातवां वर्ष की 25 प्रतिशत और पिछड़े इलाकों में कम से कम 15 प्रतिशत तथा पहाड़ी इलाकों में कम से कम 10 प्रतिशत हो। इस योजना के अन्तर्गत 1000 नई जगहों में टेलीफोन और तार की सेवाओं का विस्तार हो जाने की सम्भावना है।

इस प्रकार धारा है कि लगभग 4,000 नई जगहों में टेलीफोन और तार की सुविधाएँ दी जायेंगी। इनमें से 1,000 स्थान ऐसे हैं जहाँ पिछली नीति के अन्तर्गत ये सुविधाएँ दी जानी थी और 3,000 गांव ऐसे हैं जहाँ नई नीति के अन्तर्गत इन सुविधाओं का विस्तार किया जाएगा। जैसा कि मैंने अभी बतलाया है, हमारा इरादा यह है कि अगले दो वर्षों में इन सभी जगहों में ये सुविधाएँ दे दी जाएँ। 2,000 स्थानों में चालू वर्ष में ही और शेष स्थानों में अगले वर्ष 1978-79 के दौरान, जो कि पाचवीं पंचवर्षीय योजना का अन्तिम वर्ष होगा, टेलीफोन और तार की सुविधाएँ उपलब्ध करा दी जायेंगी। तुलना के तौर पर यह देखा जा सकता है कि पिछले तीन वर्षों के कुल मिलाकर लगभग 2,600 स्थानों में ये सुविधाएँ दी गईं जबकि शेष दो वर्षों में 4,000 स्थानों में ये सुविधाएँ दी जायेंगी।

इस समय देश के 1 लाख 8 हजार से अधिक गावों में डाकघर काम कर रहे हैं। चालू वर्ष में हमने 3,100 गावों में नए डाकघर खोलने की योजना बनाई है। इसके अतिरिक्त इसी वर्ष में चलते-चलते डाकघरों के जरिए 50,000 नए गावों में डाक काउंटर सुविधाएँ देने की योजना बना ली गई है। पोस्टमास्टर साइकिलों पर पड़ोस के गावों में जायेंगे और वहाँ डाकघर की सेवाएँ प्रदान करेंगे। इस योजना के पूरा होने पर इस वर्ष के अन्त तक 1 लाख 62 हजार से भी अधिक गावों में डाक लेखन सामग्री की बिम्बी और रजिस्ट्री, पार्सल और

मनीऑर्डर आदि की बुकिंग और वितरण जैसी डाक काउंटर सुविधाएँ उपलब्ध हो जायेंगी।

इस समय देश के 2 लाख गावों में लेटर-बक्स लगे हुए हैं। नई योजना के अन्तर्गत इस वर्ष 1 लाख नए गावों में और लेटर-बक्स लगा देने का इरादा है।

घ्राण जानते हो हैं कि इस वर्ष के अन्त तक देश के लगभग सभी गावों में दैनिक डाक वितरण योजना का विस्तार हो जाने की सम्भावना है।

इन सभी नई योजनाओं के पूरा हो जाने पर इस समय जितने गावों में डाक काउंटर सुविधाएँ और लेटर-बक्स सुविधाएँ उपलब्ध हैं, उसके लगभग 50 प्रतिशत अधिक गावों में इन सुविधाओं का विस्तार इसी वर्ष हो जायेगा। धारा है कि इस वर्ष के अन्त तक देश के सभी गावों में रोजाना डाक वितरण, 50 प्रतिशत से अधिक गावों में लेटर-बक्स और 25 प्रतिशत से अधिक गावों में डाक काउंटर की सुविधाएँ सुलभ हो जाएँगी।

टेलीफोन सलाहकार समितियों के गठन में निहित युक्ति पर भी गहराई से विचार किया गया है। अब तक देश में केवल महुरों के लिए 96 टेलीफोन सलाहकार समितियाँ बनी हुई थी। अब मैंने यह निर्णय लिया है कि प्रत्येक राज्य और सब शासित क्षेत्र के लिए अलग-अलग टेलीफोन सलाहकार समिति बनाई जाए, जो न केवल महुरों के लिए बल्कि गावों सहित समूचे राज्य के टेलीफोन एक्सचेंजों और पी०सी०ओ० की टेलीफोन सेवाओं के संबंध में विभाग को सलाह दे। राज्यों की ऐसी टेलीफोन सलाहकार समितियों के अलावा उन बड़े महुरों में भी जहाँ 10,000 से अधिक टेलीफोन फ़ोन कर रहे हैं, अलग-अलग टेलीफोन सलाहकार समितियों का गठन किया जाएगा। इस

[बी वृज लाल वर्मा]

प्रकार जब केवल 49 टेलीफोन सलाहकार समितिया होगी।

मैंने यह भी फैसला किया है कि अब से कमेटी के अध्यक्ष और सचिव—जो सरकारी अधिकारी होते हैं—के अलावा इन टेलीफोन सलाहकार समितियों में अधिक से अधिक 21 सदस्य होंगे। इन उपायों से मैं आशा करता हूँ कि टेलीफोन सेवा को बेहतर बनाने और इसके सम्बन्ध विस्तार के बारे में टेलीफोन उपभोक्ताओं और प्रशासन के बीच और वनिष्ठ तालमेल स्थापित होगा।

आशा है कि सितम्बर, 1977 तक इन समितियों का पुनर्गठन कर दिया जाएगा। इनका कार्य-काल दो वर्ष होगा। इन टेलीफोन सलाहकार समितियों में सदस्य के राज्यों के विधान-मंडलों के सदस्यों को भी शामिल किया जाएगा।

टेलीफोन सलाहकार समितिया के ढांचे में होने वाले परिवर्तन का क्षेत्रीय ढाक-तार सलाहकार समितियों पर कोई प्रभाव नहीं पड़ेगा। वे पहले की भांति ही कार्य करती रहेंगी।

उच्च स्तर की सेवा प्रदान करने के लिए सारे देश में फैले दूरसंचार यंत्रों और लाइनों को सामूहिक तौर पर सुगठित करने के कार्य को विशेष प्राथमिकता दी जा रही है।

खास तौर पर बरसात में मौसम में टेलीफोनो की खराबियों की रोक बाम के लिये मुख्य नगरों में टेलीफोन के केबुलों को प्रेशराइज करने की एक विशेष योजना बनाई गई है। ऐसे नगरों के टेलीफोनो में लगे खास-खास केबुलों की सम्बाई लगभग 12,500 किलोमीटर है। पिछले तीन वर्षों में इनमें 3,000 किलोमीटर केबुल प्रेशराइज किये जा चुके हैं। शेष 9,500 किलोमीटर केबुल भी अगले दो वर्षों में अर्थात् 1979 में बरसात प्रारंभ होने से पहले प्रेशराइज कर देने की योजना बनाई गई है। इसमें से करीब आधे केबुलों की

प्रेशराइज करने का कार्य 1978 में अर्धवर्षी बरसात प्रारंभ होने से पहले पूरा हो जाने की संभावना है।

जेली-बरे हुए विशेष केबुलों का भी अधिक प्रयोग किया जाएगा। खास केबुलों की सुरक्षा के लिए विशेष रूप से मुख्य सड़कों के नीचे या महत्वपूर्ण सड़कों के किनारे, जिनके पक्के फर्श बनाए जा रहे हैं, पक्की बंद नालियां बनाने की योजना बनाई गई है ताकि इन केबुलों को बड़े पैमाने पर क्षति पहुंचने से बचाया जा सके।

एक विशेष अभियान शुरू किया जा रहा है जिसमें चाल वर्ष में एक्सचेंजों में साज-सामान की बारीकी से चौकिस और ओवरहालिंग की जाएगी। पेटाकोष्टा फासबार एक्सचेंजों की सेवा में सुधार करने पर विशेष ध्यान दिया जा रहा है। तकनीकी विशेषज्ञों का एक दल यह कार्य करेगा। उपभोक्ताओं के टेलीफोन यंत्रों और फिटिंगों की जाच के लिए भी एक अभियान चलाया जाएगा। आशा है कि इस वर्ष पूरे देश के करीब 50 प्रतिशत टेलीफोन यंत्रों और फिटिंगों की पूरी तरह जाच और ओवरहालिंग कर दी जाएगी और शेष कार्य अगले वर्ष पूरा कर दिया जाएगा। विशेषज्ञों की एक टीम टेलीफोन इन्स्ट्रुमेंट और डायल की क्वालिटी की जाच कर रही है। यह समिति इनमें सुधार के उपाय बतलाएगी, जिससे कि ये यंत्र बगैर खराबी के अधिक से अधिक समय तक अच्छी सेवा दे सकें। बार बड़े टेलीफोन जिलों के सगठनात्मक ढांचे के पुनर्गठन के लिए मैंने एक उच्चस्तरीय समिति बना दी है। उस समिति ने अपना कार्य भी प्रारंभ कर दिया है।

अपनी विदेश दूरसंचार सेवाओं के विस्तार और उनके आधुनिकीकरण (मार्ड-माइबेशन) पर अधिक बल दिया जाएगा। हमारी यह योजना है कि इस वर्ष के

बांध कर उन 39 देशों में से 36 देशों के साथ जबके सहाय हिव महासागर इटेलसेट उपग्रह की और उम्मुख मानक भू-उपग्रह केन्द्र (स्टेडर्ड ग्रुप-स्टेशन) है, हम सीधी उपग्रह संचार सेवा स्थापित कर लें। अपनी यह योजना पूरी करने का हम पूरा प्रयत्न करेंगे। सोवियत रूस के साथ सीधे ट्रोपोस्केटर संपर्क स्थापित करने और मद्रास को मलेशिया के साथ जोड़ने वाले अन्तः समुद्री (सब-मैरीन) केबुल की स्कीमें भी हाथ में ले ली गई है। दिल्ली और बम्बई में अन्तर्राष्ट्रीय टेलीफोन और टेलिक्स सेवाओं के लिए आधुनिक गेट-वे एक्सचेंज बनाने की योजना बनाई गई है। देहरादून के भू-उपग्रह केन्द्र में ऐसा उपस्कर लगाया गया है जो अन्तर्राष्ट्रीय टेलीविजन प्रसारणों का संचालन करने में सक्षम है। ये परियोजनाएँ पूरी होने पर भारत की विश्व दूर-संचार सेवाएँ विश्व के किसी भी उन्नत देश की ऐसी सेवाओं के मुकाबले की हो जाएगी।

SHRI VAYALAR RAVI Sir, I rise on a point of order

MR. SPEAKER He is on a point of order. What is your point of order?

SHRI VAYALAR RAVI My point of order is this. Just now the Minister said about the extension of the international subscriber dialing telephone service to the whole of U.K. Only a few days ago when the House is in session the hon. Minister made a press statement on the same subject—a week ago outside—and today he makes a policy statement. That is my point of order. He made a press statement last week.

MR. SPEAKER You could have raised the privilege question and not a point of order. You cannot raise a point of order that he cannot make his statement.

SHRI K P UNNIKRISHNAN (Badagara) He regards this as a privilege and so he reserves his right to move a privilege motion.

MR. SPEAKER That is a different matter. I have already ruled out his point of order.

SHRI S. KUNDU (Balewore) : Sir, I rise on a point of order. My point of order is that when the hon. Members of the Opposition raise points of order, they should not threaten that they are going to bring a privilege motion. That is what I object to.

MR. SPEAKER I think the rules require to be changed. When the points of order are raised several Members should not raise them every day.

PROF P G MAVALANKAR (Gandhinagar) rose—

MR. SPEAKER Is it a point of order? Any other thing was not allowed.

PROF P G MAVALANKAR Kindly listen to me. When the hon. Minister was making a policy statement he had gone into other questions.

MR. SPEAKER That is not a point of order. You should have said it earlier.

PROF P G MAVALANKAR Sir, I am only making my submission. The hon. Minister, while making a statement has gone into the entire gamut of the working of the various departments in his Ministry last week. I would be brief, Sir. Last week while the Minister was replying to specific questions, you had permitted supplementaries.

MR. SPEAKER Under what rule you are making your submissions?

PROF P G MAVALANKAR Sir, I wrote to you seeking your permission before 10 O'clock. I took care to write a letter to you seeking permission earlier to speak.

MR. SPEAKER You cannot do that. Rule 372 does not provide for that. That is why, in this particular case, last time, a certain indulgence was given. And everybody had started making submissions. Hence, I am not allowing it now.

PROF P G MAVALANKAR Under Rule 377 I have a right.

MR. SPEAKER No please. The hon. Minister may continue now.

श्री कलसाल वर्मा इस समय बम्बई और लखन तथा नई दिल्ली और लखन के बीच अन्तर्राष्ट्रीय एस० टी० टी० (उपग्रह) सेवा

श्री ब्रजलाल वर्मा]

ट्रक डायलिंग) टेलीफोन सेवा दिन में कुछ समय के लिये उपलब्ध है। सितम्बर 1977 के अंत तक समूचे ब्रिटेन के लिये यह सेवा चौबीसो घंटे मिलने लगेगी। आशा है कि मार्च 1978 तक ऐसी सेवा समुक्त राज्य अमरीका के न्यूयार्क और वाशिंगटन नगरों के लिये भी चालू हो जायेगी।

मेरे मंत्रालय के अधीन जो दूर संचार उपकरण का निर्माण करने वाली एनिटे अर्थात् इंडियन टेलीफोन इंडस्ट्रीज, हिन्दुस्तान टेलीप्रिंटस लिमिटेड और डाक तार कारखाने हैं, उन की वर्तमान उत्पादन क्षमताओं का मैं इस दृष्टि से पुनरीक्षण कर रहा हूँ कि उन की उत्पादन क्षमता इतनी बढ़ जाये कि वे देश की सभी आवश्यकताये पूरी कर सकें। मेरा यह प्रयत्न होगा कि अगले तीन चार वर्षों में दूरसंचार के उच्च कोटि के साज सामानों के उत्पादन में देश आत्मनिर्भर हो जाये।

जब से मैंने संचार मंत्री का कार्यभार सम्भाला हूँ, विभाग के अधिकारियों कर्मचारियों और उन के सभी के प्रतिनिधियों के साथ मेरा अनिष्ट सम्पर्क होता रहा है। उन्होंने मुझे विश्वास दिलाया है कि वे अधिक कुशल, विश्वसनीय और उच्चकोटि की सेवा प्रदान करने में अपना पूर्ण समर्थन देगे। विभाग के सभी कर्मचारियों के ऐसे बड़े हुए उत्साह और उन के पूर्ण सहयोग को देखते हुए मुझे पूरा विश्वास है कि निकट भविष्य में हम सभी तरह से बेहतर सेवा प्रदान करने में सफल होंगे।

12 55 hrs.

PERSONAL EXPLANATION BY
MINISTER

स्वास्थ्य तथा परिवार कल्याण मंत्री
(श्री राज नारायण) : आदरणीय अध्यक्ष महोदय, बिनाक 4 अगस्त, 1977 को लोक

सभा में किया प्रस्ताव पर दोस्तों समय की उन्नीसवीं मंजी एच मेरे विच्छ व्यक्तिगत, अनर्गल एच असत्य आरोप लगाए थे उस विषय में मैं स्थिति स्पष्ट करना चाहूंगा।

डा० जे० पी० सिंह जो चौधरी साहब के दामाद है विलिंग्डन अस्पताल में सर्जन हैं उन्होंने 24 मार्च, 1972 को श्री कटेश्वरनाथ के पेट का आपरेशन किया और उस आपरेशन के दौरान एक बैक्काफ फोर्सेप उन के असाय म रह गया जो 28 मार्च, 1972 को निकाल दिया गया। इस घटना के तुरन्त बाद 4 अप्रैल, 1972 को डा० एल० आर० पाठक जो उस समय विलिंग्डन अस्पताल में सर्जरी विभाग के प्रधान थे और डा० डी० बी० बिष्ट जो उस समय अस्पताल के चिकित्सा अधीक्षक थे, दोनों ने इस घटना के लिए डा० जे० पी० सिंह को बिल्कुल दोषी नहीं पाया। बाद में इस घटना के संबंध में लिए गये बयानों के आधार पर तत्कालीन महा-निदेशक ने निम्नलिखित टिप्पणी की :

"Staff Nurse, Kunju Kutty, who relieved staff nurse, B. Abraham, during the course of operation on Shri Kateshwar Nath at 1.35 p.m. has in her statement admitted that the surgeon at the time the operation ended had asked routinely if every count was O.K. and that she answered 'Yes'."

Staff Nurse Kutty is accordingly responsible for having missed to count the number of instrument which were available with her after the operation has ended

I consider that the responsibility for the mishap is of the nurses who assisted the surgeon in the operation."

उपर्युक्त विवरण से स्पष्ट है कि डा० जे० पी० सिंह की इस असावधानी के लिए कोई जिम्मेदारी इन अधिकारियों ने अपनी पहली जांच में नहीं रखी। पत्रावली को देखने से ज्ञात होता है कि इस मामले की जांच के दौरान डा० एल० सी० नाटिया, जूनियर मेडिकल ऑफिसर, विलिंग्डन अस्पताल, कुंजी

कुटी, स्टाफ नर्स, आपरेशन थियेटर, ए० अन्नाहम, सिस्टर इंचार्ज, आपरेशन थियेटर, बी० अन्नाहम, स्टाफ नर्स, आपरेशन थियेटर एवं डा० जे० पी० सिंह, सीनियर सर्जन, बिलिंगडन हस्पताल के बयान लिए गये। चूँकि कुमारी कुंजी कुटी स्टाफ नर्स, आपरेशन थियेटर, ने अपनी जिम्मेदारी को स्वीकार कर लिया था इस आधार पर एवं अन्य साक्ष्यों के आधार पर तत्कालीन महानिदेशक ने उन नर्सों को इस घटना के लिए जिम्मेदार पाया जो आपरेशन थियेटर में सर्जन की मदद कर रही थी। फाइल को देखने से यह पता चलता है कि बाद में बिना किसी अतिरिक्त साक्ष्य के महानिदेशक का यह मत हो गया कि डा० जे० पी० सिंह, जिन्होंने आपरेशन किया था, उनकी जिम्मेदारी भी नर्सों के साथ साथ होती है। यह बात ध्यान रखने की है कि इस घटना के लगभग 4 वर्ष के बाद, आपात-स्थिति के दौरान, जबकि राजनैतिक कार्यकर्ताओं एवं उनके सम्बन्धियों को किसी भी सच्चे या झूठे आरोप पर नुकसान पहुँचाने का सिलसिला चला, तब इस मामले को भी फिर से जोर शोर से उठाया गया और डा० जे० पी० सिंह को, जिनको किसी भी अधिकारी ने घटना की तुरन्त जांच के बाद दोषी नहीं पाया था, 4 वर्ष बाद एकाएक आरोप पत्र दिया गया और उसके बाद उनके खिलाफ बहुत ही तेजी से कार्यवाही शुरू हो गई।

डा० जे० पी० सिंह ने अपने विरुद्ध लगाये गये आरोपों के विषय में एक बहुत विस्तृत प्रत्यावेदन दिया और उनके प्रत्यावेदन की छानबीन के बाद उस समय भी, जबकि कर्मचारियों पर आपात-स्थिति का आतंक छाया हुआ था, कार्यालय ने अपने नोट बिनाक 14-7-76 में डा० जे० पी० सिंह को दोषमुक्त करने का सुझाव दिया। 17-7-76 को उप सचिव ने भी यह राय दी कि इस मामले को समाप्त कर देना चाहिए। 19-7-76 को संयुक्त सचिव ने अपनी

टिप्पणी में लिखा कि वह संविदा है कि डा० जे० पी० सिंह को ही इस मामले के लिए पूरी तरह से जिम्मेदार ठहराया जा सकता है अतः उन्होंने डा० जे० पी० सिंह को केवल मौखिक चेतावनी देने के लिए सुझाव दिया। 21-7-76 को तत्कालीन सचिव ने महानिदेशक की भी राय जाननी चाही। 3-8-76 को डा० गोयल महानिदेशक से जो एक विधायक सर्जन है संयुक्त सचिव की राय का समर्थन किया उसके दूसरे दिन, अर्थात् 4-8-76 को, तत्कालीन सचिव ने महानिदेशक एवं संयुक्त सचिव की राय का समर्थन किया और यह लिखा कि चेतावनी डा० सिंह की चरित्र पंजिका में न लगाई जाये। किन्तु इसके दूसरे दिन ही तत्कालीन स्वास्थ्य मंत्री डा० कर्ण सिंह ने अपनी सभी संबंधित विभागीय अधिकारियों की राय को न मानते हुए डा० जे० पी० सिंह की चरित्र पंजिका में चेतावनी लिखने का आदेश पारित कर दिया।

13.00 hrs.

डा० सिंह ने उक्त आदेश के विरुद्ध एक अपील जनता सरकार के बनने के पहले ही कर दी थी। इस अपील पर उप-सचिव ने यह मत व्यक्त किया कि डा० सिंह की चरित्र पंजिका में जो चेतावनी रखी गई है, विभाग को उसे हटा देनी चाहिए। इस राय से स्वास्थ्य सेवा महानिदेशक भी सहमत थे। इन लोगों की राय को देखते हुए और पिछले सुझावों के सदर्भ में सचिव ने भी यह सिफारिश की कि यह चेतावनी इनकी चरित्र पंजिका में न रखी जाये। उन्होंने यह भी लिखा कि डा० जे० पी० सिंह एक कुशल अधिकारी हैं और जो गलती हुई वह उनकी नसिब स्टाफ की लापरवाही के कारण हुई। इन उपर्युक्त कार्यालय टिप्पणी के आधार पर मैंने निम्नलिखित आदेश दिया —

“मैं सचिव की राय से सहमत हूँ, चेतावनी चरित्र पंजिका में न रखी जाये”

[श्री राज नारायण]

इस समय तक मुझे पता भी नहीं था कि श्री जे० पी० सिंह बरण सिंह के रिश्तेदार हैं, न तो जे० पी० से और न श्री० बरण सिंह जी ने मुझ से इस बारे में कुछ कहा था।

उपर्युक्त विवरण से यह स्पष्ट है कि डा० जे० पी० सिंह के विरुद्ध राजनैतिक एवं व्यक्तिगत प्रेष्युक्त कारणों से धन्याय किवा गया जिसका परिमार्जन करना मेरे विभाग का और मेरा कर्तव्य था। श्री उन्नीकृष्णन का इस प्रकार का इनसिजुएशन कि चौधरी साहब के कहने से मैंने यह कार्य बाही की, सर्वथा असत्य है। इस विषय से चौधरी साहब ने मुझ से कभी किसी प्रकार की कोई बातचीत नहीं की बल्कि सत्य तो यह है कि एक सुयोग्य सर्वेज के प्रति जो धन्याय हुआ था मैंने अपने विभाग के सभी अधिकारियों की राय एवं स्वयं भी उसका निराकरण किया। श्रीमन्, श्री उन्नीकृष्णन के भाषण को पढ़ने से यह बात साफ हो जाती है कि उन्होंने तथ्यों का पूरा पता लगाये बिना केवल झूठवाहों के आधार पर मेरे विरुद्ध एवं चौधरी साहब के विरुद्ध अनर्गल, असत्य आत्मक एवं निराधार आरोप लगाये।

SHRI K. P. UNNIKRISHNAN
(Badaagra): rose—

MR. SPEAKER: I am not allowing any debate.

SHRI K. P. UNNIKRISHNAN: I must be allowed to make a statement.

MR. SPEAKER: No, nothing of the sort.

SHRI K. P. UNNIKRISHNAN: He has referred to me.

MR. SPEAKER: I am not allowing Shri Unnikrishnan or anybody to speak now and nothing will go on record.

SHRI K. P. UNNIKRISHNAN*

SHRI VAYALAR RAYI (Cherayinkil): On a point of order.

SHRI K. P. UNNIKRISHNAN: On a point of order.

MR. SPEAKER: The point of order will go on record.

SHRI K. P. UNNIKRISHNAN: Under rule 357 a member may with the permission of the Speaker make a personal explanation although there is no question before the House but no debatable matter may be brought forward and no debate would arise. My contention is that according to the rules he has to submit in advance copy; I have a grievance also that if that is not translated, I cannot follow what he said about me or about other members of the House. What he said is basically debatable matter.

MR. SPEAKER: No.

SHRI K. P. UNNIKRISHNAN: That is my contention. Secondly, in between apart from what is contained in his written statement that he had submitted to you in advance, he has been speaking *ex tempore* in between which has gone into the record.

MR. SPEAKER: Whatever such intervention is there, I will expunge it. I have only allowed him a written statement and I had a copy of the statement. In my judgement there was no debatable matter. Therefore, it is not open to question. If he had said anything more than the written statement, it was not permitted and therefore it will go out of the records.

SHRI RAJ NARAIN: According to the rules of the House, a Minister can add to his statement.

MR. SPEAKER: Which rule? . . . (Interruptions)

श्री राजनारायण: श्रीमन्, यहाँ पर हम लोग जवाब देते हैं, जवाब में अगर किसी चीज की कमी रहती है तो स्टाफ के लोग यहाँ बैठे रहते हैं जो फौरन लिखकर भेज देते हैं कि इसके मुताबिक जवाब पढ़ दिया जाये और उसके मुताबिक हम पढ़ देते हैं। हमारा जो स्टेटमेंट है उसको अगर आप

वैलें तो उससे ज्यादा हमारे पास काइल
मे लिखा हुआ है। स्टेटमेंट में जो लिखा
वह धाकके कमरे में लिखा दिया और
उसके प्रतिरिक्त हमने कोई चीज नहीं पढ़ी
है।

इतना जरूर बताया कि "सन् 1972"
इसमें लिखा हुआ है और यह बात फिर
उठाई गई सन् 1976 में, चार वर्ष बाद
—यह भी इसमें लिखा हुआ है। 1976
का पीरियड एमर्जेंसी का पीरियड था,
उस पीरियड में किस तरह से हम लोगों
के रिश्तेदारों को जो सरकार की सविस
में थे, पीनलाइज किया गया है .. बान
करते हो।

श्री एच० सत्यनारायण राव (करीम
नगर) **बोल रहे हैं।

He has used an unparliamentary word.
He was behaving like this in Rajya Sabha
also. He used the words—

**He is a responsible Minister and
he is wrong. We are not going to tolerate
this *****

MR. SPEAKER Please do not record
anything

(Interruptions)%

MR. SPEAKER I shall go through
the record. If there are any unparlia-
mentary words from either side, I
am going to expunge them. There is
no doubt about it. I am also not allowing
anything except the original statement.
I have cleared the original statement.
There is nothing debatable in it. Except-
ing that, I will not allow anything.
Everything else will go out of the record.
No further discussion is allowed.

(Interruptions)%

MR. SPEAKER . Please do not record
anything.

(Interruptions)%

MR. SPEAKER : I am not allowing
any further submissions to be made.
There is no question of any point of order.
In the guise of point of order, every-
body wants to speak on both sides—I
am not referring to one side only—
more especially the senior member.
I am not allowing any point of order.

The Home Minister will now make
a statement.

SHRI VASANT SATHE (Akoli)
Is there any supplementary list of busi-
ness? I do not find anything about the
Home Minister making a statement
in the list of business.

MR. SPEAKER The Home Minister
wrote to me this morning that he wants
to make a statement about (1) Intro-
duction of Police Commissioner system
in Delhi and (2) Publication of a photostat
copy of a MISA warrant dated 26th June
1975 issued by the then Deputy Com-
missioner of Delhi. I have allowed
him to make the statements.

13 16 hrs.

STATEMENT RE INTRODUCTION OF POLICE COMMISSIONER SYSTEM IN DELHI

THE MINISTER OF HOME
AFFAIRS (SHRI CHARAN SINGH)
Sir, The Police in Delhi have been
governed by the provisions of the Indian
Police Act of 1861, which provides for the
general superintendence and control of
the District Magistrate over the working
of the police. The question of introduc-
ing the Police Commissioner system
in Delhi has been under consideration
of Government for the last 20 years ever
since the Estimates Committee made a
recommendation to this effect. Sub-
sequently, the Delhi Police Commission
also known as the Khosla Commission
in its report submitted in 1968 also re-
commended the introduction of this
system in Delhi.

2 The advantages and disadvantages
of a change-over to the Police Com-
missioner system had been considered
in depth from time to time. It is no
doubt true that not only the quality of the
personnel but also the system under which
they functioned, would be decisive in
determining efficiency and performance.
The earlier thinking, therefore, was that
the balance of advantage would be in
favour of a change-over. During the
Emergency, however, a decision was taken

**Expunged as ordered by the Chair.
%Not recorded.

[Shri Charan Singh]

in November, 1976 that the recommendation of the Khosla Commission regarding a change-over should be rejected

3 Government have reconsidered the matter in the light of the complexities of the task of police and the new challenges faced by them with progressive urbanisation of the Union territory of Delhi and rapid growth of population. The Police Commissioner system has been obtaining in the former Presidency towns of Bombay, Calcutta, and Madras right from the inception of the modern concept of policing and it has been operating to advantage in other metropolitan areas of Hyderabad, Bangalore, Ahmedabad, Nagpur and Poona, where it was introduced subsequently. The duality inherent in the present police—magistracy system inhibits the police in quickly responding to situations and affects their efficiency in their primary task of crime control and maintenance of law & order. It is also indicative of a lack of trust in the police and hence curbs its initiative and efficiency. After considering all aspects of the matter and in the interest of improvement of the efficiency of the police in this capital city, Government have decided to switch over to the Police Commissioner system. Steps are being taken to see that the change-over to the new system is effected as early as possible.

Sir, with your permission I may add that the Government has decided to advise the State Government of Uttar Pradesh also to introduce this system in their metropolitan city of Kanpur

23 21 hrs.

STATEMENT RE PUBLICATION OF A PHOTOSTAT COPY OF A MISA WARRANT DATED THE 26TH JUNE, 1975 ISSUED BY THE THEN DEPUTY COMMISSIONER OF DELHI

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): Sir, the publication of a photostat copy in the issue of Indian Express of 28th July, 1977, of a MISA warrant alleged to have been issued by the former Deputy Commissioner of Delhi on the 26th June, 1975 was raised in the House day before yesterday and with your permission I wish to make a statement on the subject today

The publication of this document which did not contain the particulars of the person to be detained naturally caused

us great concern. A number of Members also sought to raise this matter in the House in the form of Calling Attention Motions and Short Notice Questions. We had asked the Delhi Administration to ascertain all the facts relevant to this matter and send a detailed report. Unfortunately due to pre-occupation of the senior Officers of the Delhi Administration with the serious food situation in Delhi the enquiry into this matter has not yet been completed. We have so far received only a preliminary report containing the explanation of Shri Sushil Kumar, the then Deputy Commissioner of Delhi

He has explained that in a meeting convened by the then Lt Governor in the evening of 25th June, 1975, the Lt Governor gave specific orders that senior leaders of the opposition as well as their full wives should be detained under MISA immediately and that the Deputy Commissioner should issue orders on the basis of lists to be furnished to him by the police. He has also stated that there was continuous pressure from the Lt Governor as well as the then Prime Minister's house that issue of warrants of arrest should be expedited. He has also stated that each detention was approved by him personally. Five copies of warrant had to be prepared in each case. In some cases, however, forms of warrant were signed by him and given to other persons

SHRI VASANT SATHE (Akola): The matter is *sub judice*. Should this not all go there? This is producing more evidence. (Interruptions) You want all evidence to be produced here. But when we talk of Belchi, you say 'stop'. That is all. The matter is *sub judice*. Now you have Shah Commission. Why do you not produce all this evidence there? A statement made by some police Officer about what orders were issued to him—Is it not a matter for enquiry? Kindly tell me. Under the guise of a Statement here is an evidence being produced to prejudice the mind of public and also bring pressure on the judge. This will all appear in the press tomorrow. Is it not? You cannot have double standards. When Belchi was being discussed, why did you not allow a discussion on Belchi incident? (Interruptions)

I want your ruling on this. I have raised a point of order. (Interruptions)

SHRI CHARAN SINGH: I don't see in what manner. It is clear my hon. friends there want to drown the sins of their government by shoutings here.

SHRI VASANT SATHE Is this an answer to my question ? (Interruptions)

SHRI CHARAN SINGH Warrants of arrest had to be issued in each case

MR SPEAKER I will give a ruling

SHRI CHARAN SINGH It is not a sub-judice case (Interruptions)

MR SPEAKER I have got to give a ruling Please

SHRI KANWAR LAL GUPTA (Delhi Sadar) The villain of the piece is the Lt Governor He should be arrested

SHRI CHARAN SINGH Five copies of warrant had to be prepared in each case (Interruptions)

SHRI VASANT SATHE The excesses committed related to Emergency

MR SPEAKER You do not want me to give a ruling ? All right Then I am not giving the ruling

SHRI VASANT SATHE What is your ruling, Sir ? I was only speaking

MR SPEAKER No, no You were shouting I wanted to give a ruling You did not allow me to do it

SHRI CHARAN SINGH In some cases (Interruptions)

SHRI VASANT SATHE Is this the way, Sir ?

MR SPEAKER I wanted to give a ruling You did not allow me to do it

SHRI VASANT SATHE What did I do ? I was only answering

MR SPEAKER You were not answering anything

SHRI VASANT SATHE If you want an apology to you, I will apologise But give a ruling This is not the way to go (Interruptions) Kindly give a ruling, Sir

MR SPEAKER Have you finished ? I am on my legs Please sit down I was about to give a ruling Even when I was giving the ruling, Mr. Sathe went on shouting some other things I was not allowed to give the ruling I thought Mr. Sathe never wanted me to give a ruling on the point Otherwise he would have allowed me to give a ruling

(Interruptions)

MR. SPEAKER Now please I told you I wanted to give a ruling You

never allowed it Have you got the patience to listen to others ?

SHRI VASANT SATHE Yes

MR SPEAKER No So far as the objection raised is concerned, questions were asked in this House about the blank warrant Papers published these things They were asked, and the Home Minister was asked about the blank papers It is in that connection that he is making a statement, because papers published certain things, about blank papers That is why, in the circumstances, he is making a statement Therefore, it has nothing to do with the enquiry Enquiries and statements before the Commission will be there already He has not given any opinion He does not express any opinion He merely says what report he has got That is what he is saying

SHRI VASANT SATHE Now that You have given a ruling, I do not want to say anything

SHRI CHARAN SINGH In some cases however

SHRI VASANT SATHE Do not apply double standards when Belcher comes (Interruptions)

SHRI CHARAN SINGH Mr Sathe I expected better things from you

AN HON MEMBER Please ask Mr Sathe not to add fuel to the fire. (Interruptions)

SHRI VASANT SATHE Who will decide the correctness of this ?

SHRI CHARAN SINGH In some cases (Interruptions)

SHRI VASANT SATHE Who will decide it ? You have decided already Then you remove the Shah Commission, you remove it (Interruptions)

MR SPEAKER On your own, you can shout, but I am not allowing anything (Interruptions)

MR SPEAKER No submissions, only points of order, and then I will decide

SHRI SOMNATH CHATTERJEE (Jadavpur) Mr. Sathe is unnerved. . . (Interruptions)

SHRI C. K. JAFFER SHARIEF (Bangalore- North) : Sir, I rise on a point of order. You said that the Minister is going to make a statement just to clarify what has appeared in the press and that he is not going to refer to anything with regard to the Commission. But now he has come out with.... (Interruptions)

SHRI VASANT SATHE : ***

MR. SPEAKER : Please do not record it.

SHRI CHARAN SINGH : In some cases, however, forms of warrant were signed by him and given to other persons to fill up names and other details on the basis of his earlier decision to detain various persons. He has clearly admitted that the possibility of there being in existence a blank MISA warrant signed by him on 26-6-75 cannot altogether be ruled out, though he has also pointed out that for a complete reply it would be necessary for him to see the original of the photostat copy as well as all the other relevant documents. According to the Delhi Administration, 69 warrants of arrest were issued by the Deputy Commissioner on 26th June, 1975.

Needless for me to say that this is a serious matter and deserves a thorough probe. The Delhi Administration is being asked to ascertain all the facts relevant to this matter and place them before the Shah Commission of Inquiry for such further investigation as it may deem necessary. The Government, on its part, will also take such appropriate action as may be necessary, on receipt of a detailed report from the Delhi Administration.

23.35 hrs.

STATEMENT RE. ALLEGED LATHI CHARGE IN TIHAR JAIL, DELHI DURING EMERGENCY

SHRI KANWAR LAL GUPTA : (Delhi Sadar) : Sir, I want to know

MR. SPEAKER : The original question was an Unstarred Question. The reply was laid on the Table. Therefore, any further Oral clarification under the rules is not permissible. It is not permissible to give any oral reply. So, I am requesting the hon. Member to lay it on the Table.

SHRI KANWAR LAL GUPTA : I lay on the Table a Statement regarding certain information given by the Minister of Home Affairs on the 22nd June, 1977 in answer to Unstarred Question No. 1390 regarding alleged lathi charge in Tihar Jail, Delhi, during Emergency.

Statement

In reply to my Unstarred Question No. 1390, replied on 22nd June, 1977, the Home Minister stated that no lathi charge was made in the Jail during emergency.

In this connection, it is submitted that I too was detained in the Central Jail Tihar, Delhi. I can say from my personal knowledge that it is incorrect to say that no lathi charge was made in Tihar Central Jail. As a matter of fact, many persons detained in the Jail were injured and some of them severely wounded on account of lathi charge made in the jail. Even the record of Tihar Central Jail will substantiate my contention. Those who were injured can be produced even now, because they are the residents of Delhi. Moreover, even the Home Minister, Shri Charan Singh ji, was also detained in the jail at that time and he must be knowing this fact that there was a lathi charge in Tihar Central Jail.

It seems that the Delhi Administration has wrongly sent this information to the Home Minister. I request the Home Minister under Speaker's Direction 115 to correct his statement made on the 22nd June, 1977. It is further submitted that he may take action against those Officers who misguided him.

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH) : I lay on the Table a Statement in reply thereto.

Statement

Unstarred Question No. 1390 sought information regarding the names and places where lathi charge was made in jails during Emergency. In my written reply on 22nd June, 1977, I had stated that replies from 15 States and Union Territories were being awaited and that 16 States and Union Territories had reported that no lathi charge was made in their jails during Emergency. Union Territory of Delhi was included in the latter category. On 28th June, Shri Kanwar Lal Gupta had written a letter stating that he was himself detained in Tihar Central Jail, Delhi, during the Emergency; that there was a lathi charge and that he was himself a witness thereto. He also added that I should be knowing about the lathi charge since I was also detained in the same jail. Though I was detained in Tihar Jail, I was not personally a witness to any lathi charge. But I do recall that an alarm was sounded and the impression of a lathi charge having been made, was widespread amongst the

***Not recorded.

jail inmates in fact Shri Prakash Singh Badal, Shri Atma Singh and I had sent a notice to the jail authorities saying that if no enquiry was held into the incident, we would be compelled to start a hunger strike. Thus, while I do feel that what I had stated in my written answer on the 22nd June, 1977 is not, perhaps, wholly accurate, I had no intention of misleading the House or wilfully furnishing any false information.

Hence further inquiries have been made from the Delhi Administration. It has again been stated by the Delhi Administration that although there was a scuffle on the 2nd October, 1975 where the jail authorities had to use minimum force to control the situation no lathi charge was resorted to and that 16 persons received minor injuries during this scuffle. On a careful examination of the report received from the Delhi Administration, I am not satisfied that all the relevant facts have been ascertained. The manner in which force was used has not been clearly brought out. Nor has any satisfactory explanation been furnished for the injuries sustained by 16 prisoners. It would, therefore, be necessary to ascertain all the relevant facts by a thorough inquiry. Accordingly I propose to institute a judicial inquiry into the matter.

SHRI KANWAR LAI GUPTA
We would like to hear him. I assure you, Sir, that we would not ask any questions.

MR SPEAKER It is laid on the Table. We are circulating it today.

PROF DIIIP CHAKRAVARTY (Calcutta South) Unless the Home Minister makes a statement, we would not know what he has stated and the House will adjourn today. Please permit him to make the statement.

MR SPEAKER We are circulating it today.

SHRI A BALA PAJANOR (Pondicherry) As far as the statements which are made in the House but not included in the List, are concerned, we do not get English translation of that. Certain remarks are expunged but if we are not supplied English translation of the Statement, we would not understand that.

SHRI K. P. UNNIKRISHNAN (Badagara) Both English and Hindi translations must be made available.

MR SPEAKER For every proceedings which is in Hindi, a translation will be supplied in English. For every proceedings which is in English, a translation will be supplied to other Members.

in Hindi. But there may be some delay. I will direct the office to send any translation which you have not received here, to your residential addresses by post. It will be supplied as early as possible.

13 40 hrs.

MATTERS UNDER RULE 377

MR SPEAKER Today being the last day of the session I have decided to allow many matters under Rule 377. The exception is being made on the last day of the session. On other days only one or two matters would be allowed to be raised. The future depending upon the urgency and the importance of the matter ought to be raised.

SRI C. J. B. S. N. T. H. S. I have allowed Shri Krishna Chandra Halder.

(1) SHARING OF GANGA WATERS WITH BANGLADESH THROUGH THE FARAKKA BARRAGE

SHRI KRISHNA CHANDRA HALDER (Durgapur) Sir, I have given notice under Rule 377 on an urgent matter of public importance.

We want an honourable settlement on sharing of Ganga waters through the Farakka Barrage with Bangladesh. We want to have friendly relations with Bangladesh and other neighbouring countries. At one time, you know that the Calcutta Port was considered to be the most important port in the country for export and import. The experts have given an opinion that the minimum quantity of 40,000 cusecs of water during the lean months will be required from Ganga through the Farakka Barrage to save the Calcutta port. The density of population in West Bengal is the highest in our country. For the industrial development of our country, in our national interest, the settlement should be arrived at in such a way that the Calcutta port is saved. If the Calcutta port is not saved and it is allowed to die, the eastern region particularly West Bengal, will suffer. So, I want that 40,000 cusecs of water from Ganga should be released to save the Calcutta port in the interest of the country.

I would request the hon. Minister concerned through you, Sir, to make a statement today in regard to this important matter. Crores of people are anxious to know what will be the fate of the Cal-

[Shri Krishna Chandra Helder]

cutta port and whether the minimum quantity of 40,000 cusecs of water will be allowed to come from Ganga to save the Calcutta port. Today being the last day of the session, I would request you to direct the Minister of Parliamentary Affairs or the Minister concerned to make a statement today during the course of the day.

(11) OPENING OF SRINAGAR-RAWALPINDI AND SUCHETGARH-SIALKOT ROAD*

SHRI BALDEV SINGH ASROTHA (Jammu) The plea to open roads from Srinagar to Rawalpindi and from Suchetgarh to Sialkot in Jammu and Kashmir appeared in Hindustan Times newspaper of 14th July on account of the statement made by Shri Mohammed Afzal Beg, the Deputy Chief Minister of Jammu and Kashmir. This pertains to a very important matter of public interest, political importance and, as such, I would request the Hon'ble Minister concerned to make a statement today on the floor of the House regarding the action of the Government on the subject.

13 44 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

(11) FINANCIAL ASSISTANCE GIVEN TO KARNATAKA FOR DROUGHT RELIEF WORKS

SHRI S. NANJESHA GOWDA (Hassan) Mr. Deputy-Speaker, Sir, I would like to draw the attention of the Central Government, particularly, the Finance Minister that, in his reply to a question on 6th August regarding the funds allotted to various States for drought relief works particularly to Karnataka, he was pleased to say that Rs. 4.5 crores were released for drought relief works. In this context, I would like to say that during 1972-73 and 1973-74 there was failure of rains in the State, in 50 many districts, and there was no water to drink, no food to eat and no fodder for cattle. That was the situation. During those years also the Government of India was pleased to send a Central team and released crores of rupees to the Karnataka Government to spend on drought relief works. While allotting money on drought relief work, the Government of India took pains in giving money to Karnataka State also. I thank the Government of India for that. But in that regard I would like to say that the Government of India did not have any check over the expenditure made by the States, particularly in Karnataka.

During 1972-73 and 1973-74, 50 many agencies were empowered to spend this money. PWD was empowered to spend money on various works such as to provide labour in villages. The State Mar-

keting Co-operative Federation was also empowered to supply food, seeds and manure to such families as were affected by it. I am sorry to say that the Co-operative Federation which was entrusted to supply manure and foodgrains to those affected areas did a lot of scandal in my State. The concerned authority gave an order to them to supply free seed to the poor farmers who had no seeds for the next coming season for sowing purposes, because the rain was likely to come. But you know, what happened was that the free seed, which were to be supplied to the poor farmers were given to somebody else against bogus names.

MR. DEPUTY-SPEAKER Your time is up.

SHRI S. NANJESHA GOWDA I want some more time.

MR. DEPUTY-SPEAKER No, because matters are being raised under rule 377.

SHRI S. NANJESHA GOWDA In that regard, I am sorry to say that the money was misused by so many political leaders who were occupying high offices. They became Ministers and Cabinet Ministers in that Government. I am sorry to say that the Government of India is not taking any interest in having a check over the money given to those States even though swindling has taken place. I have a record before me. This is the Report of the Public Accounts Committee which was concurred with by the Congress Members also.

SHRI K. LAKKAPPA (Tumkur) I am on a point of order.

SHRI S. NANJESHA GOWDA I do not know why that Report is not considered.

SHRI K. LAKKAPPA He is bringing all the thing—Congress (Interruptions).

MR. DEPUTY-SPEAKER He is only quiting for the Public Accounts Committee's Report.

SHRI S. NANJESHA GOWDA So far, no action has been taken on that. I request the Government of India and the Finance Minister particularly to probe into this matter and take an appropriate action.

(14) REPORTED STRIKE FOR TWO HOURS BY LIC EMPLOYEES ALL OVER THE COUNTRY ON 4-8-1977

SHRI DINEN BHATTACHARYA (Serampore) With your permission, Sir, I want to raise a matter of public importance. On the 4th of this month, more

than 47,000 employees of the Life Insurance Corporation of India throughout the country demanded 15 per cent bonus under the old agreement which was modified by the previous Congress Government wrongly and illegally. They stopped work for two hours.

This Janata Party, in their manifesto also assured before election that anything wrong that was done to the weaker sections or the employees or the peasantry will be rectified. Here is a case which was discussed here in the House in the last Lok Sabha from both sides and unanimously it was taken for granted that the Government of India had done something which was unprecedented in the history of our country. Moreover, the agitation that they started on 4th will continue and the situation will further deteriorate if Government do not come forward immediately with certain action in respect of payment of bonus as per the agreement that the LIC employees had with the management.

I also want to raise—as today is the last day—the question of payment of minimum bonus which was taken away by the previous Government by an amendment of the Bonus Act. There have been representations from all quarters. The State Governments of West Bengal and Kerala have made representations to the Central Government to come forward immediately with a statement with regard to their decision on payment of minimum bonus. The Durga Puja in West Bengal is coming, the Onam festival in Kerala is coming, Diwali is also coming, before these festivals, if the question of bonus is not settled if the announcement is not made, the workers will not keep quiet and they will be compelled to start an agitation on this. I would request the Labour Minister who is here to be kind enough at least to express to pull out as to what is the desire of the Government what the Government is going to do with regard to payment of minimum bonus and also about payment of bonus as per agreement to the LIC employees—which was modified by the previous Government. A large number of MPs have made a representation to the Finance Minister to do something in this matter. Today is the last day. We also demanded that there should be a discussion on this issue. But nothing has been done. I do not know what the Government is going to do in this matter. The Labour Minister must reply, Sir. He is here.

(v) MAHARASHTRA KARNATAKA BOUNDARY DISPUTE

श्री केशव राव बोंडव (नांदेड) - डिप्टी स्पीकर साहब, मैं आपके माध्यम से धानरेबिल प्राइम मिनिस्टर साहब और होम मिनिस्टर साहब का क्वाल इस प्रहमियत के मसले की तरफ दिलाना चाहता हूँ। महाराष्ट्र और कर्नाटक की बाजपुड़ी का सबाल बहुत सालों से चला आ रहा है, इसके कई हिस्से हैं—बैलगाव, कारवार, नेपाली, भाबकी, सतपुर औरोद हुमनाबाद और बीदर—यहाँ पर 12 लाख लोग मराठी में बात करते हैं। 1955 से यह मसला अभी तक हल नहीं हुआ है। अगर एक व्यक्ति के खिलाफ कोई बेइन्साफी होती है या फीमिली प्लानिंग का जुल्म होता है, तो उसको इन्साफ दिलाने के लिए हम प्रागे बढ़ते हैं, लेकिन पिछले 20 सालों से इन 12 लाख लोगों को हुकूमत इन्साफ दिलाने के लिए तैयार नहीं है। इन्साफ की बात हम दुनिया के सामने करते हैं, लेकिन घर में इन 12 लाख लोगों के लिए हमने क्या किया है? कई कमीशन मुकदरे किये गये, वहाँ के लोगों ने मोर्चे निकाले, साराबन्दी सत्याग्रह किया, चुनकर प्राये महाराष्ट्र असेम्बली के अन्दर रेजोल्यूशन पास किये, पिछले महीने ही महाराष्ट्र कौन्सिल में एक यूनिनिमस रेजोल्यूशन पास किया, यह मसला हल करने की हुकूमत को माग की गई असेम्बली के अन्दर लोगों ने अपने गुस्ते का इजहार किया—लेकिन कुछ नहीं हुआ। महाराष्ट्र में 6 चीफ मिनिस्टर बन चुके, केन्द्र में 7 होम मिनिस्टर बन चुके, 4 प्राइम मिनिस्टर बन चुके—लेकिन कोई नतीजा नहीं निकला। मैं सेन्ट्रल गवर्नमेन्ट से गुजारिश करना चाहता हूँ—आप इस मसले के लिए इन्साफ देना चाहते हैं या नहीं? आप खामोश क्यों हैं? पहले कांग्रेस की हुकूमत थी, अब जनता पार्टी की हुकूमत आई है, आपको

[श्री कैमबराम चौधरी]

इन्साफ देने के लिए कबत क्यों नहीं मिलता है ? सेन्ट्रल गवर्नमेंट कहती है कि बोनों स्टेड्स एक हो जायें, तब यह मसला हल करेगा । अगर बोनों गवर्नमेंट्स एक न हों तो क्या इन्साफ नहीं मिलेगा ? क्या वे मुलाम हैं, जानवर हैं, उनको अभी भी डिटेन्शन में रखा जा रहा है, ज्वावती की जा रही है । ये नाइंसाफी क्यों ? अभी इनकी कितनी कुर्बानी चाहिये ?

अभी हाल में जनता पार्टी के सदर साहब महाराष्ट्र गये थे—चन्द्रशेखर साहब—उन्होंने कोल्हापुर में फरमाया कि यह छोटा-सा मसला है । क्या लेके बैठे हो ? अगर उनका कहना सही है तो मुझे बड़े अप्सोस के साथ कहना पड़ता है कि दिल्ली को हमेशा दूसरा के मसले छाने लगते हैं । दिल्ली का मसला बड़ा और दूसरा का छोटा । अब इसाफ है । मैं आपसे गुजारिश करना चाहता हूँ उनके साथ नाइंसाफी मत कीजिये और उन 12 लाख मराठी स्पीकिंग एरियाज के लोगो के साथ इन्साफ कीजिये ।

(iv) GRANT OF FESTIVAL ADVANCE FOR ONAM TO CENTRAL GOVERNMENT EMPLOYEES IN KERALA

SHRI VAYALAR RAVI (Chirayankk) Sir, with your permission, may I draw the attention of the House and of the Hon. Minister to an important problem regarding Kerala? There are about 40,000 Central Government employees in Kerala where the festival of Onam is celebrated. It is an important festival which all sections of the people celebrate. The Kerala Government gives a Festival Advance to its employees to celebrate this festival but it is either not given to the Central Government employees or, if given, the quantum is less. I would therefore appeal to the Central Government and the Finance Minister, since Onam is now at the doorstep, to issue instructions as early as possible to all the concerned authorities in Kerala, including the P & T and Communications Department to issue Festival Advance to their employees to celebrate Onam.

Otherwise, there will be a discrimination against them, as against the State Government employees.

In this connection, I may add that as Mr. Bhattacharya has mentioned, Kerala is also in the grip of agitation by workers and Government employees because they are not given bonus. An all-Party delegation has been entrusted, by the Kerala Legislature, with the job of coming over here and meeting the Labour Minister and the Home Minister and the Finance Minister in regard to the bonus issue, but I am afraid they have not been given any time so far. All parties are represented by the delegation including the Janata Party, Marxist Party and others.

MR. DEPUTY SPEAKER Yes, please conclude now, Mr. Qureshi.

(vii) REPORTED DILAPIDATED CONDITION OF THE GRAVE OF LATE PRESIDENT SHRI FAKHRUDDIN ALI AHMED

SHRI MOHD SHAHI QURESHI (Anantnag) I would like to draw the attention of the Hon. Minister sitting here and request them to convey my feeling and thinking to the House to be the Prime Minister in regard to the following matter. Just across Parliament Street lies the grave of the late President Fakhruddin Ali Ahmed. If you see the condition of the grave today, it is in a dilapidated condition. I was really pained to see on last Friday that the entire grave is now sinking. It is a 'kutchra' grave and it was then decided by the Government that they will erect not a very expensive but a modest monument there to protect his grave. It is just across Parliament Street and it is odd to see the grave of the late President in such a dilapidated condition. I would therefore suggest that the Government should take some action in this regard.

(viii) REPORTED POOR QUALITY OF COTTON SEEDS SUPPLIED TO FARMERS IN GUJARAT RESULTING IN LOSS OF COTTON CROP

SHRI ANANT DAVE (Kutch) Sir, I would like to draw the attention of the House to the problem of the farmers in the Gujarat State. Due to poor cotton seeds being supplied to the farmers this year, though there has been a season of good rains all over the State, the farmers are not able to raise their crop of cotton. These farmers who produce cotton are facing a bad situation. They have been put to a loss of lakhs of rupees due to these poor quality seeds. Gujarat produces a huge crop of cotton every year.

but this year there will be no crop of cotton. As there was shortage of cotton in the country, it was decided that 14 lakh bales of cotton will be imported, but now there will be more shortage.

The farmers who produce cotton seeds are not responsible for this but it is some individual merchants who distribute the seeds who are responsible.**

14 hrs.

MR. DEPUTY-SPEAKER : It will not go on record. I am very sorry; if you make individual attacks on anybody, who is not a Member of this House, it will not go on record.

SHRI ANANT DAVE : **

MR. DEPUTY-SPEAKER : You cannot misuse the permission given under Rule 377 and attack some individual who happens to be somewhere else.

SHRI ANANT DAVE : Our handloom trade will not get sufficient cotton this year and this is a national loss also. I would like to know whether the Minister of Civil Supplies would assure the poor farmers of Gujarat and other people that proper investigations would be made and persons who have committed such scandals would be punished.

(ix) ATTEMPTS OF MONOPOLY HOUSES TO SCUTTLE RS. 100 CRORE GOVERNMENT SUPPORTED NEWSPRINT PROJECT OF MYSORE PAPER MILLS

श्रीमती मृणाल गोरे (बम्बई उत्तर) : मैसूर पेपर मिल के कारोबार के बारे में मैं कुछ तथ्य उद्योग मंत्री के ध्यान में लाना चाहती हूँ। सभी जानते हैं कि न्यूजप्रिंट आयात करने में काफी फारेन एक्सचेंज हमको खर्च करनी पड़ रही है। इसको देखते हुए 1975 में 75000 टन न्यूजप्रिंट इम्पोर्ट करने के लाइसेंस दिए गए थे। मैसूर पेपर मिल की सौ करोड़ की एक पांच साला प्रोजेक्ट है। अगर यह प्रोजेक्ट सफल हो जाये और पूरी हो जाए तो विदेशी मुद्रा की काफी बचत हो सकती है। लेकिन हो यह रहा है कि तीन जो बड़े बिजनेस हाउसिस हैं, जालोन, हरिहर

पोलीफाइबर जो बिड़लाज की कम्पनी हैं और वैस्ट कोट पेपर मिल जो बांगुर और सोमानी की है ये तीनों मिलकर मैसूर पेपर मिल पर कब्जा करने की कोशिश कर रहे हैं। मैसूर पेपर मिल में काफी हद तक कर्नाटक सरकार के शेयर हैं। गवर्नमेंट आफ इंडिया चाहती है कि उसका एक्स-पेंशन हो जाये और वहां पर जल्दी प्रोडक्शन शुरू हो जाये। लेकिन हम देख रहे हैं कि 32 करोड़ का उनको जो लोन वगैरह चाहिये वह कहीं उसको न मिल जाये इस वास्ते ये तीन बड़े बिजनेस हाउसिस बहुत कोशिश कर रहे हैं। साथ ही उसको राँ मैटीरियल न मिले इसकी भी काफी कोशिशें इन लोगों की तरफ से हो रही हैं। हरिहर पोलीफाइबरज को उसकी जरूरत से ज्यादा युक्लिपटस बुड दिया गया है, उसको जरूरत पचास हजार टन की है जब कि उसको 75 हजार टन दिया गया है। इस प्रकार से रा मैटीरियल को कानर करने का काम भी चल रहा है। इस कम्पनी में काफी शेयर छोट शयरहोल्डर्स के हैं। आई०डी०बी०आई० से जो लोन वगैरह उसको दिया जाना हैं वह भी इसको नहीं मिल रहा है। ऐसी परिस्थितियां बिड़ला के हाउसिस, वैस्ट कोस्ट पेपर्स मिलज या बांगुर हाउसिस, जालोन हाउस की तरफ से मिल कर पैदा करने की कोशिश की जा रही है, ताकि यह योजना आगे न बढ़ सके। उद्योग मंत्री से मैं अर्ज करूंगी कि जब आपने एलान कर दिया है कि बड़े इंडस्ट्रियल हाउसिस को आगे विकास करने का आप मौका नहीं देंगे तब असल में जो यहां स्थिति पैदा करने की कोशिश की जा रही है उसको आप नजर में रखें और देखें कि इनकी ये कोशिशें सफल न हों।

14.05 hrs.

SALARY AND ALLOWANCES OF LEADERS OF OPPOSITION IN PARLIAMENT BILL—contd.

SHRI HARI VISHNU KAMATH
(Hoshangabad): I rise on a point of order.

MR. DEPUTY-SPEAKER: On what?

SHRI HARI VISHNU KAMATH: I take my stand on the proviso to sub-rule (2) of Rule 376 and Rule 80 and Rule 66.

At the outset I submit that this is a major Bill and not a minor Bill to be disposed of summarily, and it should not be bull-dozed or steamrolled or road-rolled.

I submit that after the resurrection of democracy as a consequence of the non-violent electoral revolution of March, this Bill has emerged as a milestone, a landmark, on our march to a model parliamentary democracy. I accept that and I am happy that it has been introduced. But it is rather ill-timed because there is a lot of misery due to floods in the country and the people are suffering on account of the flood devastation. I think it would be far better if it is brought at a later date.

Why I do raise a point of order is: under the proviso, you are well aware, and the House is well aware, that this Bill is a bit of an interloper. This Bill is an interloper in the sense that originally it was not there; it was, I would not say, smuggled or sneaked in but introduced at a late stage and brought to the notice of the members... (Interruptions). My friend here says, surreptitiously. That is perhaps a harsh word. I do not know whether the Opposition is impatient. I am sure the leader of the Opposition will not mind if this Bill is taken up in the next session. I am sure they will not mind a three months' delay because you are well aware that the hon. Minister of Information and Broadcasting Shri Advani, is waiting here for the last so many days for a discussion on the White Paper,—White paper or black paper or red paper or whatever colour you may like, that paper has been put down for discussion to-day and that has been allotted 7 hours. Please look at the clock now. It is 5 minutes or 10 minutes past 2 and the House has agreed to sit only upto 7 O'clock. So, there are only less than five hours. I am sure this Bill will take an hour or an hour and a half, if not longer....

SHRI DINEN BHATTACHARYA
(Serampore): There are so many amendments.

SHRI HARI VISHNU KAMATH: So, the time left for the Minister of In-

formation and Broadcasting will be on e⁴/₄ hours or even less. If the House agrees to have a memorable day, a memorable night and have a midnight session as we once had in the Third Lok Sabha—I do not know....

SHRI DINEN BHATTACHARYA: We got a good dinner.

SHRI HARI VISHNU KAMATH: That makes it attractive, it acts as an incentive. If the House agrees to sit all night or at least till midnight, then we are agreeable that this Bill should be taken up now. Otherwise if the Opposition agrees, then this Bill may be taken up in the next session. That is my first submission....

SHRI A. BALA PAJANOR (Pondicherry): Provided it is given retrospective effect.... (Interruptions).

SHRI HARI VISHNU KAMATH: If you are agreeable, I will not proceed further.... (Interruptions). You do not seem to be agreeable and you are impatient to have it passed....

SHRI HITENDRA DESAI (Godhra): We stand on nobody's mercy.

AN HON. MEMBER: What is the intention of the government?

SHRI HARI VISHNU KAMATH: Sir, proviso to sub-rule 2 of Rule 376 reads as follows:

"A point of order may be raised in relation to the business before the House at the moment:

Provided that the Speaker may permit a member to raise a point of order during the interval between the termination of one item of business and the commencement of another...."

Under Rule 377 hon. members made their submissions. Between the termination of that item of business and the commencement of the next business, I am raising this.

MR. DEPUTY-SPEAKER: That is why I am hearing it.

SHRI HARI VISHNU KAMATH: I come to Rule 80. It reads as follows:—

"The following conditions shall govern the admissibility of amendments to clauses or schedules of a Bill:—

- (i) An amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates."

How is it applicable to this Bill? Please see clauses 11 and 12 of this Bill.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA). It is not under consideration.

SHRI HARI VISHNU KAMATH : When you move the Bill for consideration, it will be too late for me.

Clauses 11 and 12 are in effect amendments to some other Acts which have already been passed by this House. Salary, Allowances and Pension of Members of Parliament Act, 1950 and the other Act which is sought to be amended through the back door by this Bill—Parliament (Prevention of Disqualification) Act, 1959.

Please look at the amendments that are sought to be made. They are not within the scope of this Bill.

Please refer to line 13, page 4. This refers to the provision in the earlier Act passed by the Parliament—where the phrase “an officer of Parliament” appears. Through the medium of this Bill that has to be amended. That is outside the scope of this Bill.

Amendment to Clause 12 is outside the scope of this Bill because the Government apparently takes it for granted that the House will pass the earlier provisions of the Bill. If the earlier provisions are not passed, this will not arise. Therefore, the proper course is under Rule 66 which is as under :

“A Bill, which is dependent wholly or partly upon another Bill.....”

They want to by-pass this rule. What they should have done is to get it passed upto Clause 10 and then they should have brought two more Bills—Amendments to Salary, Allowances and Pension of Members of Parliament Act, 1954, and another Bill, an amending Bill, namely, Parliament (Prevention of Disqualification) Act, 1959. Now, Sir, these two Bills could have been introduced along with this Bill on the same day and taken up together after this Bill had been passed, as I said, upto Clause 10. Thereafter, the other two Bills could also have been taken up and passed. Therefore, what I submit is this. This Bill to be moved by the hon. Minister is untenable as it is. It is out of order. It should be taken up after properly regularising the procedure, and I submit that this may be taken up in the next session.

Bill

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) : Sir, it is always a great pleasure to accompany the hon. Member from Hoshangabad back and forth through the rules of procedure. I must say with all respect to the hon. Member that the points which he has made out, in my humble opinion do not prevent the House from granting me leave to introduce this Bill. Sir, this Bill has not been introduced surreptitiously.

SHRI HARI VISHNU KAMATH : I never said so.

SHRI RAVINDRA VARMA : He was on the point of borrowing that expression from somebody else. I do not accuse him of using any such expression. I believe, Sir, this Bill has found a place in all the statements which I made in this honourable House on Government Business on more than one occasion. When I was asked whether I would be able to introduce the Bill in this session, I did reply, the Bill was not ready, but we do hope to bring this Bill before the session adjourned. Therefore it would be totally wrong to imagine that Government has sprung a surprise in this House. It is before the House in the shape of Government's intention to bring such a Bill.

SHRI HARI VISHNU KAMATH : That is why I used a mild language—interloper, I said.

SHRI RAVINDRA VARMA : I am most thankful for his mild language, which is characteristic of him. Therefore, Sir, I would humbly urge you and the House to permit me to go ahead with this motion.

MR. DEPUTY-SPEAKER : The Minister for Parliamentary Affairs has given you a history of how this Bill came into being. I think almost from the start of the session this subject was raised and they said, the Bill was not ready. Now that the Bill is ready, he has brought it before the House, and it is listed in the List of Business of today. There is nothing wrong in taking up the Bill. If hon. Members could use some self restraint we can finish it in an hour. If there are consequential amendments which arise out of the Bill they can be introduced.

श्री उ सेन : (देवरिया) : उपाध्यक्ष महोदय, चूँकि आज सदन का सत्र समाप्त हो रहा है, इसलिए मैं एक महत्वपूर्ण

[श्री उग्रसेन]

विषय की ओर सरकार का ध्यान आकर्षित करना चाहता हूँ। मेरा कहना है *

MR. DEPUTY-SPEAKER : You cannot go on like this. You should have taken my permission under Rule 377. It will not go on record.

श्री उग्रसेन : *

MR. DEPUTY-SPEAKER : I did not permit anybody. Nothing will go on record. Now, the hon. Minister.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) : Mr. Deputy-speaker, Sir, I beg to move † :

"That the Bill to provide for the salary and allowances of Leaders of Opposition in Parliament, be taken into consideration."

This is a very simple Bill and a very short Bill. However, Sir, I would entirely agree with my distinguished and hon. friend from Hoshangabad that this is a very significant Bill and, in a sense, it can also be described as a historic Bill. It is, as he said, a landmark or milestone as far as this Parliament is concerned.

SHRI HITENDRA DESAI : Don't call it 'landmark'. Some of the States have already such provision.

SHRI RAVINDRA VARMA : As far as this House is concerned it is—I do not know why the hon. Member should take an offence to such a simple remark made in the matter. It is, in our opinion a milestone, in our advance, along the path to fuller and more effective democracy in this country.

Sir, it is a testimony of our living faith in democracy,—our living faith in the right of dissent in a democracy for the Opposition, in the legitimate role of the Opposition, in a parliamentary Democracy and our faith in the necessity for the Government, as far as all organs of public opinion are concerned, to provide the Opposition with the necessary opportunities to the evaluation, formulation and expression of public opinion.

*Not Recorded.

† Moved with the recommendation of the President.

Bill

Sir, on an occasion like this, I think, it would be wrong on my part, to make any jarring or marring observations about the attitude that others might have to the Opposition. I wish, nobody compels any reference to whatever might have happened in this country and whatever consequence the people may, legitimately, or, otherwise, have drawn about the attitudes of different parties in the Opposition.

As far as this Government is concerned, since this Government believes sincerely and genuinely in the system of parliamentary system, it believes that the Opposition has a definite, distinct responsibility and role to play in a Parliamentary Democracy. It shall not be guilty of muzzling the Opposition; it shall not be guilty of extinguishing the right of dissent.

Sir, it believes that democracy is the rule of public opinion and the public opinion can be formulated only if the instruments and means necessary for the formulation of public opinion are equally available to all. When there is the evolution or the expression of public opinion, naturally, there would be an attempt, an effort made to discover a consensus. But, it may not be always possible to discover a consensus. So, Parliamentary Democracy, as you know, has to function in terms of the identification of the majority opinion and the minority opinion. Under such circumstances, the view and the will of the majority has to prevail. The position of the minority is equally sacrosanct in a Democracy. It is essential, therefore, to provide opportunities, amenities, and status necessary for the Opposition to play its legitimate role in a Parliamentary Democracy.

As my hon. friend, the Rt. hon. friend from Godhra said, it is not the first occasion that this matter is being discussed in this country, nor is this country the first country which is addressing itself to this question.

Other countries like Great Britain, Canada, New Zealand and nearer home even Ceylon have made provisions of this kind. In our country true—as he was anxious to remind this House—many States have adopted similar legislations. Therefore, this is nothing new but as far as this government here is concerned we are quite conscious that even as the government has a role to play the Opposition has also a role to

Bill

play. We, therefore, want to provide every opportunity to the Opposition to be effective—to be legitimately effective.

The Opposition in a parliamentary democracy is a symbol of a national alternative. It is the focal point round which alternative views and policies crystallise. It has a sacrosanct responsibility in democracy to mount an eternal vigilance on the acts of omission and commission of the Administration. The Opposition, therefore,—which is a genuine Opposition—is regarded almost as a national alternative and every student of Political Science knows that the legitimate Opposition, the authentic Opposition, is always regarded as a potential or alternate government.

SHRI HARI VISHNU KAMATH : The Opposition should be truly loyal to the principles and practice of parliamentary democracy.

SHRI RAVINDRA VARMA : Sir, he is one of the fathers of the Constitution.

SHRI SOMNATH CHATTERJEE (Jadavpur) : He is one of the unwilling or reluctant fathers of the Constitution as almost all his amendments were rejected.

AN HON'BLE MEMBER : He is a bachelor father.

SHRI RAVINDRA VARMA : Anyway he knows. Therefore, Sir, we are of the view that in the same way we hold that the majority has a duty to protect the rights of the minority, the minority has a duty to ensure the prevalence of the right of the majority to rule. If there is irreconcilability and if there is no granting of the paramountcy necessary of the will of the majority as expressed by the electorate, then there may be no democracy of the like we want to establish. The loyalty of the minority to the interest of the country is taken for granted and should never be questioned. Sir, I am not saying something which is light. When anybody who is in government immediately wants to write-off the Opposition by questioning its motive, then things take the same shape as they took very recently.

Sir, I do not want to take much time of the House because I do not think there is difference of opinion as far as the basic question is concerned. The Bill seeks to provide the Leader of the Opposition in this House as well as the other House with due recognition, with status that should attach to an

important position like that of the recognised Opposition. It also tries to provide the Leader of the Opposition with such amenities and facilities as he requires to play his role effectively in a parliamentary democracy. This Bill does not attempt to do anything more. It tries to do what is basically and absolutely necessary to ensure that due recognition is accorded to the Leader of the Opposition and to ensure that he is provided with facilities and the amenities necessary to play an effective role.

I do not want to say more—as I said earlier—because we are not here for recrimination or retaliation. We are here to open a new chapter. We are here to try and see that new attitudes are developed in this country. We are here to see that every institution, every attitude that vitiated democracy, that inhibited democracy, is got rid of and everything that is necessary to support democracy, to sustain democracy and to create bastions of democracy in the minds of the people and institutions is promoted. Therefore, Sir, without taking much of the time of the House, since I am confident that this is a Bill which is above controversy and which is based on a principle which everyone accepts in this House and outside, I would commend this Bill for the consideration of the House.

MR. DEPUTY-SPEAKER : Motion moved :

“That the Bill to provide for the salary and allowances of Leaders of Opposition in Parliament, be taken into consideration.”

I am told that there are some amendments. Mr. Vinayak Prasad Yadav, do you want to move your amendment?

SHRI VINAYAK PRASAD YADAV (Saharsa) : Yes, I move :

“That the Bill be circulated for the purpose of eliciting opinion thereon by the 4th November 1977.”(1)

SHRI M. V. KRISHNAPPA (Chikballapur) : Mr. Deputy-Speaker, Sir, I am glad to welcome this Bill moved by the hon. Minister who was once my colleague and who is now a Minister in the present Morarjibhai Government. By having moved this Bill, he has shown a good gesture. It is a good gesture which the Congress Government would have shown earlier. But there was no recognised party in the Opposition at that time. Certain norms have been fixed to get a recognition

BILL

[Shri M. V. Krishnappa]

by a party. I think 10% of the total strength of the House is necessary to get recognition. It was a latest federation of individuals or the Members of a party. A party which has been elected on a manifesto, I think, is a party that can claim recognition in this House. And no party could get that minimum number. The Congress Government could not recognise the Opposition. Otherwise, it is the Congress, as a movement as an organisation that fought for the freedom of this country and after freedom gave a sound economic basis for the proper working of democratic institutions in this country. Our founding fathers of the Constitution, one of whom is, here, had in mind that a day would come when democracy would work in this country in full swing. Sir, we must also think of the people of this country, because, ultimately it is their uncommon common sense that has brought the Constitution to this country. If you compare this country with the neighbouring countries—Pakistan and Bangladesh—which got independence a day earlier than this country, you will know what is the system of Government they are following. So, the people of India have given a Government today to this country which are in a comfortable majority to rule and they have given, for the first time, a strong opposition to fight and bring to light the drawbacks of the Government in power. So, the people of India have chosen a path which is going to stay in this country. It is not new. We had already had it in various forms. There was a rule of Dharma here in the days of Ashoka and Buddha. Dharma is a word which has not equivalent word in English that keeps this universe in balance, that is, in Dharma Democracy alone can keep this universe in balance. Democratic government alone can keep this country in balance. This has been realised by the people of this country and this has also been reflected today. It has fallen to our lot historically speaking to do this. During 30 years in Congress government laid firm foundations on the economic, scientific and industrial fronts for good working of democracy.

SHRI HARI VISHNU KAMATH
You have destroyed it

SHRI M. V. KRISHNAPPA
That party also gave talent. You must not forget that the talent which is sitting in front of us today is the product of Congress, the Prime Minister is the product of Congress, the Home Minister is the product of Congress. I see almost half of my friends sitting

there are from Congress. But for that, the people would not have voted for them because trusted leaders of the Congress are there, people who were in the Congress have got there to give leadership to the country. My friend Shri Ravi Verma said that it was a new chapter, I welcome the new chapter. There should be decorum and decency in this House. I welcome that. I can assure you on behalf of our party that we are here to cooperate with the government in a constructive way and see that there will not be lack of decorum and decency. But the trouble starts sometime from the other side because you are in bigger number. In the last chapter of Mahabharata, Yaksha asks Dharmaraja what was the wonder of wonders?

AN HON. MEMBER Indira Gandhi

SHRI M. V. KRISHNAPPA
In the hands of such people, democracy has no future in this country. Dharmaraja replied every day people are dying and still man does not believe that he is going to die one day that is wonder of wonders.
(*Interruptions*). If you know that one day you will have to come here then an attitude of mind will be there. You think you are going to be permanent there. (*Interruptions*)

AN HON. MEMBER Only your party thought so

SHRI M. V. KRISHNAPPA
That is why you are behaving in such a way. One day some of you will have to come to this side all of you cannot come because then you will be in power. If you realise that, you will consider all things with due consideration that a matter deserves. I thank my friend and Shri Marji Desai's ministry for having brought this forward. It was said that it was nothing new. We are following the Mother of parliaments, that is British Parliament. In England and in many other countries with a parliamentary democracy working successfully there is this system. In many states in our country they have introduced this. It is again given to our party to establish a strong democracy in this country and history would repeat, it is only Congress that could establish a sound democracy. Today we have that position. Not only the recognised opposition party has been given facilities, other opposition groups also have been given facilities.

In Britain, not only the recognised Opposition party has been given facilities, even other groups have been given facilities.

ties by the British Government I hope a day would come here also when the other Opposition group leaders would also get the facilities so that—Parliamentary democracy would work well in this country

SHRI KANWAR LAL GUPTA (Delhi Sadar) There is no need for any further discussion on this

MR DEPUTY SPEAKER Mr Kanwarlal Gupta, there are six or seven more members to speak. If all the seven Members agree we can pass it. Anyway, I appeal to them to take as little time as possible.

SHRI HARI VISHNU KAMATH Mr Deputy Speaker, Sir, I shall not be long. Because I have given notice of amendments, I will have to speak again. I will not repeat the arguments. I will not repeat myself. I will now say what I will not say later on.

MR DEPUTY SPEAKER May be, you can say now what you want to say later on.

SHRI HARI VISHNU KAMATH Put it any way you like. In Mahabharata, it is said

यद्वन्हि दग्धम्

यन्नेहास्ति न तन् ब्रूयन्

It is Sanskrit. Sanskrit is the mother language.

I was interested to hear my old colleague in the Third Lok Sabha, Shri Krishnappa talking of the virtues of democracy, how his party has been strengthening the roots of democracy, how his party has been engaged even today in that laudable task. But I cannot forget what happened during those twenty months, really hideous, monstrous twenty months of Emergency. It was during those twenty months that those very friends—who now talk so big of democracy—who now pledge themselves to democracy and who now talk about their contributions to democracy—who destroyed the very house which they sought to build in the previous twenty or twenty-five years. Let them not speak of democracy today. My hon. friends there—let them search their hearts, let them search souls and pledge themselves anew if they can, solemnly, truly, truthfully and loyally to the principles and practices of parliamentary democracy.

The Minister of Parliamentary Affairs the right hon. Gentleman from Ranchi—he has travelled a long way from Kerala

to Ranchi—I hope it has been a pleasant journey. I think he is happier in Ranchi than in Kerala.

AN HON MEMBER The Minister is not listening.

SHRI HARI VISHNU KAMATH It was not anything derogatory or pejorative. I said it was pleasant journey—whether it is from Kashmir to Kanya Kumari or from Kutch to Kohima, it is always a pleasant travel throughout India. I am sure from Kanya Kumari or from Kaladi to Ranchi is a very pleasant journey. In this inspiring observations while moving the Bill, he referred to this landmark or milestone. I agree with him and I made a similar observation while raising the point of order. Unfortunately, I cannot say whether the milestone or landmark that we are going to build today by the passage of this Bill will not be disfigured, defaced or defiled again. Looking at their record for the last 20 months, I am anxious that it should not happen.

What happened last year? The then Congress President, Shri D. K. Borooah, made some statement and I was astounded when I read that statement. What did he say? I don't know where he is hiding today or where he is hiding out. He said, "The opposition is irrelevant in our country today!" And, they applauded him to the skies, they wah wahed him and agreed with him. The opposition members were then in jail. Even the Rt. Hon. Member from Ranchi was in jail at that time. When all the opposition group leaders were in jail, they were waxing eloquent about democracy in this House at that time. This House had become moribund and paralysed. When the then Congress President talked about the opposition being irrelevant, not one of them raised their voice in protest against it. I was in Delhi at that time—I was being persecuted and persecuted also—and I was reading very carefully all the newspapers. Not one voice was raised in protest. That was their attitude. If that is the attitude, where is the guarantee that they have changed their stripes or sports? Their saying so will not do. Let them tell us solemnly let them assure us that they have really changed their hearts.

The former Prime Minister had no respect for the opposition whatsoever. During the ten years she was unfortunately in power in this country, the people suffered so much. Democracy was devalued and degraded. Democracy was slowly eroded and finally destroyed. What did she say? When the opposition tried to forge unity in this country during the 20 months of emergency, she came out with an

[Shri Hari Kishan Kamati]

incredible, astounding, most audacious, most cheeky, and most offensive observation. "The Opposition has been subdued, but not vanquished!" Intoxication of power.

AN HON. MEMBER : Arrogance of power.

SHRI HARI VISHNU KAMATH : Not mere arrogance, but intoxication of power, dementia of power, power-dementia. That was the spirit of the then Prime Minister.

There are—I do not know who described it so—four stages of intoxication. The first stage is supposed to be jocular, the second is bellicose, the third is lachrymose and the fourth is catatonic. 'Lachrymose' means tears, crocodile tears. 'Jocular' means they were very happy. I have got so many cuttings here today which I had prepared for the discussion on the White Paper. I cannot read them now because I do not have much time. Jocular—everybody was happy in this country, all was peaceful and normal when the Emergency was proclaimed and all were quietly going about their normal vocations. Even Mr. B.K. Nehru in London said, "Nothing has happened in this country." We have got everything in the White Paper itself. I will read it at the proper time. Our Ambassador in America said, "People were going on with their normal business and they were happy that the Emergency was proclaimed. Our Ambassadors and High Commissioners staged a commendable performance. They were asked to do so, and they did it." That is why perhaps we cannot have much quarrel with them, though they overdid their part; they did it with a zeal worthy of a better cause. That is my grievance against them; that is my charge against them. First of all it was jocular—verbally was happy. Then came the bellicose stage. She went about saying "They are subdued but not vanquished. I have not vanquished them. Let them all come. I will vanquish them." This is bellicose. Then lachrymose. I have got the entire tape containing the T.V. interview of David Frost with Mrs. Gandhi.

SHRI RAVINDRA VARMA : What is the evidence of lachrymose? What evidence do you have?

SHRI HARI VISHNU KAMATH : I said, crocodile tears. They also shed tears. After all, man is a superior animal.

SHRI RAVINDRA VARMA : When the crocodile is in water we do not know what are tears and what are drops in the water.

Bill

SHRI HARI VISHNU KAMATH : They are amphibious, and so they can come on land too.

SHRI RAVINDRA VARMA : They crawl any way.

SHRI HARI VISHNU KAMATH : They are amphibious. There are crocodiles even on that side. Therefore, lachrymose is when they start shedding tears. She said "I am sorry", that is what David Frost quoted "that this thing happened." There is only one sentence I will read, David Frost asked the former Prime Minister "Of all the things that happened during the Emergency, what do you regret most?" What did she say? She said "One naturally regrets any suffering." Naturally, as our hon. Home Minister said the other day, lying comes to her naturally, she seldom speaks the truth. Lying comes naturally to her, as truth comes naturally to Mahatma Gandhi. She told Frost "One naturally regrets any suffering or hardship to people, and there was some"—some suffering during the Emergency—"for which I have expressed regret"—regret to David Frost and not to us—and I am sorry—one more word 'sorry'—"that this took place," "but it was not deliberate", she said.

The next question was "And that is the thing most of all. What about the way in which the sterilization programme became much more enforced during the Emergency? In retrospect would you have said that was a major mistake?" The poor woman comes out with regret. She replies "The mistake was that it was left to officials largely, instead of citizens"—Sanjay and Rudra probably—"taking up and persuading people. The government's policy was not coercion at all. Somehow there was sort of both things—on the one side perhaps over-zealousness of people"—like the Lt. Governor about whom we heard just a little while ago, and Shri Sushil Kumar—"thinking they would each compete with the other in having more, and sometimes people doing things deliberately in order to make the government and the programme unpopular."

The best piece, the piece de resistance, of the interview comes next, about democracy. I want completely to blast what people like Mr. Krishnappa said.

MR. DEPUTY-SPEAKER. I thought you will keep something for a later occasion.

SHRI HARI VISHNU KAMATH: That will come later on. The most interesting thing is this. I am sure you have read the full text. Mr. David Frost asked a question: "Also, you were in the middle of your crisis"—when the Emergency was proclaimed. She replies: "That was not much of a crisis because nobody had any doubt that I would win my case in the Supreme Court." Have you any doubt? Nobody had any doubt, she says. Then he asks, just as we are asking now, David Frost asks: "Nobody had any doubt?" a cross question. She says: "No, I don't think so." Then the next question is of Frost: "Well, why was the law changed then?" It is a very deep probe that David Frost makes "Why was the law changed on the 5th August . . ."—he knows the date also—" . . . if you would have won it any way?" (*interruptions*) If you want to save democracy, there is a duty cast on you; arrest her and try her; then only you are true democrats.

15 hrs.]

SHRI K. P. UNNIKRISHNAN (Badagara): What is the relevance of all this?

SHRI HARI VISHNU KAMATH: You are not here to decide it; the chair will have to decide it. I say you do not deserve this Bill.

SHRI K. P. UNNIKRISHNAN: Then withdraw it; take it away.

SHRI HARI VISHNU KAMATH: "Why was the law changed?"

Now comes the best of the lot. She says: "Well, that was because they were terrorising people"

—who? JP and others were terrorising the people?—

"including the Judges."

—they were terrorising the judges!—

"The Judges were getting phone calls"

—from whom? From her—

"and so on. I think the"

—she fumbles a little, I think

"this was, that the Members of Parliament just got worked up, it was certainly not my idea."

The amendment was not her idea. If this is your democracy, to hell with such democracy. We do not want that democracy.

Then Mr. Frost asks:

Changing of the law was not your idea?"

She says:

"That particular part of it was not my idea."

It was done by Members of Parliament, by the then majority party, it was not her idea. If you feel your interests get hurt, if you have got the truth in your heart, say it was her idea only, and not your idea, to make amendments to the Constitution. Then only we can rely on you.

One last word, before I have my say on the amendments later on. I think the Minister of Parliamentary Affairs, the right hon. gentleman from Ranchi, said in the course of his speech while moving the motion that several Assemblies, several States, have introduced, have passed similar legislation. He has not given us a list, or mentioned the names of those States. But that is a different matter. If I remember aright, the pioneer in this field was West Bengal, Dr. B. C. Roy in his time. That is why I have got an amendment later on. The West Bengal Assembly in 1957 or 1958 was the first to pass a Bill of this kind, a legislation of this kind. But the then Leader of the Opposition refused to accept, as far as I know, the amenities, the facilities and the salary that was offered to him as the Leader of the Opposition in the Bill. We do not expect the Leader of the Opposition here to do a similar thing. Let them have it we do not mind it. That is all I have got to say on the Bill. I support the Bill in principle, not in details.

SHRI SAMAR MUKHERJEE (Howrah): Mr. Deputy Speaker, Sir, at the stage of introduction, Shri Jyotirmoy Bosu has opposed this Bill. Because the time was very short, we could not give amendments at the proper time. Very hurriedly, this morning we submitted certain amendments and most probably, the Members might not have seen those amendments.

The purpose of this Bill is to make the leader of the Congress Party as the leader of the entire opposition. We cannot accept this position because of the composition of the opposition. There are so many groups and parties who differ in their programmes, ideology, policies, basically and fundamentally. This Bill is the result of the immitation of the British Parliamentary system. This idea

[Shri Samar Mukherjee]

has come out of the idea of two-party system which the Janata Party leadership is welcoming in India after the parliamentary elections. But we are totally opposed to this idea.

SHRI K P UNNIKRIISHNAN You want only one party rule.

SHRI SAMAR MUKHERJEE What is this two-party system? In place of Janata Party Congress will again come into power, that is two party system. In England, in America, this two party system is there and from there you are going to imitate this idea. This was the desire of the Indian bourgeoisie long before because in England capitalism is safe whether Labour Party comes into power or the Conservative Party comes into power. Here this attempt was started long before how the two party system could be brought about. But the Indian realities are totally different from the realities in England. After the Parliamentary and Assembly elections, you can see the whole picture of India. Who is the alternative in West Bengal? After Janata, who should be the alternative? Now the West Bengal Janata Party President, Mr P C Sen has told that Congress should be made the alternative and not the CPI(M) or the left block. To make Congress to be alternative, he has suggested that we should help to revive Congress in its old glory. Is it the task of the Janata Party to revive Congress in its old glory after its 30 years of monopoly rule and the rejection by the people?

SHRI K P UNNIKRIISHNAN Why are you getting scared?

SHRI SAMAR MUKHERJEE What will happen in Tamil Nadu? What is the position there? Who will be the alternative to the Janata Party? There are States where both the Janata Party and the Congress are very weak. But they want to see Congress as national alternative to Janata Party and that is why, this Bill has been brought forward to give statutory recognition to the leader of the opposition. The national alternative means that you want after Janata Party, the Congress Party should come into power. But the people of India have not responded to this theory of two-Party alternative. You have seen the results of Assembly elections in Kashmir, Tamil Nadu, West Bengal, Punjab, Pondicherry and Goa. In the South, the picture is also different from North, which is not in favour of Janata.

In this context, this very idea of a two-party system is absolutely wrong and unrealistic. This will not help the

Indian people, 60 crores of people suppressed and exploited, to find a real alternative to save them from their abject economic and social life. That is why, I say, the entire ideology of this Bill is absolutely wrong. The way out is the left and democratic alternative.

We are talking of a parliamentary democracy. But the world has advanced much. Beyond parliamentary democracy, there are new types of democracies now in existence in various socialist countries. There are peoples' democracies, there are Soviet democracies, there are other forms of proletarian democracies. The world is advancing towards that. But still in relation to totalitarianism, parliamentary democracy is a very big advance. In that respect, we welcome the defeat of the Congress Party which led the country to totalitarianism and near fascism.

Now, by bringing forward this Bill at such a stage, you are giving credibility to the Congress although there are other opposition groups, assuring to the Congress opposition the fullest scope to develop themselves as an alternative. The Indian people are not prepared for this thing. The opposition must be there, all sections of the opposition groups must be given equal scope to express their points of view. We have given some amendments. Unfortunately, they have not been circulated.

MR DEPUTY-SPEAKER When you move the amendments you can read them out.

SHRI SAMAR MUKHERJEE I am explaining the idea behind the amendments. We want that equal facilities should be given to leaders of all the parties and groups in the opposition. We are totally opposed to the increased pay of the Leader of the Opposition. No extra pay should be given to the Leader of the Opposition. The Leader of the Opposition and the leaders of other parties and groups can function within the pay of Rs 1000 per month which suddenly Mrs Indira Gandhi increased to satisfy her own party MPs and with Rs 51 daily allowance. The Leader of the Opposition and the leaders of various parties and groups can also function from the same bungalows which they are occupying. They need not require bigger bungalows to function more effectively. They do not need to take the entire family throughout the country along with them. Special provisions have been made in this Bill for that. We are opposed to these things.

What we are prepared to accept is, some secretarial assistance, some telephone concessions, some postage, some conveyance allowance and things like that. We agree that these concessions should be provided not only to the Leader of the Opposition but to all the leaders of parties and groups in the opposition.

AN HON MEMBER For every Member

SHRI SAMAR MUKHERJEE
 There was such a proposal. We supported that. That proposal is not here. It is only in relation to this Bill that I am speaking.

A. Mr. Kamath said when Dr. B. C. Roy brought forward this Bill in West Bengal, our party at that time opposed that Bill and Mr. Jyoti Basu who is now the Chief Minister and who was then the leader of the opposition refused to accept that position. A similar Bill was brought forward in Kerala also. There also, our party opposed the Bill and the Bill was not pursued up to the last. But there one stenographer and one peon has been provided to Mr. I. M. S. Namboodiripad. He has accepted that facility. Beyond that, we have not accepted anything. If you do not pay extra pay of Rs. 2,500, that does not mean that the status of the Leader of the Opposition is, in any way, down-graded by that. There is no need to pay extra salary, there is no need to give special facilities, like big bungalows, allowing the entire family to travel free throughout the country, giving special air concessions and all these things. We are totally opposed to these things. That is why we want that the amendment which we have placed should be accepted and this special pay, house concessions and other facilities must be completely dropped and this Bill should be called the Salaries and Allowances of the Leaders of the Opposition and Parties Bill. In this way, it should come so that all the Opposition Parties and groups should get facilities to function so that they can reflect the views and problems of the people whom they represent correctly on the floor of this House.

SHRI A. BAIJA PAJANOR (Pondicherry) Mr. Deputy-Speaker, Sir, I congratulate the Minister of Parliamentary Affairs for introducing a Bill like this. He calls it a landmark, a milestone, etc. as everybody used to say. But, while congratulating him, I want to tell, as I told him earlier also, that it is not a realistic Bill and I can go one step further and say that it is not pragmatic also.

I am in agreement with Mr. Samar Mukherjee for many of the points which he has raised (*Interruptions*). But I remember, in 1969, when there was a defection by the Congress, and it was described in those days, which I used to read from the papers, as CONQUEST TO THE CONGO DESERT they used to call it like this in those days. I think that is how one day they demanded Opposition Parties privileges. But I am not very happy to call this Bill as Members' Salaries Bill or the Opposition Parties' Salaries and Facilities Bill. It can be described as facilities that is privileges to the Opposition Parties. Naturally, the Leader of the Opposition is entitled to have the same. But what kind of Opposition Party can it breed is the question? That is why, I suggested to the hon. Minister concerned while introducing the Bill, that it is not realistic and pragmatic. If we are pragmatic, then he could have seen the history of this country in the past 30 years as to how democracy developed in this country.

I am also in agreement about the sorry tale of 20 months in which not only you suffered but every one suffered in this country. It happened not only during that period but also during 30 years where only one party ruled this country. But this thing was done first time in 1967 in Madras by our late revered leader Anna. Even in those times, we gave facilities to the Members, not salary to the concerned Leader of the Opposition. As far as its title is concerned, it is also to be changed. But I do not want to add a group or a party such as my learned friend said.

We are all political leaders of the Opposition Parties. You may see how the AIADMK which rules two States in this country is functioning. We are nine Members here in the Lok Sabha and 10 Members in the Rajya Sabha. We are 29 Members in the Parliament. But what is our position? We are not having a room on the ground floor. We have to go to the third floor. If we go to the third floor for any reference, and meanwhile if there is a quorum bell we cannot consult each other and comeback. Then, naturally, there is a tendency amongst us to go from that room to our house. So, you are not developing democracy in a proper manner that is expected of all of us, but, on the contrary, you give a lip-service. I can also agree with Mr. Kamath and add some humour to the discussion. But, I do not want to take things in light humour because in the very beginning I agree with Mr. Kamath that this Bill may be considered in a very leisurely and deep-rooted manner, not in a hurry when everybody is worried about the white paper or the black paper. I am not sure. But, anyway we are going to discuss it. That is main

[Shri A. Bala Pajantor]

man and many of us were asked to rush through this and pass it in order to give Mr. Chavan a salary of Rs. 2,500 and other to give facilities, etc., because as long as you have not passed the Anti-Defection Bill, I am not sure whether this no. 152 (Opposition Members) will remain the same for ever. Unless you recognise the political parties—you are not going to recognise me and other Opposition Members—in this House, you are not going to give a certain amount of undue allowance. You are going to encourage not democracy, but, on the other hand, you are going to subvert democracy in this country, because, my hon. and learned friend in the Opposition who spoke has welcomed it, because it is for the benefit of a friend of his. Naturally he is interested in his another friend getting the money. You had the privilege of ruling this country for the past 30 years and we are going to be in the Opposition for the coming years. (Interruptions) But I do not agree with him because you had the privilege of ruling this country for the past 30 years. (Interruptions) I say that you also rule one of the States—not in the very near future. They had the privilege of getting the facilities for the last 30 years with the result that they know every nook and corner of the administration of this country. Not only that, to be pragmatic, realistic and honest, they will have access to many of the facilities that are available in the democratic institutions.

So, they do not require any assistance or any machinery then many of us who are put, under this system into a backward and awkward position. So, I request that this Bill may be postponed for some more time and a serious consideration may be given to the contents of this Bill. If the Minister is interested only in having a discussion for the sake of discussion and want to push it through, I am not going to make any more suggestions. But I hope that he will apply his mind and give regard for our feelings also—and not only for the feelings of the Congress of Mrs. Indira Gandhi, but the National Congress whatever you may term it. I am afraid, this number will not be the same. I want you to take the statistics on the voting power of these 152 Members and the voting power of us, the voting power of the CPM, the voting power of the CPI and of others. If my calculation in that respect is right the minority of the people gave you the majority vote and have enabled you to rule the country, and the majority is in the Opposition. I believe, the CPM is sitting with us in the Opposition to make for a better democracy in this country, not like the democracy of the United States or of the United Kingdom.

of Canada. This country must have its own democracy, I want a democracy of India, not the democracy of England, not the democracy of the USA, not the democracy of Canada. Because if you see the history of England, you will find that, in London, it is the small parties that are constituted into a small State. It is not even one-half of Tamil Nadu or one-third of U.P. So to apply the May's Parliamentary system or to bring in the system of democracy in the United Kingdom or the USA may not fit in with the Indian democracy. I appeal to the Minister through you, Sir, to reconsider this Bill and give real credibility and proper attention to the Opposition parties in this country.

Another point is this. The hon. Marxist Member has correctly explained it. See the pattern of governments in the country. In the north, in Kashmir, the National Conference is ruling. In the south, two States are ruled by our Party, the All India Anna DMK, in Kerala it is the Congress rule, it is the CPI—Congress coalition that is ruling. In Gujarat it is a different Party. In West Bengal it is the Marxist Party that is ruling. In Punjab it is the Akali Dal that is ruling.

My learned friend from the Congress said that they did not give these facilities to us because we were 26, 27 and so on, and as per the Constitution or the rules, only that Opposition Party which has ten per cent of the total membership can become a recognised Opposition Party. That means, according to my calculation it works out to 54. That is if an Opposition Party has 54 Members it will become a recognised Opposition Party. My Party, according to me if you may be a regional Party. But suppose a regional Party comes up in U.P. Then what will happen? That is the reason why I wanted you to have a realistic and far-sighted view on this. Suppose in 1982 or 1983, a regional party or group in U.P. or Bihar, and they capture the entire State in the State and every other State has only 40 or 50 seats each. Do you mean to say that they alone can be the real Opposition and the coalition that may form the Government of the day will be the ruling Party? So, this sort of calculation means taking only a short-sighted view. I can understand the feelings of Mr. Morarji Deval and the other Members concerned because they were brothers and sisters once—40 or 50 many years. No wonder, such a measure is being brought forward now. They are brothers and sisters of the same tribe. That should not be the attitude in a Bill like this. I sincerely appeal to

the hon. Minister through you, Sir, to reconsider it and consider the Opposition parties here and give them the real facilities that are to be given.

I am also opposed to the question of salary. The Prime Minister is getting so much. I do not know, Sir, what is your salary. The salary of Rs. 2,500 per month is not necessary because we are getting, I think, Rs. 1000 per month. Mr. D. N. Tiwari, Chairman, House Committee, says that practically every Opposition Party leader is getting a bungalow for himself, if my Party gets five bungalows, the Congress Party get 50 bungalows, the CPI get two bungalows and the CPM get three bungalows. This kind of facilities is given. But what about the facilities that are really required by the Members? The Members of Parliament require a stenographer, typing facilities, and rooms to function, to assist the Government, as has been rightly pointed out by the learned Minister of Parliamentary Affairs, to be the sentinel, to be the watch-dog of democracy. The Opposition leaders are required to have contact not only with their own parties but also with the people, they have to reflect the ambitions of the people in this House, so that Government may frame the correct policies and govern this country in a better way. So, I would appeal to you on this gracious day, this honorable day or the golden day or the milestone or the landmark as you call it, that if you really have the feeling in your heart and it is not mere lip-service, to withdraw the Bill for the time being and re-introduce it after framing it in a proper form later on because I am not in agreement with this, whatever views Mr. Chavan might have reflected. When the Hon. Minister was explaining—and of course he used so many phrases and made use of all that he has learnt about the grammar of politics—he said that the Opposition will give 'the other side of the picture'. May I ask whether, just because I am in agreement on certain things like the right of recall, it can be said that I am in agreement with the Congress Party? I am not in agreement about many of the amendments in the case of the 42nd Amendment Bill. Though we gave our suggestions, they were rejected in toto and the Bill was passed.

So, this Bill is not a service to us. On the contrary, you are injuring us and you are insulting us. You are putting us in a very bad position and I think this Bill should not be passed in this House, although the gesture is good. Your gesture towards the Opposition is good.

but I am afraid that gesture has been prompted because of your desire to obtain a consensus—which we have been observing for some time. This is no service to democracy nor to the people.

While concluding, I congratulate the Minister for bringing up the Bill but I would congratulate him more heartily if he comes up, instead, with a more pragmatic and a more realistic Bill later on.

DR V. A. SEYID MUHAMMED (Cochin) Sir, I support the Bill and welcome it. It is not for the reason, as one of the Hon. Members has said, that the Leader of the Opposition gets some more money. It is far from that reason. The Hon. Minister who introduced the Bill applied certain tests and he found that, in order to help the efficient working of the Opposition, these provisions are necessary. As far as the detailed provisions are concerned—Rs. 2000 or Rs. 2500, travelling allowance etc.—we are not at all concerned with them. If the Hon. Minister considers that these things are necessary for the efficient working of the Opposition, it is up to him and as far as we are concerned, we do not express any opinion on that. But we support the Bill and welcome it for very sound reasons. It is not because at the present moment our Party happens to have the Leader of the Opposition in a democracy, political fortunes change, and this bill is not only for the present but for all times to come. Those who are there at present as the majority may be in the Opposition here later just as we who were there on the other side as the majority are here now in the Opposition. So, whether the provisions of the Bill affect us adversely or are advantageous to us at the present moment is immaterial. The principal thing is that, as the Hon. Minister has put it very clearly, in a parliamentary democracy it is accepted that the Opposition has an important and vital role to play and it is on the basis of this that in England, for a long time now, and in Canada and various other countries which have already been cited, this system of statutory and officially recognising the Opposition and providing facilities for the Leader of the Opposition has been provided for. The role of the Opposition is 'to oppose'. But that does not mean that it opposes unreasonably, destructively and negatively. It signifies that the Opposition opposes constructively and with the greatest sense for responsibility of our Leader of the Opposition, Shri Chavan on various occasions has unequivocally and clearly stated that we extend our full cooperation to the Government and we will function as a responsible and constructive opposition to the Government.

[Dr. V.A. Seyid Muhammed]

That is in the sense that when the Government proposes any measure, when the Government has taken any action which, according to our best lights, is in the best interest of the country, we will certainly support it. That does not mean that on all occasions, we are prepared or we are willing to act as a rubber stamp to the actions and proposals of the Government. We have our policies, we have our objectives and we have our programmes which are very well known to the country. In any action that the Government takes, any measure that it introduces, it will be our duty and our policy to see that our policies and programmes which we had while in the Government are not impeded by the new measures which the Government may take in the legislative or the executive fields. It is also our duty to see that what we consider to be progressive and the basic foundations of our policy in the economic and all other fields are not only tampered with, but are also implemented by the Government. Our support to any action or proposals by the Government will depend on one factor, whether those measures are in the best interest of the country or not. That is the positive and constructive cooperation which our Leader of the Opposition has offered. Our opposition also means that whenever an attempt is made by the Government which, according to our best lights, will amount to tampering with, destruction, modification or annihilation of our policies and programmes which we consider in the best interest of the country, we will certainly oppose that. This is the sense in which we extend our cooperation and that is what is understood everywhere when we say that the opposition has a positive role to play, a constructive role to play, and a responsible role to play.

There may be occasions when the Government will use its majority to get support for the measures which it proposes to introduce in this House, but in the other House, where we have a majority, we will try our best to see that no measure is passed which, according to us, is detrimental to the best interests of the country and people of the country. It is not in the sense of confrontation in the Rajya Sabha we bring some amendments or with the majority that we have got there, certain Resolutions are amended. It is not in a sense of confrontation or obstruction that we do so. There is no meaning when some amendments are brought or some Bills are opposed in the Rajya Sabha, in sulking and saying that the Rajya Sabha is standing in the way of the Government. It is our duty when we earnestly and genuinely feel that certain measures are being introduced which we cannot accept

to use the majority in the Rajya Sabha whenever we can. I am sure that when we say this with the greatest sense of responsibility, the Government who claims to have the best ideals and objectives of democracy will understand this and appreciate this.

I want to add only one thing more. I do not wish to talk on the various criticisms, I would say, so irrelevantly made, whatever has happened before, from time to time, our responsible leaders of various levels have expressed genuine regrets for certain things which have happened. It is not that we are supporting anybody or any action or any proposal or any unfortunate thing which has happened in this country, which by any standard of democratic norms cannot be justified. It is not our idea. But we also feel that while the government is entitled and the members are entitled to say that but they should not go on all the time saying as if that is the main issue.

While the arrangement, as somebody mentioned, of power is definitely detrimental to the best interests of this country, I also wish to say.....

SHRI DINEN BHATTACHARYA :
Too late now.

DR. V. A. SEYID MUHAMMAD :
...that cheap vulgarity of newly acquired power is disgusting and nauseating.

श्री विनायक प्रसाद यादव (सहरसा) :
उपाध्यक्ष महोदय, माननीय मंत्री जी ने अभी जो विधेयक सदन के सामने रखा है वह एक ऐतिहासिक विधेयक है। इस ऐतिहासिक विधेयक को पास कराने के लिए जो समय निश्चित किया गया है वह बिल्कुल नफाफी है। आप बिल के ब्राबेकट्स को देखें जिसमें कहा गया है कि संसदीय लोकतंत्र में विपक्षी नेता की भूमिका को ध्यान में रखते हुए ऐसा विचार है कि लोक सभा या राज्य-सभा में विपक्षी नेताओं को कानूनी मान्यता प्रदान की जानी चाहिए और उन्हें संसद में अपने कृत्यों का निर्वहन करने में समर्थ बनाने के लिए उन्हें वेतन तथा कुछ अन्य सुविविधतयें और सुख सुविधाएँ दी जानी चाहिए।

इस बिल का यह उद्देश्य है लेकिन बिल में जो प्रावधान किया गया है वह सिर्फ मकान और उनके वेतन के बारे में है

समझता हूँ केवल यही दो सुविधायें देने से बे अपने कर्तव्यों का निर्वहन नहीं कर सकते हैं। ससदीय लोकतन्त्र में जो विपक्षी नेता हैं उनको सिर्फ थोड़ी पे दे देने, मकान देने और भूमने की सहूलियत दे देने से बे अपने कृत्यों का ठीक से निर्वहन नहीं कर सकते हैं। जब तक विपक्षी नेता को सरकारी फाइल तक पहुंचने और मुहकमे के अधिकारियों तक पहुंचने के लिए विशेष प्रावधान नहीं किया जायेगा तब तक इफेक्टिवली कोई भी विरोधी दल का नेता ससद में ठीक प्रकार फंशान नहीं कर सकता है। इसका एक पहलू तो यह है।

दूसरी बात यह है कि अभी मुकजी साहब कह रहे थे कि इस बिल में प्रावधान है कि विरोध पक्ष की जो बड़ी पार्टी होगी उसी को मान्यता दी जायेगी। मान लीजिए इस लोक सभा में जो सबसे बड़ी विरोधी पार्टी होगी उसके 50 मेम्बर हैं और दूसरे जो घुप्स हैं उनके सौ मेम्बर हैं इसलिए वास्तव में मेजरिटी में विरोध पक्ष बड़ी है। यद्यपि यह ऐतिहासिक बिल है, बहुत महत्वपूर्ण बिल है, बहुत पहले इसको लागू होना चाहिए था पर नहीं हुआ, मंत्री जी अब इसको लाए हैं तो बे धन्यवाद के पात्र हैं लेकिन जिस तरह का इसमें प्रावधान है उसको देखते हुए मैं समझता हूँ बिल्कुल ठन्डे दिमाग से ज्यादा सोच समझ कर इससे बढ़िया बिल लाया जाना चाहिए था ताकि वास्तव में जो रीयल अपोजीशन हो उसी को मान्यता मिल सके और वह इफेक्टिवली फंशान करना शुरू कर सके।

माननीय मंत्री महोदय ने इंग्लैंड, आस्ट्रेलिया और श्रीलंका के उदाहरण दिए हैं। जहां तक भारत का सावल है, हमारे यहाँ शुरू से यह विचाराधारा रही है। कबीर ने कहा था :

निदक नियरे राखिए आगन कुटी छबाय
बिन पानी साबुन बिना निर्मल करे स्वभाव।

यह हिन्दुस्तान की पुरानी परम्परा है कि जो हमारी निन्दा करे, उस को हर तरह की सहूलि-

यत मिलनी चाहिये, उस को भागन में रखना चाहिये, ताकि हम पवित्र हों रहें।

इस बिल में अपोजीशन लीडर के लिये जो प्रावधान किया गया है वह सरकार की मंशा या मंत्री महोदय की मंशा के अनुरूप नहीं है, इतने में वह अपने कर्तव्य का निर्वहन नहीं कर सकेगा। इसी लिये मैंने प्रमेण्डमेन्ट दिया था कि इस को पब्लिक प्रोपीनियन के लिये भेजा जाय और फिर इस पर समुचित रूप में विचार कर के हिन्दुस्तान की परिस्थिति के मुताबिक इस को बनाया जाय। हमारे सामने यह प्रश्न है कि वास्तव में अपोजीशन लीडर कौन होगा, जो अधिकांश में प्रपोजीशन में बैठेंगे, वह उन का नेता नहीं होगा, जो लार्जस्ट पार्टी होगी या जिस के पचास मेम्बर हो जायेंगे, वह विपक्षी दल का नेता बन जायेगा। इस तरह की व्यवस्था से जो इस विधेयक की स्पिरिट है, वह लागू नहीं हो सकेगी।

हम में कहा जा रहा है कि जो ऐतिहासिक बिल लाया गया है—इस को शुभस्यशीघ्रम पास किया जाय, लेकिन, उपाध्यक्ष महोदय, मेरा यह अनुरोध है कि आज लोक सभा के इस सत्र का अन्तिम दिन है, इस में जल्दबाजी न की जाय और इसको पब्लिक प्रोपीनियन के लिए भेजा जाय। यद्यपि मैं अपनी प्रमेण्डमेन्ट को प्रेस नहीं करूंगा, लेकिन मैं मंत्री महोदय और आप के जरिये समूचे सदन से निवेदन करूंगा कि यह बिल जितना ऐतिहासिक है, उतना ही महत्वपूर्ण भी है, इस लिये इस पर गम्भीरता से विचार करने के बाद इस में ऐसे प्रावधान लाये जायें, जिस से इस का मकसद पूरा हो। यदि मंत्री महोदय मेरी प्रार्थना का स्वीकार कर लें—तब इस बिल के साथ इन्फा होगा, वरना हड़बड़ी में पास कर देने से इस में बहुत सी सुटियां रह सकती हैं।

इन शब्दों के साथ मैं आप को धन्यवाद देता हूँ।

SHRI M N GOVINDAN NAIR
(Trivandrum) I oppose this Bill
because you are putting the cart before
the horse

We are experimenting with democracy
and democratic practices. The elementary
thing in democratic functioning is to
understand the views of the opposition
and if they prove to be correct, without
standing on any false prestige to accept
it. The opposition should also take
it to their mind that parliamentary func-
tioning should not be an obstruct race.
These two concepts should first be
accepted as norms of functioning. But
that is not done.

Should I quote examples? It will
take my time. So I am not quoting
examples. From the day the Session
started when the Opposition said some-
thing which was very relevant and
which everyone of you felt was correct,
did you accept it? You still say it affects
your prestige. You have not reached
that stage of accepting Opposition
views with an open mind.

PROF DILIP CHAKRAVARTY
(Calcutta South) So many instances
are there.

SHRI M N GOVINDAN NAIR :
Everybody has heard about Isaac
Newton. He was a brilliant man
scientist. When he became so renowned
he had little time to look after his work.
He made an arrangement that his
door should be locked to keep away
visitors. But he asked the carpenter
to make two holes for his two dogs
to come in. Once his servant came
in. He asked why did you get the two
holes made? Newton replied that it
was one for each dog—the big hole
was for a big dog while the smaller
hole was for the small dog. The
servant said, 'Can't the small dog
come through a big hole?' Then it
struck him to be correct. Many centuries
have passed after this incident. Can
anyone, because of this incident, consider
Sir Isaac Newton to be inferior in
intelligence to his servant? No. Whoever
may be there in the ruling party, there
would be something or the other which
may be brought to notice by the opposi-
tion and there may be some truth in what
they point out and you will have to
examine that. Paying allowances and
giving certain facilities will be all right

but what is important is, your mental
attitude. That must change first. You
have not changed your mental attitude.

The practices of some other country
like Britain will not work here. For
example so far as the Anna DMK is
concerned, their numbers will never
reach such a figure as to become a
big opposition party. They function
in a particular region. Even if they
capture all seats from Tamil Nadu
this cannot be done. I am not pleading
for any special benefits or privileges
for opposition groups or parties. You
have to recognise our situation in the
existing context in the country and
you can not just follow the British
method. In USA they have Republican
and Democratic parties, in Britain they
have Conservative and Labour, they
may have a few Liberals here and
there, but it is one of these major parties
which are voted to power.

In our country what happens? We
are ruled by waves and counter waves.
One wave puts somebody in power.
Another wave removes that person
and put somebody else in power.
So, we are still in that wave-stage,
so to say. From there we should
reach a stage where policies and pro-
grammes decide the fate of parties.
Our country has not yet developed
to that stage. That is why I said in
the beginning 'You are putting the
cart before the horse.'

I am not opposing the Bill because
they get benefits, nor am I demanding
that we must also get a share of the
benefits as an Opposition party. What
I say is that we should be politically
mature to accept opposition view if it
is correct. You are not doing it. So
I oppose the Bill.

PROF P G MAVALANKAR
(Gandhinagar) This Bill which the
hon Minister for Parliamentary affairs
has brought today, which my esteemed
friend Mr. Kamath characterised as
'good in principle', has got certain
very laudable objects and principles.

Sir, it is accepted all over the world
in all democracies that the opposition
has a very special, honourable and
essential role to play, and an important
part to play in any democratic set-up.

And, as he rightly said, the Opposition
is an alternative to the Government.
But the difficulty is that although it

is good in principle, this Bill has some defective provisions, and it has also some unsavoury terms—and what is more, I am not quite sure whether the timing of this Bill is appropriate.

As you know, Mr Deputy-Speaker, Sir, the phrase 'His Majesty's Opposition' was first coined in England even before the First Reform Act of Parliament was made, that is, before 1832 and, it was Mr John Cam Hobhouse who had coined the phrase 'His Majesty's Opposition'. So, in England today they are having 'Her Majesty's Opposition' which is an alternative to 'Her Majesty's Government'. In fact 'Her Majesty's Government' is incomplete without 'Her Majesty's Opposition'. There in U.K. that principle is accepted.

I was telling that the timing is not appropriate and the provisions are debatable and may I say also that some of them are controversial. Why such a hurry? On the one hand they are not able to pay minimum wages etc. to a large number of people in various fields, on the other hand though it is symbolic here, and I agree, that the expenditure will be Rs. 2 lakhs per year as the financial Memorandum in the Bill says and this amount is not much they are adding these burdens. I can of course understand that it is a question of attitude towards the opposition. We are prepared to pay this much money to the Leaders of the Opposition. But the Government are not prepared to pay to many of the people in various walks of life who are in need of strengthening their respective roles by performing their duties in their respective fields.

As far as the question of this Government's attitude to the Opposition is concerned, its attitude to the Opposition is—I would not say honourable or better—normal. The previous Government's attitude to the Opposition was abnormal. This Government's attitude is normal. I repeat. If the Minister says that he is respecting the Opposition he is not doing any favour to them. That was expected. That is inherent in a democratic set-up.

Therefore, the point is why this hurry? If you accept the principle of general facilities to M.P.s, also I am for it. Mr. Deputy-Speaker, Sir, I would ask: Why only to the Leaders of the Opposition, why not to various leaders of the Opposition groups and even to individual M.P.s? Why should they all not get certain facilities? Here I am an independent. I do not have a place to sit; I do not have a place to put my books. I have not got even a

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table where I could write. I do not have any facility. And, as far as Secretarial assistance is concerned, although we, M.P.s, are on par with the Ministers and we are on the same footing, we do not get any such assistance. They are Ministers and they get more visitors and so, they have more work. That does not mean we get or have less work. All of us are basically Members. When you are giving facilities to the Ministers and to Opposition Leaders, why not to Members of Parliament whether they belong to this, that or no party? Therefore, I say there is a case for the secretarial assistance and accommodation in Parliament House that is, some kind of cabin, small cubicle. I believe, that is provided for even in colleges and universities, but not to Members of Parliament. We have to carry the load of reports with us in hands and we do not know when the reports will come up for discussion and we bring them along with us. If we have rooms, we can keep them and relax there and be there undisturbed. Therefore where is the hurry for making provisions to the Leaders of the Opposition? Because my time is limited. I want to go through quickly. The M.P.s Salaries and Allowances Act has also been touched in this Bill. As Mr Verma said rightly this is a consequential thing. If it were so then remove also the pension business from this which we have in that particular Act, to former Members of Parliament.

I was telling that this Bill was good in principle. But what are the realities? We are not here coming as professionals—we are not professionals—we are not functioning as Government servants or the like. An M.P.'s work is not a job, it is a calling which is done by us because of the public service idea. Now Sir, in India there are lakhs of people who after their jobs are over are not getting adequate pensions. There are, for example, ex-servicemen from the army, navy and the air force and, even, after ten to fifteen years of service or so, they get Rs. 30, 40 or 50 as pension. But the ex-Members of Parliament, by merely putting one term of five years, are getting Rs. 300 or whatever it is and that is going up to Rs. 500 per month. This pension provision must be removed by him. I hope he will agree with me on this. If he gives me that promise that he will get rid of the pension business from that Act, then I shall agree with this Bill. (Interruptions)

My next point is this. Though this Bill is really good in itself, it is rather impractical. I do not know whether Shri Verma has thought over this point. This Bill has assumed the presence or a pre-existence of a

[S. S. P. G. Mavalankar]

two-party system. But if there is no two-party system in the country how can you have this kind of Bill now? We are a large country and we have so many parties in India. We have a multi-party system. I am not for the multi-party system. I am progressively for a few parties. I want independents too to function because that would be a good check on this or that party. And as long as they are genuine and good independents and dependable independent not Aya Rams or Gaya Rams it is good for us. My point is that in a country like ours where there is no two-party system why have this Bill which provides for a Leader of the Opposition? Suppose there are three Opposition Parties in the next Lok Sabha each getting an equal number of seats. Whom will you make the Leader of the Opposition which will be an alternative to the Government? Can you have three alternatives?

Finally, Sir, look at the irony. Two friends from the Congress party spoke well in their own way about democracy and the Congress party but it is ironical that the party which only recently sought to destroy democracy should be the beneficiary of democracy today. Now, they are saying it is good. Where were they during those nineteen months. They destroyed the parliamentary system.

MR DEPUTY SPEAKER. Please, Mr. Mavalankar, try to finish now.

PROF. P. G. MAVALANKAR. Sir, I will only take one or two minutes more. In the press gallery there were press correspondents appointed by the Speaker and their accreditation cards were cancelled and they were removed from the press gallery during the Emergency period by the Congress Government. So, let this Congress party not talk of democracy. Moreover, Sir, after the great split in 1969 when the Congress (O) became an Opposition Party for the first time—having more than 50 members—a private members Bill for recognising the Opposition leader was discussed in this House and the then Ruling Party [Congress (R)] ridiculed that effort. Today who is ridiculing whom? Sir, the principle behind the Bill is good but the timing is bad.

MR DEPUTY-SPEAKER. You have already taken much time. Please conclude, now.

PROF. P. G. MAVALANKAR

Sir, only a few sentences more. In this country we want all of us to develop a democratic attitude, and there must be the governmental responsibility towards the Opposition as well. This Bill is good because it shows a good attitude of the government to the Opposition. Opposition must oppose and propose but not obstruct. Having said that, the point is that though this Bill is good in principle it does not meet the requirements of time and I do not think Janata Party need bring this Bill to assure the entire country that they believe in democracy. The very fact that people have voted them to power shows that they know how they stand and where they stand. Let the Congress party behave responsibly and democratically and thank for this.

MR DEPUTY SPEAKER. The Minister.

SHRI DINEN BHATTACHARYA

Sir, before the Minister speaks I formally move under Rule 109 with your permission that this debate be postponed and taken up in the next Session. Rule 109 say

At any stage of a Bill which is under discussion in the House a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker.

MR DEPUTY-SPEAKER. I am not giving you the consent.

SHRI DINEN BHATTACHARYA

Under Rule 340 I do not require your permission. 16.00 hrs. Under rule 340 it is stated that after the motion has been made, a Member may move that the debate on the motion be adjourned. So, I am bringing this motion.

MR. DEPUTY-SPEAKER. In the first place, you will have to obtain the permission of the Speaker to move the motion and secondly I am not giving the permission to raise it. Therefore, it does not arise.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA). Mr DEPUTY-SPEAKER, Sir, I am grateful to the hon. Member who has participated in the debate. The debate on the Bill has shown that there is a large measure of agreement as far as the principle behind the Bill is concerned. Some hon. Members, of course suggested that perhaps the Bill is not very timely. But I would like to tell the House that

Bill

if one wants to make a departure, if one wants to a new precedent. If one wants to find the way for a new method of functioning, one has to make a beginning and that beginning has to be from the very beginning. One cannot postpone a good day, one should start if one feels that this is a measure which has to be brought in. Therefore, I do not think that my good friend who said that the measure is not timely, thinks that this measure is so untimely that this should not be discussed or debated by the House. I am not referring to all the points that he raised. I would like to be very brief in answering this debate. As I said earlier, there is a large measure of agreement as far as the principle is concerned. I do not want to enter into a discussion on the question of whether the party which today is the major party in opposition has contributed to the growth of democracy in this country or has contributed at least at some points history to the destruction and erosion of democracy in this country.

I said earlier it is not apart of my intention to raise such controversy while I am on this Bill. Irrespective of what they may have done, the Government is concerned with its attitude to the opposition, its attitude to the opposition is not governed by what those who are today sitting in opposition on that side might or might not say about the logic of the opposition. I would have liked to bring the word of the hon. Member but I knew that it might bristle with meanings which one may not totally be able to accept. Therefore, I hope he will pardon me if I do not jump at the word that he has used and accepted. However, it is very clear that irrespective of what their attitude might have been, the attitude of this Government and this party to the Opposition, the idea of the opposition, the institution of the opposition, the right to dissent continues and will continue to be what I have explained. It is not bilateral. We do not want to take a view that if they behave, we behave. We believe in canons we believe in certain norms, we believe in principles and therefore we will stand by those principles.

AN HON. MEMBER It means we will behave whether they behave or not.

SHRI RAVINDRA VARMA The hon. Member may add his comments to what I have said. The very way in which you build up public pressure and bring the pressure of public opinion on people to behave is by setting an example, if one does not do so, then one cannot build up the public pressure necessarily on those who must behave whether they are in Government or in the opposition. Now, I think the main question, as far as this Bill was concerned, was raised by my hon.

friend, Mr. Samar Mukherjee and later on to some extent by my good friend, Mr. Govindan Nair. I am not quite sure whether Mr. Govindan Nair was here when I initiated the discussion on the Bill. That does not matter. The point that Mr. Mukherjee raised and which was later on supported by my good friend Govindan Nair is very important. It is not that we want to ignore that point. We accept the fact that in a very big country like ours there may be many parties in opposition to the government so many groups in opposition to the government. They have all their legitimate place. Even so there has to be some criterion by which we can decipher, identify what is the main thrust of the thinking on the side of the opposition in opposition to the government. One hon. Member from this side said that we should use the word real opposition as distinct from numerical strength of the opposition in this House. This, I should submit, is a very elusive word. If the word is dangerous to accept such a definition. After all, all of us who are here are here by virtue of the logic of numbers. In elections, we get elected by virtue of the logic of numbers. Here in this House we sit on this side of the House and my good friend Mr. Sathe sits on the other side of the House, perhaps reluctantly, because of the logic of numbers. Therefore, it is very difficult for us to ignore the logic of numbers and say that there is no difference between a party in the opposition which has a certain requisite number of members and the other groups in the opposition who also perform a function as groups in the opposition. It is not possible to ignore those differences. In this country almost everybody has said that there must be certain consolidation of forces if not polarisation of political forces. I do not want to enter into this discussion at this stage because it is a very major discussion and this Bill need not be the peg on which one wants to hang such a task. People have talked in this country of polarisation or of the need for polarisation or at least for consolidation so that there may be some effectiveness brought into the functioning of parties in the opposition. (Interruptions) Regional parties will always be there and when people talk of consolidation, they talk of consolidation of the opposition groups. (Interruption) I am not talking of regional parties.

SHRI A. BALA PAJANOR We are also a party.

SHRI RAVINDRA VARMA You can have a label attached, by attaching a label to salt, salt will not be turned into sugar. Therefore, I do not want to talk of labels. If parties want to confine

[Shri Ravindra Varma.] themselves to a particular area, the logic of their developments will be circumscribed by the logic of their parochialism. In a big country like ours, there are, fortunately for us, many who believe that it is possible to have national policies, national groups and national parties, not only parochial parties.

SHRI A. BALAJANOR : Ours is not a parochial party.

SHRI RAVINDRA VARMA : I am not referring to any particular party and I am talking of political parties in this country which may involve at some point of time some people. There are certain political tendencies in this country which cannot be ignored or wished away. I wish I could wish them away but unfortunately it is not possible. But the main point behind what Mr. Mukherjee said is that perhaps our object was to make the Congress Party the only opposition party or to recognise only the Congress Party as the opposition. I should not like to use any objectionable word as far as my good friend is concerned but I should like to submit that this is almost an uncharitable interpretation. It is not to enshrine the Congress Party as the opposition party—particularly after what they have done, as my friend says that we have brought forward this Bill. Today they are in the Opposition; tomorrow Mr. Mukherjee might be heading a group having behind him enough members to be recognised as an opposition party. Or it may be Mr. Govindan Nair.

AN HON. MEMBER : Why not you?

SHRI RAVINDRA VARMA : I am coming to that. Don't be in a hurry. We are here now. But we may be there tomorrow, not tomorrow, but on a future occasion. We have been there long enough, but you have not been here long enough and the country will keep you there for long enough. (Interruptions)

I am always willing to accept your invitation provided it is not to Karnataka Bhavan. I do not know where it is. Leaving that aside, therefore, the question is not who is to enjoy the facilities and amenities that the Bill provides; but it is the question of providing the Opposition which has this largest strength, which, therefore, can claim to be recognised as the Opposition Party with certain facilities and amenities. I would, if the hon. Members Mr. Mukherjee and Mr. Govindan Nair feel that the Government and the House itself should consider the desirability and the necessity of providing certain facilities, if not similar facilities, which will enable every group to function effectively, consider it. But that is a

different question which has not been covered by this Bill. Of course, I can understand that question being raised.

My good friend, Mr. Mavalankar went little further and said that even individual members should have facilities. Of course, they should have facilities. But I do not think they are not having any facilities today. This Bill does not deal with those facilities. The hon. Member knows that there is Committee called Salaries and Allowances Committee, if I am not recalling wrongly and all such matters can certainly be brought up in that Committee and I am sure nobody in this House, whether he is in the Opposition or in the ruling Party, would like to take a stand which would reduce the effectiveness the hon. Members of this House. Everything should be done, of course, within our means, to maximise the effectiveness of the Members of Parliament, their effectiveness in serving their constituencies and this House. Therefore, such matters can always be discussed.

When my good friend was speaking, I was almost reminded of the nursery rhyme about 'Baba black sheep' and none for the little boy crying in the lane. That would not be an exact depiction of the position. It is not so bad as the case of the poor boy who was wailing in the lane because there was no wool of the black sheep. (Interruptions)

PROF. P. G. MAVALANKAR : Do you mean to say that the Members of Parliament are getting adequate facilities?

SHRI RAVINDRA VARMA : May I say to the hon. Member that certainly—as I said earlier, I shall repeat that—whatever is necessary to increase the effectiveness of the hon. Members must be considered and this Government will not be found wanting in considering that.

My friend Mr. Pajanor said that this Bill is neither pragmatic nor practicable. I am not quite sure whether that was the consistent tone that was evident in all parts of speech. I do think as conditions stand today, this bill is practicable and perhaps, this is the only pragmatic step that we could have taken.

My friend Mr. Yadav, who spoke from here, said that the provisions of the Bill are not enough. Unfortunately, I do not see him around. He said that the provisions of the Bill are not enough and that more facilities should be made available to the Leader of the Opposition. Somewhere, one has to make a beginning. As I said earlier, this was a matter of evolution of certain attitudes, evolution of certain circumstances where certain facilities become

necessary and certain facilities are used for the common benefit of democracy and the country. A beginning has to be made in this Bill, we have tried to make a beginning. By and large, the Bill deserves a first of the consideration that were urged by hon. members. I would, therefore, commend this Bill for the acceptance of this House.

MR. DEPUTY-SPEAKER Shri Vinayak Prasad Rao in his speech has already said that he is withdrawing his amendment. Has he the leave of the House to withdraw it?

HON. MEMBERS : Yes

Amendment No. 1 was, by leave withdrawn

MR. DEPUTY-SPEAKER The question is

'That the Bill do provide for the salary and allowances of Leaders of Opposition in Parliament to be taken into consideration.'

The motion was adopted

MR. DEPUTY-SPEAKER We shall take up clause-by-clause consideration

Clause 2—(Definition)

SHRI A. K. ROY (Dhanbad) I beg to move

Page 1—

(i) line 7,—

for "Leader of the Opposition" substitute "real Leader of the Opposition"

(ii) line 19,—

for "Leader of the Opposition" substitute "real Leader of the Opposition" (3)

Page 1,—

(i) line 11,—

for "numerical strength" substitute "political strength"

(ii) line 16,—

for "numerical strength" substitute "political strength" (4)

SHRI HARI VISHNU KAMATH I beg to move

page 1,—

after line 13, insert—

"Provided that the strength of such party in the Council or the House shall be not less than one-sixth of the total membership of the Council or the House respectively." (15)

SHRI SAMAR MUKHERJEE : I beg to move :

page 1,—

for Clause 2, substitute—

"2. Leader of an opposition party or group means the leader of an opposition party or group recognised as such by the convention and practice of the Parliament" (23)

SHRI A. K. ROY (Dhanbad) Sir, I was surprised when I saw this Bill because we have got no money for the workers to be given bonus. We cannot afford to return the CDS money. Everywhere we are giving big lectures on austerity and what not. Just today I read in the papers that our President is coming out of the Rashtrapati Bhavan to lead a more humble life. In that context we are wasting the time of the House in deciding the salary and allowances to be paid to the leaders of opposition. I consider this an insult to the whole opposition. Have we got no other functions except extracting more facilities from this House? I was listening to the speech of an hon. member who was demanding more facilities for ordinary members. I am opposed to that also. We ordinary members have got sufficient privileges compared to the poor people of India. I want that no privileges should be extended and even some existing privileges of the Members may also be curtailed. Any extra money to the Opposition leader who happens this time to be the leader of the Congress Party will be considered in the country at large as a bonus for Emergency. They brought Emergency out us into torture and this Government has come out with a bonus for them.

Another point which I oppose vehemently and politically is the economic aspect of the thing. But I have substituted "duties and responsibilities of the Leader of the Opposition". Sir, we are in the transitional period. The country is standing; it must take a turn and in that position the responsibilities and duties of the Opposition will be a very vital one. Even our hon. Minister has said "Democracy means the rule of reason". Now, I would like to read a few lines ..

MR. DEPUTY-SPEAKER : I told you to take only two minutes. You have already taken five minutes.

SHRI A. K. ROY : Please give me one or two minutes. I shall be very brief. Harold Laski in his 'Democracy in crisis' writes :

"The rule of democracy was to be the rule of reason. The party which best grasped the purpose of the electorate would win majority in the legislature and it would use the normal, constitutional forms to give effect to that purpose."

"The flaw in the argument was an obvious one. It assumed the absolute validity of the form of the political state regardless of the economic character of the society it was supposed to represent. It did not see that such economic regime gives birth to a political order which represents the interests of those who dominate the regime, who possess in it the essential instruments of economic power."

My point is this. Democracy does not mean parliamentary democracy. It is not synonymous to parliamentary democracy and parliamentary democracy is not synonymous to the British type of parliamentary democracy. If, however, democracy has got its own historical background for evolution and in India we cannot afford to take any other democracy from outside and that is why on both the counts I oppose the salaries and allowances of Leaders of Opposition. I want to substitute with 'the duties and responsibilities of the Leaders of the Opposition' so that it can lead to the Indian type of democracy.

SHRI HARI VISHNU KAMATH : Mr. Deputy Speaker, Sir, clause 2 seeks to define the Opposition and which party leader will be entitled to amenities, salaries and all these things. The criterion has been entirely left to the Speaker for this House and to the Chairman for the other House. But I would like that this provision be embodied in the statute itself and not left to the hon. Speaker here and the Chairman of the other House. I think it is desirable that this criterion, this yardstick, should find a place in the statute itself. I, therefore, seek to prescribe the minimum. The Speaker then can certainly recognise the party which has the majority numerically, but in my humble judgment, the minimum should be one-sixth of the total membership of the House, not one-tenth. Today, as far as I am aware, the ruling of the hon.

Dadasaheb Mavalankar, the Speaker of the First Lok Sabha, still stands, the yardstick still stands and is still in force—that for the Opposition to be recognised as a Party, the Opposition Party should have at least a strength of 10 per cent of the House.

Numerically, it is equivalent to the quorum of the House. Unfortunately, except in 1969, there was never a 10% strong Opposition in this House since 1952. In 1969, there was an Opposition having more than 10% strength. Even then, the then government did not extend to them the facilities which we are seeking to give to the Opposition through this bill.

I would like that the prescribed minimum strength should be incorporated here in the Statute itself. The House is well aware that in the election law, the minimum of the total votes polled has been fixed—leaving the security deposit—as one-sixth and not 1/10 or 1/4. If you get less than 1/6 of the total votes polled, you lose your deposit. Not that I want to put it on a par with this. But I think there is some logic in it. 10% may be too little, and 25% too high. Therefore, 16-2/3% is the golden mean. So I would very much desire that this minimum of 1/6 should be fixed in the statute itself. Therefore I commend the amendment for the whole-hearted acceptance of the House.

MR. DEPUTY SPEAKER : I shall now put amendments Nos. 3 and 4 of Mr. A. K. Roy to the vote of the House.

Amendments Nos. 3 and 4 were put and negatived.

MR. DEPUTY-SPEAKER : I shall now put amendment No. 15 of Mr. Kamath to the vote of the House.

Amendment No. 15 was put and negatived.

MR. DEPUTY-SPEAKER : I shall now put amendment No. 23 of Mr. Semar Mukherjee to the vote of the House.

The Amendment No. 23 was put and negatived.

MR. DEPUTY-SPEAKER : The question is

"That clause 2 stand part of the Bill."

The motion was adopted.

(Clause 2 was added to the Bill)

Clause 3—(Salary of Leaders of Opposition).

MR DEPUTY-SPEAKER : Now clause 3 On clause 3, are you pressing your amendment, Mr Roy ?

SHRI A K ROY Yes

MR DEPUTY-SPEAKER Mr Roop Nath Singh Yadav, I think you are not moving it

SHRI ROOP NATH SINGH YADAV (Pratapgarh) No

MR DEPUTY-SPEAKER Mr Kamath, are you pressing amendment No 16 ?

SHRI HARI VISHNU KAMATH Yes It is in list No 5

MR DEPUTY-SPEAKER Now Mr A K Roy

SHRI A K ROY I move

for "two thousand, two hundred and fifty rupees per mensem"

Substitute—"five hundred and one rupee per mensem" (5)

We Members of Parliament get Rs 500 as our salary and Rs 500/- as the constituency allowance. You know Sir, that when we make a cut Motion we make a symbolic cut of Rs 1/- towards disapproval of the policy. As the Leader of the Opposition is supposed to disapprove the policy, naturally he can be given only Rs 1/- more for his performance

SHRI HARI VISHNU KAMATH I move
for clause 3, substitute—

"3. Each Leader of the Opposition shall be entitled to receive as salary of two thousand two hundred and fifty rupees per mensem" (16)

I select, first of all, a linguistic, a stylistic change, and I will explain the rationale behind it. The rationale is very sound, in my humble judgment, and what Shri Samar Mukherjee has said has reinforced what I have in view, when he made his observation on the motion moved by the right hon. gentleman from Ranchi, that in West Bengal the then Leader of the Opposition refused to accept the salary which was fixed in the Bill. The Government will find itself in an awkward position or a contretemps, may be hypothetical, I am not sure, if the Leader of the Opposition refuses to receive the salary, accept the salary. That is why I say "entitled to receive" instead of "paid to him". You can take the horse to the water but cannot make it drink. So also, if he declines to accept, it will

put the Government in an awkward situation. Will they hand over in a *thail* the amount, or a cheque for Rs 2,250 ? I think legally also the construction of the clause is unfortunate. Because, if you see the next clauses, clauses 3, 4 and 5, about fringe benefits, all of them say "entitled to receive". But here it is said "paid to him". I do not see the rationale behind it.

Coming to the amendment of Shri A K Roy, which suggests that the salary be fixed at Rs 501, I do not think it is reasonable. Because, I think he forgets or overlooks the provision that once a person is declared and recognised as the Leader of the Opposition, he will not be entitled to the salary and allowance of a Member of Parliament. We get a salary of Rs 500 and an allowance of Rs 500, which is tax free, and during a session we are paid about Rs 1,500 per month by way of D.A. Therefore, during a session we get Rs 2,500 per month. So far as the salary of Rs 2,250 is concerned I do not think it is tax free. I do not know whether the Minister wants to make it tax-free. So far as a Member is concerned his daily allowance and travelling allowance are tax free only Rs 500 will be taxed. As we have raised the ceiling for tax exemption, that also will be tax free. So, during the session a member gets Rs 2,500 tax free. Therefore, I do not think this figure to Rs 2,250 is very high. I accept the Bill in principle.

MR DEPUTY-SPEAKER I will now put amendment No 5 of Shri A.K. Roy of the vote of the House.

Amendment No 5 was put and negatived

SHRI HARI VISHNU KAMATH Sir, before you put my amendment to the vote, let us hear the Minister.

SHRI RAVINDRA VARMA I have listened with great attention to what the right hon. gentleman from Hoshangabad has to say. I do not think the clause as it has been drafted in the Bill needs to be modified in the fashion he has suggested. I am, therefore, sorry I am not in a position to accept his amendment.

MR DEPUTY-SPEAKER I will now put amendment No 16 moved by Shri Kamath to the vote of the House.

Amendment No 16 was put and negatived

MR. DEPUTY-SPEAKER The question is .

[Mr Deputy Speaker]

"That clause 3 stand part of the Bill"

The motion was adopted

Clause 3 was added to the Bill

Clause 4—(Residence for Leaders of opposition)

SHRI A K ROY I beg to move

Page 2,

for clause 4, substitute—

"4. Each Leader of the Opposition shall, so long as he continues as such Leader, be duty bound to focus the grievances of the people to the policies and action of the Government with a clear socio political alternative to the present system causing those grievances" (6)

SHRI HARI VISHNU KAMATH

I beg to move

Page 2,—

for lines 4 and 5, substitute—

"to the proper maintenance of such residence." (17)

SHRI A K ROY My main emphasis is this that the Leader of the Opposition would be duty bound to focus the grievances of the people to the policies and action of the Government with a clear socio political alternative to the present system causing those grievances. That means that the Leader of the Opposition should be really the Leader of the Opposition and not counter-fact Leader of the Opposition. It is good that our Minister of Labour and Parliamentary Affairs does not want to muzzle the voice of the opposition unlike the previous Government. But what he is doing is more dangerous. He wants to sweeten the voice of the opposition. We are talking of 'parliamentary democracy in England'. But look at the history. There the parliamentary democracy took more than 200 years to take the present shape. Today, if we want to come in the forefront in the so-called bourgeois democracy, we have to gallop and in that galloping if we have adopted the present stage of their democracy, we will be making a mistake. You know that in any historic development, contradictions play a most important part. Contradictions, struggle, between the opposition and the Government are the guiding force that pushes the country ahead. So, any measure to sweeten any measure to collude, any measure to have an understanding so that there is a two-party system having same class interest, having same philosophy, having same social and political outlook, must

go. That is why I have said in other clauses that numerical strength does not matter. What matters is the political strength. If you wish the birds of the same feather to flock together, it will not help the country. That is why, any attempt by the Government to somehow manoeuvre or somehow tame the opposition, must be opposed because it is the struggle, the confrontation between the opposition and the Government that pushes us forward.

SHRI HARI VISHNU KAMATH
Here the clause says

Each Leader of the Opposition shall, so long as he continues as such Leader, and for a period of one month immediately thereafter, be entitled without payment of rent to the use of a furnished residence and no charge shall fall on the Leader of the Opposition personally in respect of the maintenance of such residence."

Look at the wastage of words. What a plethora of words! I did not expect the Minister to fall a victim to such plethora of words. A poet—I do not know which poet—has rightly said 'Bravity is the soul of wit'. I do not wish the charge to be levelled against the Minister, the Member from Ranchi that he is dull-witted. He is not dull-witted at all. Therefore, my amendment is very brief. I seek to delete the last bit. Please look at it, 'no charge shall fall on the Leader of the Opposition personally in respect of the maintenance of such residence'. I seek to amend it like this:

Each Leader of the Opposition shall, so long as he continues as such Leader, and for a period of one month immediately thereafter, be entitled without payment of rent to the use of a furnished residence and to the proper maintenance of such residence."

How briefly it looks! How convincing! So, the Minister, as a lover of language and style, should accept this.

SHRI RAVINDRA VARMA I do not think that I am in a position to accept my hon friend, Mr Kamath's amendment. As far as his allegation that there is a plethora of words in the clause, I do not know who should complain about the plethora of words.

MR DEPUTY SPEAKER I first put the amendment moved by Shri A K Roy to the vote of the House.

Amendment No 6 was put and negatived

MR DEPUTY-SPEAKER Now, I put Mr Kamath's amendment to the vote of the House.

Amendment No 17 was put and negatived

MR. DEPUTY-SPEAKER The question is

"That Clause 4 stand part of the Bill"

The motion was adopted

Clause 4 was added to the Bill

श्री रूप नाथ सिंह यादव माननीय मंत्री
जो को मेरा सुझाव मजूर नहीं है, हालांकि
बहुत जरूरी था, इसलिये मैं पेश नहीं
करूंगा।

MR DEPUTY SPEAKER He is not moving the amendment

SHRI HARI VISHNU KAMATH
In clause 5, there is the word "family"
That has not been defined. What should
be defined. What is "family"? There
is no definition of that.

MR DEPUTY-SPEAKER The Minister will take note of his suggestion

AN HON MEMBER He is a bachelor

MR DEPUTY-SPEAKER I though he is a bachelor, he is concerned about the family

The question is

"That clause 5 stand part of the Bill"

The motion was adopted

Clause 5 was added to the Bill

Clauses 6 and 7 were added to the Bill

Clause 8

(Amendments to Leaders of Opposition)

SHRI HARI VISHNU KAMATH
I beg to move

Page 3,—

omit lines 1 to 3 (18)

SHRI SAMAR MUKHERJEE
(H. wrh) I beg to move

Page 2, line 39,—

after "Opposition" insert—

"parties and groups" (24)

Page 3, line 2,—

after "Opposition" insert—

"parties and groups" (25)

SHRI HARI VISHNU KAMATH
Sir, my amendment seeks to delete sub-clause (2) of clause 3. It reads

"(2) subject to any rules made in this behalf by the Central Government, each Leader of the Opposition shall be entitled to a conveyance allowance of three hundred rupees per month."

MR DEPUTY SPEAKER It is self-explanatory. Why do you want to make a speech on that?

SHRI HARI VISHNU KAMATH
I want to give reasons why I want to delete that.

Briefly, the reasons are: the Leader of the Opposition is already entitled to a salary of Rs. 2500 and other facilities and amenities mentioned in Clauses 4, 5, 6 and 7. All these clauses provide for various amenities and facilities. Therefore, I believe and I am convinced, that this additional facility of conveyance allowance of Rs. 300 per month is not called for, particularly when the time is also inappropriate to give extra remuneration. I hope the Government will be wise enough to do away with this provision of conveyance allowance of Rs. 300 per month, besides what has already been given. It is a consequence of the clauses which have already been adopted. I hope the Leader of the Opposition will not mind it because it is a paltry sum compared to what has already been sanctioned by the House. I think the House will be reasonable enough to accept this amendment deleting sub-clause 2 of clause 3.

MR DEPUTY SPEAKER I now put the amendment by Mr. Kamath to the vote of the House.

Amendment No 18 was put and negatived

MR DEPUTY SPEAKER I now put amendments No 24 and 25 by Mr. Samar Mukherjee to the vote of the House.

Amendment No. 24 and 25 were put and negatived

MR DEPUTY SPEAKER The questions is

That clause 8 stand part of the Bill.

The motion was adopted

Clause 8 was added to the Bill

MR. DEPUTY-SPEAKER : The question is :

"That clause 9 stand part of the Bill."

The motion was adopted

Clause 9 was added to the Bill

Clause 10—(Power to make rules)

SHRI SAMAR MUKHERJEE : I beg to move :

Page 3,—

Omit lines 14 to 21 (26)

Page 3, line 23,—

after "Opposition" insert—

"an opposition party or group"(27)

MR. DEPUTY-SPEAKER : I now put amendments Nos. 26 and 27 moved by Shri Samar Mukherjee to the vote of the House.

Amendments Nos. 26 and 27 were put and negatived

The question is :

"That clause 10 stand part of the Bill."

The motion was adopted

Clause 10 was added to the Bill

Clause 11—(Amendment of Act 30 of 1954)

SHRI R.D. GATTANI (Jodhpur) : I am moving my amendment No. 7.

I beg to move :

Page 4,—

for lines 1 to 5, substitute—

"(b) after sub-clause (i) the following sub-clause shall be inserted, namely :—

"(ii) a Leader of the Opposition as defined in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977; and"; and

(c) the existing sub-clause (ii) shall be re-numbered as sub-clause (iii)." (7)

SHRI RAVINDRA VARMA : Not merely to dispute the hon. Member from Hoshingabad's charge of casedness and the substance of this motion, we accept this amendment No. 7.

MR. DEPUTY SPEAKER : The question is :

Page 4,—

for lines 1 to 5, substitute—

"(b) after sub-clause (i), the following sub-clause shall be inserted, namely :—

"(ii) a Leader of the Opposition as defined in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977"; and

(c) the existing sub-clause (ii) shall be re-numbered as sub-clause (iii)." (7)

The motion was adopted

MR. DEPUTY-SPEAKER : Shri Annasaheb Gotkhinde, are you moving your amendment ?

SHRI ANNASAHEB GOTKHINDE (Sangli) : No.

SHRI HARI VISHNU KAMATH : I am moving my amendment No. 19. For the words 'an officer of Parliament' the words 'as an officer of Parliament' shall be substituted. That has been perhaps accepted.

MR. DEPUTY-SPEAKER : No it is not. You are moving your amendment.

SHRI HARI VISHNU KAMATH : I beg to move :

Page 4,—

omit lines 12 and 13 (19)

I draw your attention to the same rule 80. It says :

"The following conditions shall govern the admissibility of amendments to clauses or schedules of a Bill :"

If you rule it out, it will be an infringement of this rule 80 : Admissibility of amendments. It further says :

"An amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates"

Now the clause itself is a jumble here in clause 11, so many amendments of various hues and kinds have been put here. It is a rumble tumble so as to say and I do not know whether this kind of a mix-up, you would allow in a serious statutory legislation of Parliament. There is one earlier also regarding the Leader of the Opposition. In clause 11, there are verbal amendments and this one also come in in this amendment—officer of Parliament. That amendment I fear, has no *locus-standi* in this Bill because it is neither within the scope nor is it relevant to the subject matter of the Bill. Therefore, I thought it better, I said so earlier also, that if the Bill had been introduced minus these last two clauses and passed two more Bills should have been introduced and moved amending the Members of Parliament Salary & Allowances Act 1954 and another Bill seeking to amend the Prevention of Disqualification Act 1959. As it is, it has no place.

SHRI RAVINDRA VARMA I do not accept his amendment.

MR. DEPUTY SPEAKER I shall now put Mr. Kamath's amendment to the vote of the House.

Amendment No. 9 was put and negatived

MR. DEPUTY-SPEAKER The question is

"That Clause 11 as amended stand part of the Bill."

The motion was adopted.

Clause 11 as amended was added to the Bill

Clause 12 was added to the Bill

Clause I—(Short title and commencement)

SHRI HARI VISHNU KAMATH I beg to move.

Page 1,—

for lines 5 and 6, substitute—

"(2) It shall come into force on January 26, 1978" (14)

This in my judgment is the most important amendment that I have tabled. This is an amendment to Clause 1—Short Title and Commencement. Through this amendment I seek to provide that this Bill will not come into effect at once but will come into effect earliest on January 26, 1978, because it will serve the purpose of also ensuring

that the ill-timing of this Bill has been looked into, and we have provided for that objection also—for the ill timing of the Bill. And I believe that this interval between now and then—this August House is discussing this Bill in the month of August—this interregnum between now and then, will be useful in more ways than one, because by that time, perhaps, the Government also would have had the time and energy to bring forward Bills with regard to bonus—which has been a bone of contention, which has been rightly agitating the minds of all the people inside and outside—and other matters. But more than that the next two months will also show, will also disclose to us how exactly that Party which sought to destroy democracy how the Congress Party which sought to destroy democracy during the last 20 months, will shape. The shape of things to come we do not know yet. By January 26, 1978 we will know whether they are really repentant whether they are really loyal to democracy which we want them to be. Then only can there be a reciprocity. Therefore, I believe this interregnum between now and then will be very useful. The Bill should not come into effect till January 26, 1978 because you are well aware that this date 26th January, is a very important day in our annals, perhaps the most important day in our political annals. First it was the independence day, before India became independent, it was only independence day—the day on which Pandit Jawaharlal Nehru moved the Resolution on the banks of the Ravi in Punjab in January 1930—the Poona Swaraj Resolution. Then the Constitution was promulgated and it came into force on the 26th January, 1950, twenty years later. We should therefore make such a provision—about coming into effect—in the Bill itself and should not leave it to the Government because Parliament is supreme in a Parliamentary democracy. I think the Parliament should have the power in some matters at least, lest Government should seek to appropriate to itself more and more power. I think the Janata Government will not do it but the Congress Government was an example—it went on becoming more and more powerful. Now there is a reverse trend the Janata Government has set a good trend. The Hon. Minister for Information and Broadcasting announced that equal facilities would be provided to the Opposition in regard to Radio time and T.V. time that shows the earnestness of Government's intentions in regard to this Bill too. What more can you have?

So there is no harm if the Bill does not come into effect at once—it can come into effect later on. If it can be held

[Shri Hari Vishnu Kamath]

over till the next Session it would be far better, but if it cannot be so held over, it can come into effect in January, 1978.

So, that is my plea, and I hope it will commend itself to the acceptance of the House

SHRI RAVINDRA VARMA Clause 1 (2) covers all the eventualities and possibilities the hon. Member has referred to and, therefore, I do not accept his amendment.

MR DEPUTY-SPEAKER The question is

"Page 1,—

for lines 5 and 6, substitute—

"(2) It shall come into force on January 26, 1978" (14)

The motion was negatived

SHRI SAMAR MUKHERJEE . I move

"Page 1, line 4—

after "Opposition" insert—
'parties and groups' (22)

MR DEPUTY-SPEAKER I shall now put amendment No. 22 to the vote of the House

Amendment No. 22 was put and negatived.

MR DEPUTY-SPEAKER The question is

"That Clause 1 stand part of the Bill"

The motion was adopted

Clause 1 was added to the Bill.

The Fracting Formula was added to the Bill

LONG TITLE

SHRI SAMAR MUKHERJEE : I move

That in the Long Title,—

after "Opposition" insert—

"parties and groups" (21)

MR. DEPUTY SPEAKER I shall now put amendment No. 21 to the vote of the House.

Amendment No. 21 was put and negatived

MR DEPUTY-SPEAKER The question is :

"That the Title stand part of the Bill"

The motion was adopted.

The Title was added to the Bill

SHRI RAVINDRA VARMA Sir, I move

"That the Bill, as amended be passed"

MR DEPUTY-SPEAKER The question is

"That the Bill, as amended, be passed"

The motion was adopted

17 hrs

Motion Re White Paper on Misuse of Mass Media during internal emergency

MR DEPUTY-SPEAKER We now take up discussion on the White Paper

SHRI P G MAVALANKAR (Gundhi Nagar) Sir, I rise on a point of order. I invite your attention to two matters which I think are serious and I want your ruling on them before we proceed with the discussion on this Report.

We see from paragraph 5 on p. 6, towards the end of the Preface, that this White Paper is based predominantly on the Das Committee's Report submitted to the Government on June 22, 1977. It is said that this White Paper has been prepared on the basis of that report as well as other material available to the Government. My point is that this Das Committee's report was not laid on the Table of the House. It was made available to us in the Library as late as Saturday afternoon and, in between, came Sunday, while today we have been dealing with other matters that were before the House. So, even when an important White Paper like this is to be discussed, and it itself says that it is on the basis of the report, that basis is not made available to us.

Secondly, the 'other material available Government' has also not been made available to us. The other material is also not available to us. It is of course, available to the Government but we do not have the material on which the discussion has to be based.

Thirdly, kindly see page 29 of this White Paper Paragraph 21, which is about the guidelines on censorship.

"All these guidelines were framed with the approval of the Minister (I&B)"

The Minister was Shri Adani's predecessor Shri V C Shukla.

"He wrote to Shri Raghuramiah on January 1, 1976 to obtain the clearance of the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha to pre-censorship. There is nothing available to show what happened there after. Shortly afterwards, a decision in Parliament House was set aside for this purpose."

This is very serious matter. Further information should have been collected from Parliament House.

MR DEPUTY-SPEAKER You can discuss all these serious things in your speech. No more point of order.

श्री उपसेन (देवरिया) माननीय उपाध्यक्ष महोदय, मैं एक ही बात जानना चाहता हूँ—कल इस के कि माननीय मंत्री जी श्वेत-पत्र पर अपना भाषण प्रारम्भ कर इस के लिये सात घंटे बिजनस एक्वाइजरी कमेटी ने एलाट किये हैं, इस लिये पहले यह तय कर लिया जाये कि प्राज 12 बजे रात तक बैठ जायेगा या कैसे होगा ?

MR DEPUTY-SPEAKER This is not a point of order.

SHRI VASANT SATHE (Akola) Sir, this question is really important. Seven hours have been alloted for a discussion on this White Paper. If the hon. Minister is going to make his speech a detailed speech—on the White Paper as he did in the Rajya Sabha, he will take an hour or so. What I would suggest is that he should not speak at all. He has already given the White Paper. Let Shri Ummakrishnan make a speech today. We do not agree to curtail the time from seven hours, that will not be fair to us. It should not be curtailed

at all. Either we sit today till 12-00 O'clock, if the House agrees, and if that is not agreeable then let us not have a truncated discussion. Let us postpone it to the next session and we are agreeable to that. (Interruptions)

SHRI KANWAR LAL GUPTA (Delhi Sadar) You are playing a subtle game, you do not want to face the House. (Interruptions)

MR DEPUTY-SPEAKER Let us not start a discussion like this.

श्री उपसेन उपाध्यक्ष महोदय, मैं चाहता हूँ कि इस पर प्राज ही बहस हो . . .

MR DEPUTY-SPEAKER You cannot rise again and again. Please take your seat. This is not the way. You have been an experienced legislator and a Parliament man. You cannot get up again and again and make a point of order.

श्री हरिकेश बहादुर (गोरखपुर) : उपाध्यक्ष महोदय, यह ब्याइट-नेपर बन्दूक है और इसमें बहुत सी आगमक बातें कही गई हैं, जब तक इसमें सुधार न हो, तब तक इस पर बहस नहीं होनी चाहिये।

MR DEPUTY-SPEAKER That is not a point of order.

श्री यशवन्त शर्मा (गुरदासपुर) उपाध्यक्ष महोदय, मरा कहना यह है कि इस ब्याइट वेपर पर 7 बजे का समय बिना नवा है और इस दृष्टि से इस पर चर्चा शुरू होनी चाहिए। मंत्री महोदय को यह विषय शुरू करना चाहिए और जितना डिक्शन इस पर हो सके करवा चाहिए। बाकी अन्तिम सेशन में यह चला जाएगा।

MR DEPUTY-SPEAKER It is now five minutes past five. The Minister will start the discussion and then a few members can take part in the discussion and at about 7 or 7.15 P.M. we can disperse and the discussion will be postponed to the next session.

SHRI VASANT SATHE We do not agree to half today and half the next session.

MR DEPUTY SPEAKER: Then I will put it to the House, that the House do agree to sit till 7.15 p.m. and then carry on the discussion to the next session.

SEVERAL HON. MEMBERS : Yes, Yes.

SHRI VASANT SATHE : These are not matters in which you can bulldoze us.

MR. DEPUTY SPEAKER : You yourself said that the Minister should start the discussion and then Mr. Unnikrishnan can speak. That is what you have suggested.

SHRI K. GOPAL (Karur) : We can sit tomorrow.

SHRI V. ARUNACHALAM (Tirunelveli) : Opportunity should be given to all Parties.

MR. DEPUTY SPEAKER : No tomorrow. The House will adjourn today.

The hon. Minister.

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L.K. ADVANI) : I beg to move:

"That this House do consider the White Paper on misuse of mass media during the Internal Emergency, laid on the Table of the House on the 1st August, 1977."

Members opposite need not be worried. I am not going to take long. I have just a few preliminary remarks to make. I have no intention whatsoever of trying to paraphrase this White Paper which is eloquent in itself, which has its own story and which I do not propose to reiterate or paraphrase.

But I would like to say something about the background of this White Paper and the shape it has assumed and why it has assumed this shape. I can anticipate that very many of my friends on that side and this side will repeatedly tell me that this is inadequate, this does not cover the whole ground, that the mass media has been abused to an extent which, as the White Paper itself has said, is inconceivable in a democracy and the extent, the words have been used, has not been shown fully and, therefore, very many of my friends who have been meeting me have been pointing this out. It is this that I want to explain because when the issue of excesses of emergency was being considered by the government and it was proposed to appoint a commission under the Commission of Inquiry Act, the terms of reference for that commission were being framed, one of the issues which the government had to discuss at that stage, and the consideration

at that stage, was whether the terms of reference should include the abuse of the mass media. At that stage the government felt that while the other spheres of activity which have been included in the terms of reference by the Shah Commission need a thorough inquiry, need a thorough probe, need an examination of both sides of the picture, e.g. there are allegations that persons who were 15 years old were forcibly sterilised, that those who were 75 years old were forcibly sterilised and then there are allegations that certain persons were tortured, there are allegations that lawyers who appeared as Counsel for detenus, were arrested for that reason. Now all these are matters which can be established only after a thorough inquiry. You have to call for evidence, you have to hear both sides, you have to hear the government's point of view and then only it can be established. And this whole process is bound to take a few months/several months, if not a year or more. It was felt that so far as mass media are concerned, prominent among them being those which are under the control of Government like radio, T.V., censorship of films, release of raw stock, various institutions pertaining to cinema in which case there is no need of going through an extensive and prolonged judicial enquiry. The records are there to speak for themselves. Why can the Ministry of Information and Broadcasting not bring out a White Paper on the basis of what is available there itself?

Of course, you can invite from the people, from the press, from the cinema world or from the media whatever complaints they want to make and on that basis you see what corroborates the records.

I can tell you frankly that I myself know about so many things which are not there in the White Paper. I know about them, but just as a judge knowing something does not take cognisance of it, he can take cognisance of it when the whole process that is necessary to do justice to be equitable and fair has been gone through and if that has to be gone through, what I know on the basis of my personal information or what has been merely complained of orally to the Government, then the process could not have been that sharp.

Let the Ministry of Information and Broadcasting compile all the facts that are available, which cannot be disputed and bring those facts together in the form of a White Paper. Whereas all other things which before they can be established as facts have to go through certain processes, have to go through a stage of

enquiry. They can be referred to the Shah Commission. Let the Shah Commission examine them. This is the reason why many of you would feel that what has appeared in the White Paper is inadequate. It does not cover the whole ground which I do not dispute.

Mr. Mavalankar now and earlier some other Members had urged that the Das Committee Report which is the basis for this White Paper also be made available to the Members of the House. Day before yesterday I had directions from the Speaker in this regard and it was made available. Although my own feeling was that an Inquiry Committee Report as such which had already been called for by the Das Commission, has been called for by the Shah Commission. The Shah Commission has also called for all the records, all the files that have been gone through by the Das Committee. I felt that that could be left to the Shah Commission. What I have included in this is something which is undisputable.

There are certain departures also. One departure is that having established that the abuse of mass media was because of the Government that it never has established it to the point that right from the Prime Minister to the Minister Incharge of this Department at that stage, they were all directing the whole thing and it was under their direction that this abuse of mass media took place. I felt that the simple concept of ministerial responsibility and official accountability should be adhered to so far as White Paper is concerned.

The Das Committee mentioned several names, and designations of officials. I felt that except where it is necessary, we may refer to it otherwise we may attribute to the Ministry as such. That is the difference between this and the Enquiry Committee Report. Also after the Das Committee had completed its work, the Ministry itself came across certain files and papers here and there which gave material which has been incorporated. It is not in the Committee's Report. Therefore, it is mentioned, predominantly on the basis of Das Committee's Report and certain other material also which is available in the record.

SHRI GAURI SHANKAR RAI (Ghaziपुर) What is the difficulty in making it available to the Members? What about other materials?

SHRI L K ADVANI Das Committee Report has been made available

Regarding other materials there are certain documents of the Government which cannot be made available.

A. I said earlier, if I were to go into every one of these facts and chapters and editorialise the whole thing it would take a long time. What we have done is this. If you carefully go through this White Paper you will notice that except for the caption 'misuse' which has been deliberately used there is no other change. It was in fact in the terms of reference of this committee because about that there was no doubt whatsoever. The other chapter is captioned 'Approach to Media'. Those are the portions, that is the first caption and the 'Approach to Media' where there has been some kind of value judgment attached to it. There has been some kind of editorialising to say. Otherwise the rest of them are all cold facts, no comments, no value judgment. In fact there was some value-judgment or comment in the Das Committee Report. We saw to it that that is also excluded.

Let the people, let the Parliament, let the Press let the Media themselves make their own judgment. They made their own judgments and the judgments which have appeared are very clear. Even though some may characterise them as inadequate even though some may characterise them as the 'tip of the iceberg', what has come out really makes one shudder of the horrid state of affairs,—nothing short of it,—that such thing should have been done.

Therefore, I want to plead with the House that this White Paper should not merely be regarded as an indictment of what has happened in the past, but it is much more than that.

This is intended to arouse the democratic conscience of the people. This is intended to make them resolve and to make them pledge themselves that this kind of a thing shall never happen again.

SHRI K P UNNIKRISHNAN (Bada-gara) It is happening even now. You have started it again.

SHRI L K ADVANI Please bear with me and I can tell you this. I was telling this to my friend on the other side when he pointed out that in certain cases on Television and Radio some publicity was given to me or to Government and that the opposition was blacked out. I said this. I am telling you again. There has been an earnest attempt during the last four months to see that the mass media behaved in a balanced manner, in an objective manner. Despite these

[Shri L. K. Advani]

things, when there were lapses here and there, when they were pointed out to me I had corrected them. And the only explanation is that "sometimes habits die hard." That is the only explanation that I have to make.

AN HON. MEMBER: Habits initiated by the other side when they were in the Government.

SHRI L. K. ADVANI: We are not going to do it. Just as my hon. colleague Shri Ravindra Varma said while piloting the other Bill that "that Bill has nothing to do with the attitude of the opposition", similarly here, as far as this Government is concerned its attitude to democracy, its attitude to democratic values (including the most precious of these values, freedom of expression and freedom of information which were completely subverted by this abuse of Media) is that freedom of expression is not just a political issue, but it is an article of faith with this Government.

Right from the beginning ever since we have a stained office, every single pledge that we have made is being fulfilled and I am feeling very proud to say this. It has been said that something should be done for converting the Radio and Television into autonomous corporations, and freeing the news media of Government control of any kind. All the things are certainly being given effect to.

I would like to appeal to those Opposites to think as to what has happened during the last 19 or 20 months? I think you will accept this that it was an aberration. Let them realise that this was the result of a tendency towards the authoritarianism and dictatorship. You cannot say that it was necessary as some people still say, saying that, if a similar situation arises as obtained in June, 1975 again, there will be an emergency. We are still being threatened by emergency. I am sure that at the viewpoint does not represent the viewpoint of the Congress Party. (Interruptions) I hope at least that is so. I hope that voice is a lone voice and it had no support during the course of these 19 months. There was an important issue in an important case that came up before the Gujarat High Court. It was the case of *Bhoomi Patra* a Sardarvada Journal, which was subjected to censorship and virtual banning was ordered. When they went to the court, a very remarkable observation was made by the Gujarat High Court Justices (D. Mehta and S. H. Sheth). I quote they said:

"The very foundation of the dictatorship lies in the strong desire on the

part of an individual or group of individuals to entrench themselves into power for ever regardless of what the people want or desire. Such a desire on the part of an individual or a group of individuals can be successfully achieved only if he or they are able to sell the idea."

How does the dictatorship come about? How is the democracy converted into a dictatorship? This is what the court is trying to analyse. I quote -

"If he or they are able to sell the idea either by press censorship or otherwise by completely controlling the mass media of communications, that what they did is always correct and admits of no error."

This is what the outgoing Government tried to do or, if, I exclude the Government, the caucus tried to do, thanks to vigilance of the people, thanks to the commitment by the Janata Party to the whole nation to freedom of expression, freedom of information, that this had not come about.

Sir, on this occasion, well may I initiate a debate on the White Paper? I have nothing more to say excepting to say that I look forward to this debate on this White Paper a debate associated with it, the strengthening the commitment to the people the freedom of expression and freedom of information?

17 20 hrs

[SHRI SONU SINGH PATIL in the Chair]

MR CHAIRMAN Mr Unnikrishnan

SHRI HARI VISHNU KAMATH: Before you call him, I want to seek some clarification. On the 14th or 15th of July when the Demands for Grants relating to the Information and Broadcasting Ministry were guillotined, I raised a question whether on a suitable date, in this session, not merely the White Paper on the misuse of mass media but the entire working of the Information and Broadcasting Ministry would be discussed, and the Minister was good enough to reply that he would place a White Paper. I want to know now whether the discussion is going to be only on this White Paper or it includes the entire gamut of the Information and Broadcasting Ministry. I want a clarification with regard to this.

SHRI L K ADVANI Of course, Sir, technically, the motion is on the White Paper. But, those who have gone through it would have noticed, this White Paper covers almost all the departments and sections or various institutions pertaining to the Information and Broadcasting. So, with a focus on the White Paper, you can say so many things.

PROF P G MAVALANKAR Sir on page 29 of the White Paper it has been stated that

"There is nothing to show what happened thereafter"

This sentence is with regard to the press censorship, precensorship of Parliamentary proceedings. The document says that nothing is available. I want to know how is it that nothing is available from the Lok Sabha Secretariat. Why did the Minister not obtain the files and other materials available from the Lok Sabha Secretariat? I do not know why he has not replied to my question.

MR CHAIRMAN What is the explanation?

SHRI L K ADVANI I am sure Prof Mavalankar will appreciate that for any enquiry by Government it would never try to enter the precincts of Parliament. And this fact has been mentioned and that is something for the House itself to consider and not for the Minister to consider.

SHRI VASANT SATHE Sir, tomorrow we know nothing else will appear in the Press except the speech of the Minister. The same is true of TV and radio. Let us see what happens. This will be the price of (Interruptions)

MR CHAIRMAN Mr Sathe it is not proper.

SHRI SAMAR GUHA Sir, the remark that has been made by Mr Sathe is not only uncharitable but obnoxious. They should have hung down their heads in shame. (Interruptions)

Sir, the other day I spoke about one hour and forty five minutes about my Resolution on Netaji, yet in many papers there was not even one line mention of it. I did not complain. On another day I spoke for forty-five minutes on a non-official Bill and not a single line appeared about it. I did not complain. It is upto the Press. (Interruptions)

1513 L S—5

MR CHAIRMAN May I request the hon'ble Members not to have cross-talk?

SHRI L K ADVANI Sir, I had no intention whatsoever of—in the very opening remark—making a controversial remark but Mr Sathe has provoked me into saying so by referring to the objectivity and the balanced representation. During the last four months that I have been in office I have been constantly having sample surveys made of the relevant proportion of time being given to the government and the opposition. I have before me the record of first week of May, 1977, which was an eventful week. (Interruptions)

SHRI VAYALAR RAVI (Chirayinkul) Sir you called Mr Unnikrishnan to speak and after that how can you call the Minister in-between?

SHRI K P UNNIKIRISHNAN Sir, you can call the Members if there is any point of order but how can you ask the Minister to reply to something?

MR CHAIRMAN It is true I had called Mr Unnikrishnan but then Mr Sathe had a cross-talk. Mr Guha raised certain points. Mr Advani wanted to explain certain things. It is not that he had started his speech again. I have also given a direction to him that he should be brief. This is the usual practice. (Interruptions)

SHRI K. P. UNNIKIRISHNAN Once you call a Member to start his speech only points of order can be raised if anybody wants to interrupt. (Interruptions)

MR CHAIRMAN But you did not start when I called you. (Interruptions)

SHRI C N STEPHEN (Idukki) Sir, I have a point of order. Rule 342 says like this:

"342. A motion that the policy or situation for statement or any other matter be taken into consideration shall not be put to the vote of the House but the House shall proceed to discuss such matter immediately after the mover has concluded his speech and no further question shall be put at the conclusion of the debate at the appointed hour unless a member moves substantive motion in appropriate terms to be approved by the Speaker and the vote of the House shall be taken on such motion." (Interruptions)

Now, the mover is entitled to make his opening speech. With that opening

[Shri C. H. Stephen]

speech, the motion is moved and the rule is that the House has accepted to discuss this matter. After he has made his speech, if some hon. Member raises certain points, the mover can answer those points at the end. The mover is not entitled to answer those points at every stage. The procedure is that the motion must precede the discussion. Therefore, immediately the speech is over, the House shall proceed with the discussion on the motion. That is the rule. Now, the question is how to proceed with the discussion. After the hon. Minister's speech, the Opposition Member opens the discussion in answer to the statement made by the Minister. Now, whatever he wants to say, the hon. Minister can reserve it for his speech that he would be giving again at the end of the debate, but not at this stage. Therefore, here it violates the rule. (Interruptions)

MR CHAIRMAN: Mr. Stephen has brought to my notice rule 342. I appreciate his argument. But he must also kindly refer to Rule 358(x) which says like this:

"358(x) After the member who moves a motion has spoken, other members may speak to the motion in such order as the Speaker may call upon him."

I say that I called upon Mr. Unnikrishnan to speak. He had not started his speech. In between Mr. Sathe started. (Interruptions) Then Mr. Guha started raising some points. Then I allowed Mr. Advani to speak. There is no point of order. The Speaker is entitled to allow such things under rule 358. The point of order is over-ruled. (Interruptions)

SHRI K. P. UNNIKRISHNAN: Do not think that you can browbeat me. Let it be recorded that your ruling goes against all the rules. (Interruptions)

SHRI L. K. ADVANI: I have just one point to say. (Interruptions) I am talking of D. D. Dharshan. Out of 39 persons of the ruling party and the leaders of the ruling party, the opposition. (Interruptions)

SHRI VASANT SATHE: Sir, can this I have a point of order?

MR CHAIRMAN: Under the garb of point of order, speeches are made. (Interruptions) Hon. Members must please listen to me. There must be only genuine points of order. Under the garb of a point of order, if you want to say some thing, it is not cor-

rect, I will decide whether you are using this garb and whether it is a point of order. What is your point of order?

SHRI C. M. STEPHEN: 1
358.

MR CHAIRMAN: I allowed Shri Sathe.

SHRI L. K. ADVANI: I do not want to speak, I am not speaking.

MR CHAIRMAN: Shri Advani has agreed not to speak. So let Mr. Unnikrishnan speak.

SHRI A. K. ROY (Dhanbad): We should be allowed to speak also.

MR CHAIRMAN: I will go according to the order.

Hon. Member whose substitute motions to the Government Motion have been circulated may, if they desire to move their substitute motions, send slips to the Table within 15 minutes indicating the serial numbers of their substitute motion they would like to move.

SHRI K. P. UNNIKRISHNAN: I was happy to hear the preliminary remarks of the Minister when he said that the White Paper was also intended to uphold democratic values and "arouse the democratic conscience", he also added very significantly that it was not a matter of party and that freedom of press was an article of faith with him. I would go beyond that and say that what is involved in this is not only not a party matter but is important to the very survival of this country because this country can survive as a nation if only its diversity is accepted and maintained. (Interruptions) There is geographical diversity, regional diversities, cultural diversity and freedom of speech and expression must necessarily attract the deep concern of all the people who want the unity of the country to be maintained. I welcome Mr. Advani's assurance though I am not sure from the performance of the last 100 days or more that he has attempted to uphold or live up to it.

I should also like to say that I am not here to defend anybody, or to defend the former minister because my party has taken action and it has a particular view of the problem based on our assessment and the AICC when it met in Delhi a few weeks ago passed a political resolution and I would invite your attention to that political resolu-

tion and say that we are not, as a party, party to what has been revealed as—personally I feel—‘a massive pattern of abuse’ shaking public confidence in this country. This White Paper does reveal a particular pattern of abuse and I can personally vouchsafe, and Krishna Kantu knows because he was also a witness, that I opposed some of these things publicly.

SHRI KANWARLAL GUPTA
What about the former Prime Minister?

SHRI K. P. UNNIKRISHNAN
I am not here to defend anybody, whoever is responsible, pick them up provided you do it legally, constitutionally, provided also you do it not in a vindictive manner, so that we can get out of the situation so that it may never be repeated by Mr Advani or Nanaji Deshmukh or Samir Guha (An hon. Member Or Unnikrishnan) or anybody. That is the point I would like to make. We do not want to broadcast our task. We shall fully cooperate with you as a party and meet us even as individuals in this to know. But let us go ahead let us do it not with a spirit of vindictiveness. I find from various pronouncements that there is a definite pattern of vindictive parallel activities is all emerging.

Mr Advani pointed out that the White Paper tells its story. I must say that I was frankly disappointed with the White Paper. Not only that it has not revealed anything more—I have a grievance in that context—but also that it indulges in my places in cheap sensationalism. Take for example, the question of Candy affair which has been sensationalised by the cheap press in this country. I do not think that a question of this kind of what they themselves call the ‘unauthorised entry’ of a slip of a girl called Candy to the Pina film institute deserve a place in a White Paper. There are many more serious cases which I will charge this Minister and this Committee if having deliberately omitted. This is my charge. Candy is referred to again and again in page 7 and page 100.

There was a man called K. N. Prasad in this Ministry. Where is his name? Is it the contention of the hon. Minister for information that he has never heard his name? Is it the contention of the officials of the Ministry or the Chairman of this Committee that they have never heard his name? This man was the main operator on behalf of the dynastic messiah and he was an operator on behalf of the extra-constitutional source of power in that Ministry. What was his role? From where was he

brought and what did he do then? Does it find any mention there? Who is he trying to shield? Who is trying to shield whom? I would like to ask a question as to what are his connections with RSS?

I hope Mr Advani has also heard about a newspaper called ‘Patriot’. There was a newspaper called ‘Patriot’ and here still is. It was also a victim of the activities of a particular group of people in the Ministry. Where is it? You can mention ‘Statesman’, you can mention numerous other papers. What happened to ‘Patriot’? Who was telephoning the theatre owners of Delhi and saying that they should not release newspaper advertisements to ‘Patriot’? Who instructed DAVP to treat ‘Patriot’ on a separate footing? Why is it that ‘Patriot’ is kept out of the White Paper? Is it because that it does not toe the line of Mr Advani?

I know that there are several other memorandums which the Committee has received. Why is it that they are deliberately kept out from this White Paper? I know about *Hindustan Times* Committee to uphold the journalists’ rights and ethics. I know about several other committees memorandum where many significant pointers and views were given where many significant views were expressed. Why is it not published or mentioned in this White Paper? There was an appeal to Dass Committee regarding the judgment in Verghese case. This was a demand by many journalists of this country to publish the judgment in the Verghese case. That judgment was not published. This should be published. It was specifically appealed to the Committee that it should form an appendix to this White Paper. It is not there.

Now I come to another point. Mr Samar Mukherjee might listen to me for a change. Over 200 journalists were arrested during the emergency. I am speaking as a professional colleague. Where is the list of those journalists in this White Paper? Is it because only very few of them belong to Mr Advani’s component group in the Janata Party? Most of them belonged to the left groups not only of the Janata Party but also of the CPI(M), CPI and others. So their names need not be published. Baleswar Aggarwal’s name must be published. He must be pushed around as a great victim of the emergency. He must be protected but not many other journalists who suffered. Not only were they dis-accre-

[Shri K. P. Unnikrishnan]

dated, but they also went to jails and suffered with most of you. There is no list of them in this. A Marxist friend was telling me the other day about a particular journal in Bengal. This is where I say I am disappointed with this white paper. It does not attempt to give a complete list or a total view. That is where my charge comes.

Judging not only from this white paper, but from the other activities of the ministry, a clear trend is emerging which is a very disquieting and disturbing trend, whether it is in Samachar, All India Radio, Door Darshan or anywhere else. There is continuing misuse of mass media which I shall prove conclusively. I challenge the Minister if he would dare appoint a parliamentary committee to probe into the specific charges I am making. There is a concealed censorship still operating in this country because there is a strange juxtaposition in this country. It will be interesting to see the ownership pattern of the press, where it stands, who owns what and also whose press freedom some people want to safeguard. It is the freedom of the newspaper barons, not the freedom of the journalist. The journalist may rot in jail or go anywhere else, but the freedom of the newspaper barons who own the newspapers, who happen to be mostly jute barons and barons of various other kinds—their freedom must be protected! This government, particularly the Ministry is interested in protecting their interests.

It is not only the case of the press, but also the case of various other limbs of the ministry. As the white paper says on page 9, the newspapers are still classified into three categories 'friendly', 'neutral' and 'hostile'. This whole approach, disquieting and disturbing approach of continuing the misuse of the mass media is very clear from the management of Samachar. I for one never agreed with that contention, the need for a single agency, even initially. I sent a strong note opposing the monolithic character of the creature called 'Samachar'. There are many interests in the Ministry who still want to keep it up. Much of the abuse has come out from this monstrosity called Samachar. Any news agency performs a vital function towards the reading public and the newspapers. Its credibility should be totally above board.

I invite your attention to some specific cases of misuse. There was a question in the Rajya Sabha the other day about running special trains for Mr. Sanjay Gandhi. It was answered by Mr. Madhu Dandavate. It was not only

broadcast, but it was given special attention obviously by Samachar. I have no complaints, but in this House a question was put, Question No. 2535, on 5-7-1977 by my friend, Mr. Vayalar Ravi: "Were special trains hired for RSS Chief, Shri Balasaheb Deoras, in Kerala?" Similar reply was given—the conditions governing the release and use of such special trains. But Balasaheb Deoras' special trains are never mentioned by Samachar, Door Darshan or All India Radio. I am telling him that if he does not know, he must know because there are also many groups, I know, in his Ministry, and probably his own friends are not very happy with him. I also know that but specific instructions were sent that answer to this question on Deoras need not be covered. But on Sanjay Gandhi's trip to U.P. by special train, both the question and the answer in Parliament were broadcast, but the question on Deoras got blacked out. Is this not misuse? I would like to pose the question: Is it misuse of mass media or is it its proper use?

Now there is a gentleman called Mr. Baleshwar Agarwal who is characterised as the virtual boss of the Samachar news agency. He was brought, when this Minister came, into the Managing Committee along with Dr. Singhi and Mr. P. C. Gupta. Initially his honorarium was Rs. 200 and it was raised subsequently to Rs. 1000. Mr. Baleshwar Agarwal is the only journalist in this country who works in Samachar news agency and is accredited on behalf of another news agency on behalf of 'Yuga Varta'. He was accredited on 12th April 1977. He can get things done on telephone. He works in Samachar. He is a Member of its Managing Committee, a member of the Staff Committee and he is also simultaneously accredited on behalf of an agency called 'Yuga Varta' because they also know that this show cannot go on and if this show has to go on, parallel arrangements have to be simultaneously made. So, in violation of the practice of accreditation rules, Mr. Baleshwar Agarwal who is the knuption of Samachar network today and is the boss who decides what is to be given and what need not be given, and he was accredited concurrently on 12th April, 1977. You change the accreditation rules. If you think it is proper to accredit any one, the more the merrier! I have no personal quarrel, but Samachar under his benign leadership has established a new record of concocting stories, distorting news, acting

as a willing instrument of mis-use of mass-media, which you have condemned, which I condemn and all of us condemn on this side. That is the perfection of a technique which Mr. Sanjay Gandhi and his friends sought to impose on this country, which we condemn. We shall not allow you or Mr. Baleshwar Agarwal to repeat this in this country again. That is precisely what you are trying to do. (Interruptions)

You must listen. If you do not listen, You do not deserve any special treatment. I have expressed my views. The whole technique perfected after the Emergency, is to support the idea of a monolithic news agency. And I shall give you another example. There is a case going on in the Delhi High Court. One advocate, one R. K. Jain of Madhya Pradesh has filed a petition in the Delhi High Court in the bench of Justice Gill. Hearing is going on in a case challenging the order of withdrawal of what is known as the Baroda Dynamite Case. The Solicitor General argued for three full days, and the defence arguments went on. A man was sent on the beat ; but instructions came saying, 'Nothing about this shall be published.' Matters of public importance are not to be published. The arguments of the government in this vital and very important case should not be published by Samachar or broadcast over All India Radio. Samachar does not cover it, though the beat reporter goes there every day to cover it.

17.59 hrs.

[SHRI M SATYANARAYAN RAO in the Chair]

This is what I said is the continuing misuse of mass media. I am sure the Minister will enlighten the House about how all this is happening in Samachar, and in the All India Radio. As far as Samachar is concerned, as I have said earlier this kind of a monolithic news agency would have been possible only under conditions of Emergency.

If this monolith is not split into two or more agencies and if it is allowed to endanger the plural system of communication, we cannot get better service. Newspapers cannot get a better service. To-day, whatever you may say about parliamentary coverage, most of the reporters and others are not interested, because the moment anything is handed over, it is transmitted at 10.30 or 11.00. It never reaches, in many cases. But if there were two agencies or more, there would be competition. If you eliminate this competition, you cannot build up a free Press in this country. It is a very

vital thing ; the whole concept of a monolithic agency is alien to the system that we want to build in this country. We may have other differences about the nature of the system. As long as it remains a monopoly, there is temptation also to misuse it, as the monopolies of communication will always be misused. It will be used by Shukla this day, by Advani the next day and by a third person on the third day.

In this connection, I would like to quote from an eminent journalist, Harold Evans who was a famous British journalist. and Editor of "Sunday Times."

"Governments cannot govern well without reliable reporting and criticism. They do not have the knowledge. No intelligence system, no bureaucracy, can offer the information provided by competitive reporting. The clever secret agents of the Police State are inferior to the plodding reporter of the democracy. It is one of the strength of a society with a competent plural system, the free communication, when feed-back happens automatically."

18.00 hrs.

SHRI HARI VISHNU KAMATH : Did you quote it than ?

SHRI K. P. UNNIKRISHNAN : I have.

SHRI SAMAR GUHA (contai) : I am glad you are undoing your own sin.

SHRI K.P. UNNIKRISHNAN : I do not want to get into all these things. That is why I say that whatever to be problems of revenue, whatever be the problems of resources MI know there are you should never allow Samachar to continue in its present form. I know the Review Committee is there. I hope the Minister will share his views, with the House. Probably he may say that he will not be able to do that until he receives the report of the Review Committee. In any case, I hope he will see to it that two or more agencies come into existence. That is a very crucial point I want to make. I know they are in debts. But, at least as far as this year is concerned, they are getting Rs. 33 lakhs more than what they got just on the eve of the Emergency for all the agencies put together. They were getting about Rs. 17 lakhs at that time. Now they are getting more than Rs. 50 lakhs.

I know there are other aspects of this problem. Now we have about 300 newspapers subscribing to Samachar. If the newspapers, particularly the bigger

[Shri K. P. Unnikrishnan]

ones, are compelled to pay more, say five paise for each copy of the newspaper that you get, and charge 30 paise, the news agency gets only one paise or less than one paise, whereas the distributor gets 10 paise. That is the way we have worked out this economy. I think if the Minister is determined, he will be able to improve their revenue so that we can have more than one agency.

Then there is a clear link also between agency and newspapers. You have now given the concession of duty on newsprint, which has enabled most of the papers to have a surplus margin not only to implement the Wage Board award but also to go beyond and help in the creation of one or more agencies.

Now I come to a marginal matter, about the Non-aligned News Pool. I hope he will continue to take interest in this project and evolve it, because I do not think we can afford to have an international agency.

Now I come to the All India Radio. There is a lot of material and it has been discussed for a long time. I do not want to go into the question of the set up of the radio from the time of the Chanda Committee Report; a debate has been going on. But I just want to draw your attention to page 69, para 3 of the White Paper, which says:

"The distortion of news started immediately.....The coverage of news, including the proceedings of Parliament by AIR became one-sided with the focus on the ruling party. A sample survey recently undertaken show that in December 1976, 2,207 lines in AIR bulletins were pronouncements of the ruling party, as against only 54 lines devoted to the Opposition. As against this, in December, 1974 (before the Emergency) 571 lines were given to the ruling party and 522 lines to the Opposition."

You know the opposition that you had at that time. You were 160 in Lok Sabha altogether, and 26 was the major group. Now we are 240 in Lok Sabha. And the biggest group i.e. ours, is around 150. I would like Mr. Advani to tell how many lines he has given in AIR broadcasts during this Parliament session. I have a very sorry tale to tell on this point. I know the Minister of Information & Broadcasting can never afford to listen to all the broadcasts, but, I think, it is high time that the Minister is ever, he listens

to the tapes and also, if it is possible share a bit with some of us at this side. I do not want to say much on this. But what happened this morning? I had moved a motion of privilege against the hon. Minister of Information & Broadcasting. Though the motion was disallowed, my charge was substantiated by the Speaker in his decision. It is not that only one day it has happened. The other day, there was a censure motion here and Shri C. M. Stephen made a speech. I think, it was one of his best parliamentary performances. But where was it in the Samachar, AIR and particularly in the Hindi wing of Samachar and Today in Parliament? There was Industrial Policy debate in this House and I initiated the debate. I spoke for 40 minutes. I was given only a quarter line whereas Mr. Madan Lal Khurana of Delhi who spoke somewhere else, got the third place. Is it not abuse of the mass media? That is why, I said that take all the tapes, news casts and tell me where is it going.

In your guidelines you had said and I quote:

"(1). It should be status quo ante as it obtained before 25th June, 1975.

(2). There will be no aggressive one-sided, naked propagandist approach as in the past in discharging their duties in project Government Policies.

(3). The media should adopt a balanced approach.

(4) Various points of view, including criticism of the Government's policies and programmes and their implementation, should find a place in their programmes and releases."

I am sorry, Mr. Advani has not fulfilled these guidelines. Now, there was a circular letter written by Mr. Advani to all the MPs inviting our attention to a programme called 'Last week in Parliament' in TV. The less said about this the better. On one specific occasion, not a single name of any MP from both the sides, was mentioned. Only the statements of Ministers were there. What a kind of sycophancy is going on. My charge is that it is part of a deliberate, pre-conceived plan in focussing a particular line.

This is true also of the publications Division. There is a mention on p. 81 of the White Paper that we should not allow history to be tainted at its source. But possibly you are at least aware of who taints what. I am aware of the objection taken to the history texts

written by a famous historian of this country of whom I am proud, Miss Romila Thapar and many other people with whom I do not agree, like, Mr Bipin Chandra. These books were objected to by Mr. Nana Deshmukh in a letter to the Prime Minister.

That is the crucial point—the question of intellectual freedom. The crucial point in the whole exercise of this White Paper, in the whole exercise of your approach to mass media, is the question of intellectual freedom right to dissent. That is the crucial question. And today, by releasing this new McCarthyism of hounding dissenters, whether they are in the academic circles or elsewhere, and by trying to refuse to provide the same facilities for the Opposition, I would say, you are continuing the process of misuse of mass media. I wish to warn the House against it.

About the Accreditation Committee, I want to invite the Minister's attention—he has been a journalist, I have also been a journalist—to this question about the Accreditation Committee's composition is very important. There has been a practice and it has been a sound practice that it should consist mostly of journalists or editors from Delhi because Delhi being the capital, the people from Delhi will be able to assess not only the performance of correspondents but also of requirements in situations in Delhi. While reconstituting the Accreditation Committee, he has decided to make it a national body. Apart from the fact that you can pay them the travel fare, I do not know how it is going to help except that you can accommodate some of your own people.

This Accreditation Committee has a very interesting aspect. I mentioned about Mr. B. P. Agarwal. The Committee has been abused in the past. It was thought to be abused in the past as the White Paper reveals to disaccredit some people. Some of the best journalists were discredited. Mr. Inderjit who is the editor of *INFA*, even though he was nominated by the Speaker of the House to be the Secretary of the Lok Sabha Gallery Committee, was discredited. Mr. Pran Sabarwal was also discredited. Mr. C. Raghavan of the PTI was discredited. Mr. V. P. Ramachandran, Mr. Rajinder Puri, Mr. Chandrakant Shah and others were discredited. It performs a vital function. The Accreditation Committee rules 12 and 13 are very important. Rule 13 gives a lot of room for the Minister or the Ministry to manoeuvre. You have to change the rules because

they are no longer relevant. If you want journalists to function freely which I presume is your objective, then you will have to pay a lot of more attention to all these things.

Then, there is the question of editor-owner nexus. That is a very vital question. The first charge that I made earlier in this session also was about an editor who withstood the onslaught of these people and you permitted him to be removed, that is, Mr. V. K. Narasimhan. When the intendant owner, Mr. Ramnath Goenka was in the back alleys of Safdarjung Road trying to operate through Mr. Kamal Nath and various other intermediaries, Mr. Narasimhan was having a battle in his room. You did not permit him to go and attend the Amsterdam Conference.

Mr. Advani, I regret to say that you permitted him to be removed because your party's patron Saint lives in that Express Tower. That is a most shameful thing that the man who stood for the freedom of the press and fought for it, was allowed to be thrown out from his seat. You know about Verghese case. I do not have the judgement but you must go through it. You must take something from it because, as I said, judgement in this case is very important. We should not allow it and I am sure that a substantial number of people would agree that... (Interruptions)

AN HON. MEMBER: You please say something about it.

(Interruptions)

MR. CHAIRMAN: You please conclude.

SHRI K. P. UNNIKRISHNAN:

The most important thing in this is this. I would invite your attention to delinking and diffusion. I know you do not share my views on the delinking and diffusion. There are some people in your Party who share my views. But, there is no other alternative for you ultimately. (Interruptions) So, the main question in this country is that if you want to ensure freedom of the press, then you have to ensure freedom of the journalists, freedom of the employees, not freedom of the newspaper barons.

Indian monopoly press has become socially irrelevant because you do not ensure freedom of the journalists, you have ensured only the facilities for these operators like Ram Nath Goenka and that is how arm twisting goes on and because of this arm twisting, there are people who

[K. P. Unnikrishnan]

are interested in textile industry, chemical industry and they want to give a publicity to a section of influential people in the Government set up on *quid pro quo* and a journalist is thrown out into a bargain or he is forced to become a public relations or contact man, and the entire freedom of the press and its structure suffers on account of that. We have to ensure moral and professional discipline of this profession. It can only be ensured if you delink or at least diffuse ownership pattern.

The basic question is not so much freedom of expression which our Constitution has ensured us but a free enquiry, the right to know, and this is the crucial element for decision when you deal with mass media. So, I conclude by saying this. I quote a very famous editor who was editor of the *London Times*—SIR, WILLIAM HALEY. He says

"Words are mankind's only irreplaceable currency. All those in Broadcasting and Journalism, all of us without exception, have a trust to see they do not become devalued. Words are the armaments of freedom."

I hope you will keep it that way.

SHRI HUKMDEO NARAIN
YADAV (Madhubani) I beg to move

That for the original motion, the following be substituted, namely —

"This House, having considered the White Paper on Misuse of Mass Media during the Internal Emergency, laid on the Table of the House on the 1st August, 1977, directs the Government to take immediate action against the guilty persons under the Indian Penal Code" (1)

SHRI S KUNDU (Balsore) I beg to move —

That for the original motion, the following be substituted, namely —

"This House, having considered the White Paper on Misuse of Mass Media during the Internal Emergency, laid on the Table of the House on the 1st August, 1977, strongly condemns the attempt to use the media, Press, Radio and T.V., by the former Congress Government led by Shrimati Indira Gandhi for the establishment of a dictatorial

rule in the country and towards this end, they used the media as the ugly instrument of evil propaganda to project and focus Shrimati Indira Gandhi and Shri Sanjay Gandhi, to spread lies, hatred, calumny against the opposition leaders and other persons who opposed Shrimati Indira Gandhi's rule and in a systematic, planned and calculated manner to obliterate intellectual understanding and dissent and paved the path for one party rule and thereby committed gravest crime against democracy and humanity and, therefore, recommends to the Government to identify persons, political and non-political, who were responsible for this notorious activity, fix up responsibility and institute criminal cases against such persons, wherever possible" (2)

SHRI A K ROY (Dhanbad) I beg to move

That for the original motion, the following be substituted, namely —

"This House, having considered the White Paper on Misuse of Mass Media during the Internal Emergency, laid on the Table of the House on the 1st August, 1977, directs the Government to take immediate action to diffuse the ownership of the Press to the Cooperatives of the Press workers with full autonomy both from the Government and also from the monopoly houses controlling the mass media in the name of democracy"

SHRI HARI VISHNU KAMATH
(Hoshangabad) I beg to move

That for the original motion, the following be substituted, namely —

"This House, having considered the White Paper on Misuse of Mass Media during the Internal Emergency, laid on the Table of the House on the 1st August, 1977, condemns the megalomaniac misuse of mass media by the predecessor Government headed by Shrimati Indira Gandhi during the Emergency and urges the Government to take

necessary and adequate measures to compensate the victims, and award condign punishment to those who misused, or abetted the misuse of mass media during that darkest period in free India's history" (4)

SHRI SAMAR GUHA (Contar) I beg to move

That for the original motion the following be substituted, namely —

"This House, having considered the White Paper on Misuse of Mass Media during the Internal Emergency laid on the Table of the House on the 1st August 1977 expresses its indignant disapproval of the atrocious measures pursued by the former Congress Government during the black days of Emergency in muzzling the organs of free expression of the views of the people and the opposition parties and prohibiting unhindered publication of the proceedings of the Parliament and conspiratorially abusing them in unabashed justification of its attempts to perpetuate a rule of tyranny over the Indian people, and urges the Government to set up a Committee of the Members of Parliament with powers to recommend to the Government to take necessary steps for —

- (a) undoing the mischief committed in misusing the mass media,
- (b) restoration of freedom of the mass media, maimed and mutilated during Emergency,
- (c) taking deterrent measures against those who deliberately misused or willingly abetted such misuse of the mass media, and
- (d) mitigating various injustice done to those who courageously resisted or refused to implement the autocratic and partisan policy of the former Government in regard to misuse of mass media as a whole" (5)

SHRI UGRASEN (Deoria) I beg to move :

That for the original motion, the following be substituted, namely —

"This House, having considered the White Paper on Misuse of Mass Media during the Internal Emergency, laid on the Table of the House on the 1st August, 1977, is of the opinion that the former Congress Government headed by the ex-Prime Minister had throttled Constitution democracy and all established Parliamentary conventions in the country by misusing these media and resolves that *all those responsible for it should be punished*" (7)

SHRI BRIJ BHUSHAN TIWARI (Khalilabad) I beg to move

That for the original motion, the following be substituted, namely —

"This House, having considered the White Paper on Misuse of Mass Media during the Internal Emergency, laid on the Table of the House on the 1st August, 1977, directs the Government to publish the names of all those guilty and corrupt officials who destroyed the democratic values by misusing the mass media and to take drastic action against them and the House may be apprised of the action taken" (8)

SHRI KESHAVRAO DHONDGE (Nanded) I beg to move

That for the original motion, the following be substituted, namely —

"This House, having considered the White Paper on Misuse of Mass Media during the Internal Emergency, laid on the Table of the House on the 1st August, 1977, is of the opinion that strict action be taken against all those who misused the mass media after declaration of Emergency" (9)

SHRI LAXMI NARAIN NAYAK (Khajuraho) I beg to move

That for the original motion, the following be substituted, namely —

"This House, having considered the White Paper on Misuse of

[Shri Laxmi Narain Nayak]

Mass Media during the Internal Emergency, laid on the Table of the House on the 1st August, 1977, directs the Government to take immediate action under Indian Penal Code against the guilty persons." (12)

श्री नवाब सिंह चौहान (भलीगढ़)

समापित महोदय, मैं माननीय मंत्री जी को इस बात के लिए धन्यवाद देता हूँ कि उन्होंने इस स्वैत-पत्र के जरिए से ऐसी तमाम बातों पर प्रकाश डाला है, इस पर सदन और जनता के सामने उनको लाए हैं जो कि प्रजातन्त्र के लिए बहुत ही घातक थी और जो कि बहुत ही घातक सिद्ध हुईं। इमर्जेंसी के उठाने में मास-मीडिया को किस तरीके से पार्टी के हित से इस्तेमाल किया गया उसका उल्लेख आपने इस स्वैत-पत्र में किया है। आपने जिस अफसर, श्री के० वे० दास को इस काम के लिए नियुक्त किया, मैं व्यक्तिगत तरीके से उनको जानता हूँ, वे बहुत ही ईमानदार अफसर हैं जो कभी किसी के अफसर में नहीं आते। इसलिये उन्होंने जो रिपोर्ट दी है, वह अवश्य यथार्थवादी होगी। लेकिन मुझे यह अवश्य कहना है कि अभी ऐसी बहुत सी चीजें हैं, जिनके ऊपर प्रकाश नहीं डाला गया है। मैं मंत्री महोदय जी से पूछना चाहता हूँ—इसका क्या कारण है, उन पर प्रकाश क्यों नहीं पड़ा है? मैं इस बात को स्पष्ट करना चाहता हूँ—कि अभी भी उनके दफ्तर में ऐसे अधिकारी मौजूद हैं, जो उसी समय के हैं, जो रूप बदल कर पड़े हुए हैं, बातों को छिपाना चाहते हैं—मैं इस बात को प्रमाण देकर बतलाना चाहूँगा।

मन्त्री जी ने कहा है—बहुत सी ऐसी चीजें हैं जो इसमें नहीं आई हैं, जिनके सुबूत नहीं मिल सके हैं। मैं उनसे कहना चाहता हूँ—सुबूत उनके ही कागजों में दिये हुए हैं, वहाँ की दीवारें खोलती हैं कि जुल्म किये गये हैं, भ्रष्टाचार किया गया है। आप कहते हैं कि एमर्जेंसी के उठाने में यह सब कुछ कहा नहीं है—एमर्जेंसी तो बहुत बाद में

आई है, उससे पहले ही ये तमाम चीजें शुरू हो गई थी। जब के श्रीमती इन्दिरा गांधी आईं एण्ड बी० की मिनिस्टर बनीं, तभी से उन्होंने इन तमाम कामों को करना शुरू कर दिया था। उन्होंने देखा—भट्ट साहब यहाँ के डी०जी० है, ये गजराती है, मोरारजी भाई के भादमी है, फला अफसर बाजपेयी जी से सम्बन्ध रखता है—इसलिये उन्होंने तय कर लिया कि सब से पहले इनको निकाला जाय। और निकाल भी दिया। इसलिये पहले से ही ये तमाम चीजें वहाँ शुरू हो गई थी। इमर्जेंसी में तो इन चीजों की पराकाष्ठा हुई, हद से ज्यादा बढ़ गई। एमर्जेंसी शुरू हुई—गुजराल साहब तो एक दिन में ही हटा दिया गया। उनके बाद दूसरे साहब आये—उनका नाम सब जानते हैं—उन्होंने आते ही अपने तरीके से काम करना शुरू कर दिया। गुजराल साहब को क्यों हटाया गया—मेरे मित्र तो बतलाना चाहिये था ?

एक माननीय सदस्य ने सब तो बाक-आउट कर गये।

श्री नवाब सिंह चौहान : बाक-आउट नहीं कर गये, वे सुनना नहीं चाहते हैं, सिर्फ अपनी बातें सुनाना चाहते थे। उन्होंने कहा कि शुक्ला जी को हमने अपनी पार्टी से निकाल दिया है, लेकिन जिन्होंने गुजराल साहब को हटा कर शुक्ला जी को बनाया, उसको क्यों नहीं निकाला। चोर को मारते हो लेकिन चोर को बनाने वाले को बंदो नहीं निकालते हो? उस बेचारे—मैं उनके लिये बेचारा शब्द का प्रयोग कर रहा हूँ—तो क्यों निकाल दिया, जिसने सब तो अपना धोखार बना कर रखा था, उसको क्यों नहीं निकाला ?

मैं बतला रहा था—शुक्ला जी यहाँ आये और अपने साथ तीन अफसरों को डिफेंस के लाये, जिन में दो आई०पी०एस० के अफसर थे, एक आई०ए०एस० का था। एक

आई० पी० एस० का यहाँ पहले से ही था— मैं पूछना हूँ—पीन आई०पी०एस० अफसरों की क्या ज़रूरत थी, क्या यहाँ कोई डकैती पड़ रही थी? यह कला का केन्द्र है, संस्कृति का केन्द्र है—यहाँ पर तीन आई०पी०एस० अफसरों की क्या ज़रूरत थी? लेकिन उन्हें तो अपना खेल खेलना था और जिस तरह से उन्होंने खेला—आप सब जानते हैं। यहाँ पर इन लोगों की अपनी पार्टी के लिये इस्तेमाल किया गया, इतना इस्तेमाल किया गया कि पार्टी और सरकार में कोई भेद नहीं रह गया था। आई० एण्ड बी० और दूरदर्शन के बहुत से अफसर इनकी पार्टी की तरह से काम करने लगे।

आप यशपाल कपूर को जानते हैं— उन की एक “कैम्पन कमेटी” थी और उस कैम्पन कमेटी का एक “राइटर्स फोरम” था। उस फोरम में दूरदर्शन के बहुत से अधिकारी थे, कोई प्रेसिडेंट था कोई कुछ और या और वे सभी भी मौजूद हैं। ये लोग जैसा समय देखते हैं वैसा राग भलापने लगते हैं किन्तु सभी भी बीजों को प्रकाश में नहीं आने देते, छिपाते हैं। मंत्री जी को इनसे सावधान हो जाना चाहिये। इनकी जाच करानी चाहिए। जाच ऐसी नहीं होनी चाहिये कि इन्हीं से जाच कराये। मैंने इनके फोरम के काम करने के बारे में एक प्रश्न पूछा था— उसका जवाब आया कि ऐसा कुछ नहीं है। मैं चाहता हूँ कि आप इसमें सी०बी०आई० की जाच कराये। आज भी वे लोग आपके यहाँ हैं, लेकिन छद्म रूप से उन के साथ हैं। डर की वजह से आपकी बातें करते हैं—लेकिन दिल से उनके साथ हैं। जब तक इन की जाच नहीं करायेंगे काम नहीं चलेगा, ये लोग आपकी योजनाओं को फेल करायेंगे

इस विभाग में उस काल में बहुत से चोटाले हुए, भ्रष्टाचार हुआ और लोगों के साथ हर तरह से ज्यादती हुई। अच्छे आदमियों को निकाला गया और अपने मन के आदमियों को भरा गया। ट्रांसपोर्ट में चोटाला हुआ—डी०एल०आई० की टैक्सियाँ किराये पर ली जाती थीं, जब कि सरकारी कारों की कमी नहीं थी। दोस्तों को कारें दे दी जाती थी और वे काश्मीर की सैर करते थे। कहा जाता था कि टी०बी० के काम से जा रहे हैं। तेल कम भराया जाता था, रसीद पूरी ली जाती थी। लोग-बुक नहीं भरी जाती थी—इस तरह का भ्रष्टाचार लाखों तक नहीं, करोड़ों तक पहुँच गया था। जब इस पर सवाल हुआ तो 1975 में जांच शुरू हुई और वह जांच अभी तक पूरी नहीं हुई। और मैं कहता हूँ कि वह पूरी नहीं होगी जब तक ये अधिकारी लोग यहाँ पर मौजूद हैं जो उन तमाम चीजों को दबाते हैं। मैं आपको यह भी बताऊँ कि वहाँ जो उस वक्त के डाइरेक्टर थे, जो शुक्ल जी के बड़े चहेते थे, जब यह लोग-बुक का सवाल उठा तो उन्होंने एसिस्टेंट डाइरेक्टर श्री गौड़ से कहा कि इसको दबा दो। उसने कहा कि मैं हिसाब नहीं रखता हूँ गडबड करूँगा तो मारा जाऊँगा। डाइरेक्टर साहब ने इस पर उससे कहा कि तुम इसकी जिम्मेवारी लो और इस हिसाब को कहीं एडजस्ट कर दो तो उसने कहा कि मैं इसकी जिम्मेवारी नहीं ले सकता और उसने चार मजिल से कूद कर खुदकशी कर ली। इस तरह से आप यह देखें कि यह कैसे राजन और सुन्दर से भी खराब कैसे है और इसको इस तरह से नहीं छोड़ा जाना चाहिये था क्योंकि आई०पी०एस० लोग वहाँ पर आ गये हैं और इन्स्पेक्टर वगैरह पर प्रसर डालते हैं। कोई इन्स्पेक्टर अगर इक्वायरी करने जाता है तो उन आई० पी० एस० अधिकारियों के सामने कैसे कुछ कह सकता है। इसलिए मैं यह कहना चाहता हूँ कि शुक्ल जी ने इन सब बातों को दबा कर रखा था।

[श्री नवाब सिंह चौहान]

इस सम्बन्ध में मैं आपको यह भी बता दूँ कि मैंने 22 जून को मंत्री जी से एक प्रश्न पूछा था और वह प्रश्न ट्रान्सपोर्ट के केस के बारे में था। तो उस प्रश्न के उत्तर में मुझे यह बताया गया था कि 3 लोगों पर वह केस चल रहा है और उस केस में 3 सस्पेड है और उन में से 2 बहाल कर दिये गये हैं। फिर 6 जुलाई को मैंने इसके बारे में पूछा तो बताया कि अफ़्ताबखान के चार आरोप इन तीनों पर बनते हैं जिनमें लौग-बुक को जलाने का भी एक आरोप है। इस पर भी मुझ से नहीं रखा गया, तो मैंने फिर 20 जुलाई को एक प्रश्न किया। फिर मुझे बताया गया कि 3 नहीं अधिकारी 9 हैं, जिन में से 5 राजपत्रित हैं और 4 अराजपत्रित हैं। फिर भी उनके नाम नहीं बताये गये। इसलिए मैं कहना चाहता हूँ कि बार बार पूछने पर भी तमाम चीजें नहीं बताई जाती हैं क्योंकि यह अधिकारी ठीक सूचना नहीं देते हैं। इसलिए मैं यह कहना चाहता हूँ कि जब तक ये अधिकारी इस विभाग में रहते हैं, तब तक कोई काम नहीं हो सकता और इनको यहाँ नहीं रहने दिया जाना चाहिए।

कई माननीय सदस्य : इन को हटा देना चाहिए।

श्री नवाब सिंह चौहान : जब तक आप इन लोगों को नहीं हटावेंगे, तो काम ठीक ढंग से नहीं हो सकता।

मैं एक चीज और कहना चाहता हूँ। यहाँ पर दूरदर्शन में जो भाग लग गई थी, उस के बारे में मैंने एक प्रश्न पूछा था। 26 जन, 1975 को इमर्जेंसी डेक्लेयर हुई और 27 जून को भाग लग गई और आकाश-

वाणी के न्यूज बुलेटिन से यह घोषणा हुई कि यह सेबोटेज का काम है जो कि इन बिरोही लोगों ने किया है। इस घोषणा के होते ही हजारों आदमियों को पकड़ कर जेलखाने में डाल दिया गया। किसी ने नहीं पूछा कि ऐसा क्यों किया गया। मैंने जब माननीय मंत्री जी से इस बारे में प्रश्न पूछा, तो उत्तर आया कि 20 लाख रुपये की हानि हुई है और केस दाखिल-दफ़तर कर दिया गया है। इन बाब द्यूटेड एच अमदरुब। सी० बी० आई० से इसके बारे में जांच नहीं कराई गई। 20 लाख रुपये की हानि हुई और इतने आदमियों को जेलखाने में बन्द कर दिया गया और शलत सूचना दी गई, क्या इसके बारे में मंत्री जी कुछ बताएंगे, मैंने जो प्रश्न पूछा था उसका ठीक जवाब मुझे क्यों नहीं दिया गया? मैं सदन को यह बताना चाहता हूँ कि इस तरह से ये चीजों को छिपाते थे। मैंने फिर होम मिनिस्टर साहब को लिखा और यहाँ पर सूचना और प्रसारण मंत्री जी से भी पूछा था, तो उन्होंने हमें यही जवाब दिया कि सेबोटेज की सम्भावना भी हो सकती है लेकिन होम मिनिस्ट्री से हमें यह जवाब मिला कि न तो यह सेबोटेज था और न बिजली से ही भाग लगी। इस पर हमने कहा कि इस की इन्क्वायरी होनी चाहिए इस पर उन्होंने कहा कि हम सी० बी० आई० से जांच कराएंगे। हम मंत्री जी के आभारी हैं कि अब आकर उन्होंने मजूर कर लिया है कि सी० बी० आई० द्वारा इसकी जांच कराई जाएगी लेकिन मैं यह कहना चाहता हूँ कि सी० बी० आई० इन्क्वायरी में इन्हीं अफ़सरों से पूछा जाएगा जो लोग इस रहस्य को छिपाते रहे हैं। इसलिए जब तक इन अफ़सरों को नहीं निकाला जाएगा, सी० बी० आई० की इन्क्वायरी का कोई खास फायदा नहीं होगा। भाग का लौग-बुक व स्टिगर्स से अनिष्ट सम्बन्ध है। कहते थे कि लौग-बुक है ही नहीं। कुछ छोटी छोटी फिल्में भी बनाई जाती थी। लेकिन कुछ बनती ही नहीं थी, लेकिन यह कह दिया जाता था कि उनमें इतना खयाल

लगा। जिन छोटी फिल्मों को स्टिगबर्ग कहते हैं उन पर लाखों रुपये अधिकारियों ने खर्च हुआ दिखाया वे या तो थी ही नहीं या फिर दिखाने योग्य नहीं थी। सभी को इस भाग में जला हुआ दिखावा दिया गया ? कहा गया कि लोग बुक वहां रखी हुई थी और सब फिल्मों के साथ भाग में जल गई। लाखों का घोटाला इनमें था। फिल्में बनती नहीं थी और बनती भी थी तो बहुत ज्यादा उनके लिए पैसा दे दिया जाता था। वास्तव में इस भाग का भी भ्रष्टाचार से सम्बन्ध है। एक भ्रादमी मर भी गया था यह कोई मामूली बात नहीं है। इसकी आप को ठीक ढंग से इनक्वायरी करनी चाहिये और एक कमिशन आप बनाएं और निष्पक्ष भ्रादमियों को जाच का काम सौंपे ऐसा आप करने तभी आपको वास्तविकता का पता चल सकता है।

मैंने एक प्रश्न किया था। इस टूट डिरा एक फिल्म बनाई गई थी। बारह लाख रुपये देकर फिल्म मिली। इसको भद्रास से बनवाया गया था और उसमें प्रदर्शन के ठेके के लिये पचास साल का ठेका किया गया था। क्या इंदिरा जी यह समझती थी कि वह पचास साल तक गद्दी पर बनी रहेगी कोई भी प्रिंट क्या पचास साल तक सही रह सकता है ? इसको कलर फिल्म भी बनाया गया। भारत में टी वी पर झार तो जानते ही हैं कि कलर फिल्म नहीं दिखाई जा सकती है। वह ब्लैक एंड व्हाइट में ही दिखाई। ज्यादा पैसा देना या इसलिए इसको रंगीन बनवाया गया। जहां तक अंगतान का सम्बन्ध है मैंने पूछा था कि एमरजेंसी

में इसका भुगतान किया गया या हार जाने के बाद किया गया। मुझे यह बताया गया कि 14 जनवरी को किया गया। मैं मंत्री जी से कहना चाहता हूँ कि इस बीच को वह खुद देखें। हम में बहुत कुछ छिपा हुआ उनको मिलेगा। मेरी इत्तिला यह है कि 14 जनवरी को तो काट्रेक्ट किया गया था और पेमेंट जो किया गया वह हार जाने के बाद किया गया। शायद विदेशों में, श्रीमती इंदिरा के नाम के प्रचार के लिए ही इस इस टूट डिरा फिल्म को बनाया गया था। हार जाने के बाद की गई ये तमाम ऐसी बातें हैं जो ईमानदारी के हिसाब में मैलाफाइडी समझी जाती हैं।

एक और बात मैं स्टिगबर्ग के बारे में आपको बताता हूँ। अनेक नामों से बेनामी को फिल्म कम्पनिया इन्होंने बनवा रखी थी और उन्हीं के जर्जिये फिल्मों के निर्माण का काम करवाया जाता था। आपके पास जो बहुत से कैमरे हैं स्टूडियो हैं। सब कुछ है किन्तु वहां पर नहीं बल्कि फिल्में इनके जर्जिये बनवाई जाती थी ? 'पीपल्स मैडेट' फिल्म बनवाई गई एशियन फिल्म कम्पनी में। वहां पर टी० बी०के रिटायर्ड डायरेक्टर श्री रामेश चारली नौकर हो गये थे। उनके जर्जिये से ही सब सौदा होता था। दो लाख रुपये इस फिल्म के लिए दिया गया था। यह भी रंगीन फिल्म थी। क्यों रंगीन बनाई गई जब टी० बी० पर ब्वेतस्याम रंग ही चलता है, यह समझ में नहीं आता। फिर इसका 35 मिलीमीटर का बनाया गया जबकि यहाँ टी० बी० पर सोलह मिलीमीटर को ही दिखाया जा सकता है। यह लूट हुई है। इसकी आपको जाच

[श्री नवाब सिंह चौहान]

करनी चाहिये। लाखों रुपया इस तरह से भ्रष्टाचार में गया है। इस तरह से धन की होली खेली गई है, साथ ही साथ ईमानदारी व चरित्र की होली खेली गई है। और भी बहुत से ठेके बिना टेंडर के टी० वी० म्यूच एंड फीचर्स आदि के दिए जाते थे।

अब आप नियुक्तियों की बात को ले। इस में भी बड़ी घाब्रलिया की गई है। घाब्रलिया एमरजेसी से पहले तो हुई ही थी किन्तु एमरजेसी में वे चरम सीमा पर पहुँच गईं। टी० वी० में प्रोड्यूसर और प्रोडक्शन असिस्टेंट्स को सैकड़ों की तादाद में नियुक्त किया गया जो अधिकतर अयोग्य थे। गैर कानूनी तरीके से अस्सी प्रोड्यूसर टी० वी० में रखे गए जिन में अधिकतर लड़कियाँ थी। वे अब भी हैं। प्रोड्यूसर इस प्रकार आसानी से नहीं बनते हैं। बड़ी मुश्किल से, बड़ी छान बीन के बाद बड़ी देरी में बनते हैं। लेकिन शुल्क जी ने एक दम अस्सी बना दिए, किन्तु एक भी नया टी० वी० स्टेशन नहीं खोला। जहाँ पहले एक डिप्टी डायरेक्टर जनरल हुआ करता था वहाँ सात ऐसे ही अफसर बना दिए। उनका उद्देश्य एक ही था कि किसी तरह से चहेते लोगों को भरती कर लिया जाए। इसलिए यह स्थान कला और सांस्कृतिक का केन्द्र न रह कर दुराचार और भ्रष्टाचार का भूड्डा बन गया। इसकी जाँच होनी चाहिये। जो भी ऐसे लोग हैं उनको आपको निकालना पड़ेगा, अन्यथा आप सुधार नहीं कर सकते हैं। यहाँ अजीब हालत है प्रोडक्शन असिस्टेंट्स कैबुल

लेबर की तरह रख लिये जाते हैं 14, 14 दिन के लिये, और जो बाबू वहाँ काम करते हैं उनकी भी जान पहचान के लोगों व लड़के लड़कियों को रख लिया जाता है। वह बाद में धीरे-धीरे ऊँची से ऊँची जगहों पर पहुँच जाते हैं जिसका नतीजा यह होता है कि वास्तविक कलाकार आगे नहीं बढ़ पाते हैं। जो क्लर्क वगैरह धीरे धीरे तरक्की करते हुए ट्रांसमिशन एक्जीक्यूटिव बन कर ऊपर को चलते हैं वही ऊँची जगहों पर पहुँच जाते हैं। इसी प्रकार रेगुलर काडर में बहुत गलतियाँ हुई हैं और स्टाफ आर्टिस्टों की बड़ी उपेक्षा हुई है। आपको इस और विवेकपूर्ण तोर से देखना चाहिये।

इन्दिरा जी के जमाने के पाश्चात्य संस्कृति के मानने वाले कुछ ऐसे लोग जो इमरजेसी के बड़े भक्त थे। वह रिटायर हो गये अब वही लोग रूप बदल कर इस और आना चाहते हैं। उन्होंने अंग्रेजी के आर्टिकल समाचार पत्रों में निकालने शुरू कर दिये हैं और वह इससे यह दिखाते हैं कि वह ही सब कुछ टी० वी० और आकाशवाणी के बारे में जानते हैं। मैंने मंत्री जी को पत्र लिखा था कि इनसे होशियार रहे। इसलिये मेहरबानी कर के ऐसे लोगों को हरगिज न आने दें सुना है कि वर्किंग ग्रुप बनने वाला है अगर ऐसे लोग उसमें पुन. आ गये तो वही खल खेलेंगे और पुरानी रगत में आ जायेंगे। इसलिये मेरी मंत्री जी से पुन. प्रार्थना है कि ऐसे लोगों को नहीं आने दें। साथ ही इमरजेसी के दौरान जितने अपोइंटमेंट्स हुए हैं उनकी एक निष्पक्ष कमीशन के जरिये जाँच होनी

बाहिए । क्योंकि भाग्य चल कर आप जो बी० बी० सी० की तरह से इसे कारपोरेशन का रूप देना चाहते हैं वह नहीं वे सकेंगे अगर ऐसे ही क्लर्क लोग जो ऊँचे पदों पर आपलूसी व चौर द्वार से वहाँ पहुँच गये हैं सब कुछ बने रहे । इस प्रकार आपकी नई योजना सफल नहीं हो पायेगी ।

चूँकि समय नहीं रहा, मैं केवल अन्त में यही निवेदन करूँगा कि हमारे मंत्री जी जो ईमानदार व कर्मठ कार्यकर्ता हैं, हमारा कर्तव्य था कि उनके सामने बीजा को रखें । और जो भी बीजे हमन उनके सामने रखी है उनको उन्होंने किया है । इसलिये मैं उनके इस कार्य का स्वागत करता हूँ और चाहता हूँ कि ऐसी शेष बीजे भी विचारार्थ इसमें ले आये जो किसी प्रकार छूट गई है ताकि जो यज्ञ आपने शुरू किया है उसमें पूर्ण आहुति दी जा सके तभी करयाण हो सकेगा ।

SHRI SOMNATH CHATTERJEE (JADAVPUR) We listened with some interest to Mr. Umrakrishnan's speech. He has studiously avoided referring to the White Paper except showing some sort of a lip-service to what has been stated here.

He stated about his Party's so-called commitment to freedom of speech, freedom of expression and you kindly see the Congress Benchet. Not a single member is present.

SHRI S. KUNDU Is this a responsible Opposition?

SHRI SOMNATH CHATTERJEE, because they do not want to listen (Interruptions)

MR. CHAIRMAN If you disturb Mr. Chatterjee, it will be a loss to your own party. Why do you bother about

them? After all his speech is on record.

SHRI SOMNATH CHATTERJEE It shows that what Mr. Umrakrishnan said is completely hollow. He did not believe in it. He referred to some cases after Janata Party came into power. If there are any such instances you will go into them and satisfy all of us that such a thing has not happened and if any such thing has happened you should take proper steps so that we must be clear in our mind, that the people of the country must be clear in their minds.

SHRI S. KUNDU Only Mr. Lakkappa did not boycott.

MR. CHAIRMAN Mr. Lakkappa's presence is more than enough.

SHRI SOMNATH CHATTERJEE : The Minister according to me, has done a great service by publishing the White Paper.

It has given us an opportunity of knowing in greater details the distortions that had taken place. I welcome this opportunity to have discussion on this White Paper. We find that this White Paper unfolds many untold stories of vile misdeeds, black acts of subversion & aberration. There was a great misuse of power and authority.

When one goes through the White Paper, it has a stunning effect. Speaking for myself, I for one had the feeling that those persons who are capable of such sordid acts, their proper place is inside the jail and not outside and those whom I call marauders of public rights, they should not be allowed again to get an opportunity to crush the people and denude them of their valuable rights and freedom. We have to save the people of this country from the clutches of such persons who are now trying to stage a comeback by machinations and manoeuvres through their stooges and henchmen by means of organising dinners and what not. Therefore, we have to be very cautious about these people and, therefore, it is necessary that the people of this country should have the fullest details as to how all the institutions in this country have been misused for the purpose of one individual and a family and how all the norms of political behaviour were polluted during nineteen or twenty months of black rule in this country.

One would ask, who were the real targets of those attacks in vile murders? There is no doubt that the real targets were the people.

[Shri Somnath Chatterjee]

The Congress party under the leadership of Shrimati Indira Gandhi was equated with this country with the drum bearing of Dev Kant Baruah, he and his leader have been sent into oblivion. They wanted a mute and muzzled people who would be denied truth and will be fed with deliberate untruth so that those people who had let loose a reign of terror in this country could avoid the people's wrath and anger. Kindly see how they have proceeded from one evil to another to avoid the consequences of a judicial verdict. They declared a fake and spurious emergency. To justify that spurious emergency they had to go on misinforming people, to keep them ignorant of the real state of affairs. To do that they had to think of draconian censorship laws and to maintain that censorship of laws they had to use MISA and what not in this country. They let loose false propaganda and we remember how these Chief Ministers of different States in this country owing allegiance to the Congress Party had these days descended to the Nadir of sycophancy. Was it not cowardice? To eulogise her they tried to bolster up their lagging morale with the most calculated and rampant abuse of the mass media and by taking recourse to the Gobbledish method of representing falsehood they tried to justify and make believe people the situation in favour of what I call the greatest monster in the country, viz., emergency. Everything was done for one individual and her immature product. This was the position in this country.

All of us would remember in those days that officially-sponsored and officially-organised demonstrations of so-called support to the then Prime Minister were held in front of N. T. Safdarjung Road, by forcing people like cattle inside the DTC buses and dropping them before that building.

We also remember how the mass-media was utilised to drum-beat the so-called achievements of their leader.

We also remember how the then Prime Minister was sought to be projected to be not only infallible, but also indispensable to this country.

We also remember how she was equated with the country. We also remember how even a half-educated play-boy was projected as a 'Rising Star' of the country, and, later on, as a 'National Leader'.

We have seen all these things. We have seen how the mass-media was mis-utilised in this country.

Therefore, we believe and we have felt and now we have got the opportunity to say this openly. Shri V. C. Shukla and his like, (including those who were sitting in the Treasury Benches then and who are sitting in the opposition today) behaved as shameless infantile parasites and cowards under the leadership of their Mafia-chief and as traitors to the basic, constitutional human rights of the people of this country. Sir, that was their attitude. That was their stand during that period.

We have seen freedom in every sense being denied to the people. We have seen how freedom of the people had become an anathema to the congress regime and to an individual in this country. They were afraid of free people. That is why they took away freedom of thought, people's personal freedom, freedom of speech, freedom of expression—and last but not the least, the freedom of the Press in this country.

What is it that they wanted to avoid? They wanted to avoid the scrutiny of their actions by the free people of this country. They wanted to avoid the scrutiny of their actions by the Press. They wanted to avoid the scrutiny of their actions by the Courts. They did not leave even the Courts alone. In short, they wanted to hide facts from the people. I feel that only those people want to hide facts from the people who have facts to hide, because, otherwise, there was no reason whatsoever to hide facts.

These are the things which we have seen during these twenty months of emergency. It is necessary to remind the people of this country that we should not only get rid of the past, but that we should also ensure and be careful in future that such occurrences do not take place at all, for ever, under no circumstances, whether Mr. Sathe wants it or not.

Then, Sir, they stifled all vehicles of exchange of thought. They stifled all vehicles of expression of opinion and all channels of communication. We have seen all forms of freedom getting obliterated.

Sir, the functioning of the Ministry of Information and Broadcasting, under the leadership of one of Mr. Sathe's great mentors, Shri V. C. Shukla, provides, according to me, the most inglorious chapter of Governmental functioning in this country.

It was proved clearly that during that period only lip-service was paid to the constitution, to parliamentary system and democracy and the rights of the people

With your kind permission, Sir,—if I may encroach upon the time of the hon Member,—I would like to quote what I had occasion to speak in this House, in regard to the Demands of the Ministry of Information and Broadcasting, in April, 1976 I then said and I quote

“Mr Shukla will have the unenviable distinction of master-minding, in the company of some more-eminent and somewhat less-eminent persons, the annihilation of and giving an indecent burial to some of the basic concepts of free people in this country

What we call the freedom of thought, the freedom of speech and freedom of expression have become his victims. The record of this Ministry for the year under review is the record of partisan propaganda and censorship of false calumny against the political opponents of the ruling party and of sickening eulogies of some of their leaders including those unelected and officially glorified of suppressing truth and encouraging make believes”

I had the occasion to say in the last House while we were discussing the Information and Broadcasting Ministry (Interruption) and I only read it because I find that the White Paper had justified everything that we had tried to say. We were getting inadequate information and, of course, we had experienced how our party people the CPMs had been their victims in Mr V C Shukla's time

SHRI VASANT SATHE I do not know how much information he was getting from China?

SHRIMATI AHILYA P RANGE-NKAR (Bombay North Central) Do not worry about that You worry about India

SHRI SOMNATH CHATTERJEE Mr Sathe, kindly think of your own motherland. Kindly consider how long you had that mother Sir, the Information and Broadcasting Ministry under Mr V C Shukla had turned out to be what I had described as the Ministry of Inexactitude and the Ministry of Browbeating and its functioning are only as the Publicity Wing of the then

Ruling Party in this country by means of censorship which was applied indiscriminately and comprehensively against all excepting, of course, the Members from the Ruling Party who had been number one like Shri V P Sathe. They singled out their own favourites with the object of this kind of freedom of speech in this country and the freedom of expression and also freedom of press. We have witnessed here that our voices were not allowed to be heard outside the precincts of the House — what we said here could not be published. We had not the liberty of publishing or circulating our own speeches and we had to wait until the Lok Sabha debates were printed and were made available to us only a few months back.

We did not have that much of freedom as the representatives of the people of this country. Have they declared a war on the people of this country? That was their attitude. Not only that. A series of legislations were made. We have seen how Feroze Gandhi Act was repealed showing great obsequence or great respect for that great Parliamentarian! Then, by the Prevention of Publication of Objectionable Matters Act and then the Immunity regarding Parliamentary proceedings Act the freedom was taken away. Then the Press Council was repealed. Last but not the least, the Press Censorship was enacted which was illegal. I do not think even from Shri Unnikrishnan who has knowledge of journalism—he now says he is a journalist—we have heard any protests as a journalist inside the House. He was only sometimes raising both his hands and probably his two feet and when the time of voting came, they were competing among themselves by showing their allegiance and obsequence to their great leaders who were reminding us always (Interruptions)

SHRI K P UNNIKRISHNAN Sir, on the question of censorship, I said earlier I did not get detracted during the debate and I had gone on record not only in this House, you can go through it but also in the Committee of Parliamentarians (Interruptions)

MR CHAIRMAN Mr Unnikrishnan, you had already made your position clear while speaking that you oppose this bill

SHRI SOMNATH CHATTERJEE Today Mr Unnikrishnan comes and says—I am not joining issue with him on this—that even after the new Government has come into force, the mass-media has been misused. It is now the duty of the Minister, as I said earlier, that he takes proper steps to see that this is not misused

I have said that We are discussing today White Paper which deals with the

[Shri Somnath Chatterjee]

misuse of the mass-media during those nineteen months Mr Unnikrishnan says he is a journalist—I believe he is a journalist of repute and of nobility—but we did not see that expression of nobility during those nineteen months. I am not making any personal aspersion. He is one of my good friends. What I am saying is how his independence was lost and how his thought process was moulded and polluted by the 'great' leader.

Sir, we have seen—parliamentary proceedings were censored, judicial proceedings were censored. Anything and everything not to be likened by the ruling party was censored during those nineteen months. We felt and I said it in the last House also that those were the actions of a government in panic. Only those who knew that their actions would not be supported by the people if they were allowed free exercise of their franchise that is why they acted in panic because they wanted to avoid the say of the people. They wanted to perpetuate their hegemony by inconceivable types of draconian powers. That is why they extended the period of this House from five years to six years. They wanted to avoid the electorate of this country whom they kept at the receiving end for all those nineteen months of black period of this country. All news about the legitimate grievances of the working class and the peasants in this country could not be published. We could not publish anything about the problems and the miseries of the common people of this country. Nothing could be published in the newspapers except what was directed towards drum beating of the so-called achievements of one and a half persons in this country. This was the position. The people of this country became the people who were un-informed or ill-informed. The true information never came to the people of this country. Even the people could not know what their representative were doing in Parliament.

SHRI PRASANNBHAI MEHTA (Bhavnagar) Sir, may I say a word? I published a book containing the speeches made by the Members both in this House and the other House. That book was forfeited the workers who distributed that book were arrested and my house was searched by the police. This was the condition.

SHRI SOMNATH CHATTERJEE I am sure Mr Unnikrishnan's journalist heart goes towards the miseries that were faced by Mr Prasannbhai Mehta. There are certain things in the White Paper which I would like to highlight. One thing is very important. The Prime Minister of a country saying "I do not understand what credibility means." What

is the credibility of the newspapers which day in and day out printed falsehood? Sir, what did not suit her personal ends or her party ends or her political ends and which did not suit the end of that 'great' son everything, according to her, was falsehood. This is according to her false. I do not know what credibility means. The Government lost credibility. They say that the credibility of the Government stands and no wonder we did not know of this 'great' utterance of a Prime Minister of this country who had said that we got to know of it only when this White Paper was out.

So far as censorship is concerned, many things could have been said, which had not been said.

19 hrs.

MR CHAIRMAN I have given you more time. Please conclude.

SHRI SOMNATH CHATTERJEE What happened to the newspaper 'Jana Shakti', the Evening Daily, against whom 47 Show Cause Notices were issued during this period? Twice their issues were forfeited. On both occasions, the newspaper went to court for intervention. The Chief Justice Mr Mitra asked the Government lawyer whether anything wrong had been published which had gone wrong. How could you object to the publication of something which was true. The Government lawyer admitted that what was published was true, even then they issued an order for forfeiture of the newspaper. What were the news items? The news items were with regard to the stoppage of trains in a railway station and it was true, but according to them it was an objectionable matter. Now, some persons were actually killed in the Presidency jail in a police firing. That was a correct statement and for that reason the newspaper was forfeited. One news paper was left alone.

19-03 hrs.

[Mr SPEAKER in the Chair]

They have made up with Mr K K Birla. They have made up with Mr S P Jain. It was an interesting and a spectacular scene to see Mr K K Birla leading a procession to 1, Safdarjung Road, side by side with a Congress M P to pay obeisance to the "great" Indra Gandhi. And now today we are hearing about the concern for the journalists. When the journalists had been dismissed, not a single protest was raised. Where

was the leader of the Opposition who is now the leader of the Opposition? Where was our great champion of the freedom of press? Where were they? We never heard them utter a single word of protest. We have seen how our friends and the press have lost accreditation. They had been barred from entering the Central Hall of the Parliament House, not a single protest was raised. When journalists were arrested and put in jail under draconian law, you never protested. You are suddenly trying to find out with magnifying glasses what Mr Advani had failed to achieve or has not achieved during these 4 or 5 months. I shall not hold any brief for Mr Advani. If there is anything remiss in his Ministry, he must rectify it or otherwise he must face our criticism. That will not do. But the point is thereby you cannot wash away or wash away your sin. You must take the full responsibility as accomplices, as the abettors of the crime and today you pose that you are the saviours of the people of this country, this pose is what I expressed on another occasion as a pose of an injured innocence. That does not fit in well with your activities during those 19 to 20 months. Then, in the name of guidelines, kindly see the report

I refer to page 28 guidelines which were issued to replace the censorship order, it said that nothing should be published without pre-censorship relating to Bangladesh proceedings in Parliament and Legislatures and Supreme Court proceedings on the petition of Shri Indira Gandhi. Kindly see what kind of attitude had developed. Parliamentary proceedings could not be published, Supreme Court arguments could not be published because she has to somehow win. Mr Frost was told in the interview that there was no doubt. If so, what was the difficulty in publishing what was taking place in the Supreme Court? The arguments that were advanced, the observations of the Judges, she was saying that there was no doubt about the judgement. Those were the ways in which the entire system of administration was polluted.

I am happy that hon. Prime Minister is here and I should particularly draw his attention to para 21, where a reference has been made as to how censorship was introduced in a form in the precincts of this House. I am happy, Mr Speaker, that you are back in the Chair. It says here

"All these guidelines were framed with the approval of the Minister (I & B). He wrote to Shri Raghuramiah on January 1, 1976 to obtain clearance of the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha to pre-censorship. There is nothing available to show what happened thereafter

Shortly afterwards, a room in Parliament House was set aside for this purpose."

We do not know if censorship inside this House was introduced stealthily and if so whether the then Speaker had knowledge of it. If at the instance of the Minister of Parliamentary Affairs and the then Prime Minister Shrimati Indira Gandhi, censorship had been introduced inside the precincts of this great House, then it is a matter which calls for inquiry. I request the hon. Speaker to take up this matter seriously and I am sure with cooperation from everybody you will be able to find out how suddenly a room in Parliament House was set aside for the purpose of arranging pre-censorship of what was happening in the House. This matter cannot be deemed as a formal executive Act of a draconian nature, this is a deliberate attempt to take away the independence of this House and interfere with the independence of the House which is the guardian of the rights of the people of this country. Kindly institute an inquiry into the matter and the hon. Leader of the House will, I hope, agree with our suggestion. You must take up this matter in all seriousness.

We have seen how quotations from Rabindranath, Sarat Chandra, Marx, Lenin, Engels and even of Pandit Nehru and Mahatma Gandhi were deleted and were not allowed to be published. The excuse was why should you quote them out of context? Jawaharlal Nehru said

"To my mind freedom of press is not just an empty slogan. From the larger point of view it is an essential attribute to democratic process. I would rather have a completely free Press with all the dangers involved in the wrong use of the freedom than a suppressed or regulated Press."

This was supposed to be out of context and was not allowed, great respect had been paid to the father by the daughter.

So far as we are concerned, we know that the Press did not play fair with us always, in 1967 and 1969 in West Bengal and even during the last elections and even now some newspapers specialise in spreading calumny and making false propaganda against CPM and other frontal organisations of the party. We believe in the form of government and we also believe that in our society freedom of press is an essential attribute to the freedom of the people. That is why we say that we must have a free press.

[Shri Somnath Chatterjee]

With regard to stoppage of advertisements, one should know as to how attempts were made to impose economic sanctions against newspapers. Some newspapers, small, medium, and even big newspapers, who were not toeing their lines, were deprived of Government advertisements I know, Sir, that Government advertisements are not intended to be a matter of patronage, executive patronage I feel it is essential. But the DAVP has a very important job in trying not only to inform people through advertisement but making such a selection that really small and medium newspapers get the advantage and through those newspapers publication also takes place. But they were singled out. But papers like 'Hindustan Times', 'Times of India', 'The Hindu', 'Surya' and so on and so forth—a list is there in the White Paper—got special rates. I do not know how much Mr Unnikrishnan's paper got. I do not know with which paper he is associated. I do not know whether he got special rates. But 'Surya' got under the editorship of a 'great' journalist in this country—again the word 'great' within inverted commas.

I am sure, Mr Advani will assure the House that advertisements will not be utilised in future for the purpose of granting executive patronage or as an economic sanction against any newspaper in this country.

If you believe in freedom of the press as an article of faith, as I do expect, you must assure that there will be proper utilisation of the funds available to DAVP and the so-called 'Sarju' and the so-called new journals do not get

MR SPEAKER Mr Chatterjee, you have only two minutes more

SHRI SOMNATH CHATTERJEE
Regarding the arrest of pressmen and their harassment, we have seen how their housing facilities were withdrawn. I have said loss of accreditation. The other thing I wanted to mention is about how some of our journalist friends started crawling when they could only bend. This has happened. Among some newspapers, we have seen, how the competition had started in eulogizing the so-called great leader. We have also seen how a painter had painted three paintings—I do not care to remember them—and how they were exhibited with such fanfare in the Central Hall and were even transported to USA for the purpose of educating or mis-educating the people there or mis-informing the people there. Sir, these types of aberrations must be done away with and done away with for ever.

The Government machinery cannot be utilised for the purpose of projecting falsely a person as a saviour of the country when she was the real destroyer of the cherished norms and goals of the people of this country.

About Samachar, I hope, illegible my journalist friends will try to maintain their new-born freedom or the freedom which has been restored to them. They will remember that in future by surrendering to draconian power, by surrendering to ruthless power, they do not enhance themselves nor the reputation of the profession to which they belong.

With regard to Samachar, it is a matter which requires close enquiry and we are awaiting the result of that Enquiry Committee, 'Kuldip Nayar Committee Report' and what was attempted there was a deliberate and forcible fusion and it was given out to be a voluntary unification. Such deformities came in. We have seen how Radio and TV were mis-utilised. I need not go into details. I would request the hon. Minister to look into the case of one Officer of All India Radio or TV, Mr Narula, who seems to have been feeling of being deprived of all his legitimate dues, similarly, Mr Raghavan's case and other cases—I do not want to mention here the names. Mr Raghavan of PTI and some other journalist friends have obviously been given a raw deal.

What should be done? We demand that there should be such punishment given to the guilty persons that nothing like this can ever happen in this country again. It is not a question of compassion. Those persons who have played with the lives of the people, who have misused the constitutional powers for their own purposes, who have polluted the streams of thought and channels of expression, those people who have done such sordid acts—their only place is behind the bars. They cannot be allowed to remain outside to go on with their depredations in future. This is not a matter which can be ignored by publishing a white paper or by having a five-hour discussion in the Lok Sabha or Rajya Sabha. We want that condign punishment should be given to all persons so that they can realise that nobody can get away with playing with the lives and minds of the people.

I also want to know what action the Government is going to take against persons like Mr B. K. Nehru who were misusing their diplomatic position. You have yourself quoted an extract from his speech. Will they be placed in positions

of power and influence? Forget about compassion. Compassion for whom? Where is your compassion for the people who have been deprived of bonus, CDS and other dues? Where is your compassion for people who are unemployed in this country? I take it that you are trying to do something for them. What is the compassion you are trying to show for people who have been guilty of acts like these? You owe a duty to the people of this country. You must take adequate steps against them so that nobody in future can think on these lines, far less do it.

About diffusion and delinking, we have a surfeit of assurances. Mr. Gujral's regular duty was to give assurances. He was not allowed to do anything. He was shunted off to Moscow and was replaced by that playboy. I request the Minister to tell us what is the policy of this government about delinking. You cannot get rid of all the aberrations in the newspapers unless you really diffuse the ownership and delink them. Till today in this country those who marched in procession under the leadership of Mr. K. K. Birla for the purpose of paying their obsequies and tribute to the former Prime Minister, drumbeating her achievements and congratulating her on the declaration of the emergency and taking away the rights of the people—they are still in control of newspapers. You cannot really solve the fate of the journalist friends, protect them and bring about proper journalistic ethics unless there is diffusion and delinking. I do not want you to control them, but you must create a situation where the press is not controlled by a handful of people in the country who are controlling the sugar, jute and

other industries. The jute barons and other barons cannot be allowed to control the press any more. So, I would like to know from the Minister what is the policy of this government in this regard. We should create a situation when nothing like this can happen in future. We have appreciated the steps so far taken by the Janata Party and I must thank the Minister for restoring the freedom of press and freedom of thought. But there are still many things to be done and I request the Government and Mr. Advani for whom I have the greatest personal regard, to please see that these angularities which are there in different fields, are removed and certain essential things like diffusion and delinking take place and proper punishment is given to the guilty persons. Thank you.

SHRI VASANT SATHE Sir, I have a serious matter to bring to the notice of Mr. Advani. While we are discussing this here today, we had a valedictory meeting of our General Body. I am just now informed—and that is why I came here—that the Samachar has misrepresented and twisted and put words in the mouth of Mr. Chavan which he had never uttered. I would request Mr. Advani to kindly verify this even before it is published. Otherwise it will be another blatant proof of how these things are done. ((Interruptions))

Akashvani is still with him, I believe.

MR. SPEAKER Now, the House stands adjourned *sine die*.

19.22 hrs.

The Lok Sabha then adjourned *sine die*.