

[Shri Eduardo Faleiro]

manner whatsoever. If we weaken the banks, we will weaken the economy. If we weaken the economy, we will weaken the nation. That is something which we should not do.

SHRI M. PALANIYANDI (Tamil Nadu): What about schemes for educated unemployed youth?

SHRI EDUARDO FALEIRO: Sir, there are number of schemes for educated unemployed youth, for technocrats and so on and so forth. The House knows, Sir,....

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): What about schemes for women?

SHRI EDUARDO FALEIRO: Sir, there are a number of schemes for women. Well, women should not insist on special quota while all the time asking for equality with men. They cannot have it both ways. They cannot ask for equality and at the same time ask for separate quota. I think the Leader of the Telugu Desam insist on special quota while all the very much.

THE SPECIAL PROTECTION GROUP BILL, 1988—contd.

THE VICE-CHAIRMAN (SHRI SATYA PRAKASH MALAVIYA): Now, we will resume the discussion on the Special Protection Group Bill, 1988. Shri T. R. Balu.

SHRI T. R. BALU (Tamil Nadu): Mr. Vice-Chairman, Sir, considering the extraordinary and alarming situation in this country, I am not against the passing of this Bill which seeks statutory status to the security arrangements for the Prime Minister as well as the conduct of the Special Protection Group. But I am much against the dictatorial way of func-

tioning of this Government. Sir, it was in 1985 about 1,400 persons were drawn from various services in this country to form the Special Protection Group. At that time, the Government had not consulted the Parliament and probably this may be a later thought to bring this Bill before this august House. Here I want to draw the attention of this House to clause 14 of this Bill, I quote:

"It shall be the duty of every Ministry and Department of the Central Government of the State, Government or the Union Territory Administration, every Indian Mission, every local or other authority or every civil or military authority to act in aid of the Director or any member of the Group whenever called upon to do so in furtherance of the duties and responsibilities assigned to such Director or member."

Sir, from this we can conclude that any member of the Special Protection Group could call any authority, whether it is Central Government authority or State Government authority of local administration authority. For instance, if our Prime Minister visits a place within the jurisdiction of a panchayat and if a member of the Special Protection Group asks for the construction of a helipad for the Prime Minister's visit which costs lakhs and lakhs of rupees, can a local authority like the Panchayat afford to spend such a huge amount for this purpose? I would like to know from the hon. Minister whether this expenditure would be borne by the Central Government in due course.

Sir, I am not against this Bill but at the same time, the financial aspect of the Bill which will be not less than Rs. 4.68 crores as that of last year and which would be a recurring expenditure year by year, would be a great drain on the resources of this country and the day is not far off

when the Chief Ministers of the respective States would also demand such security arrangements in the form of such protection groups in future.

As far as my personal experience is concerned, I myself have been prevented at Talkatora Road at Delhi while I was on my way to attend the Consultative Committee's meeting of the Home Ministry. I have been prevented even after showing my identity card to the SPG people, as a result of which I have to come all the way from Talkatora to Parliament House on foot. I referred the matter in the meeting of the Consultative Committee itself. This was my bitter experience with SPG people. During the AICC(I) session at Madras, most of the people had been terrorised. The local inmates had been searched. Bachelors were not allowed to be there in their homes which are located in the vicinity of the venue of the conference. Even door-to-door search was carried out by the security personnel late in the night. Guests were not allowed to see their relations. Traffic was closed for hours together from Meenam-bakkam airport to Maraimalai Nagar. On both sides of the GST road, shops which are licensed have been demolished. Such things have happened during the AICC(I) session. Sir, to add more, the Congress Executives have been allowed to carry the walkie-talkie equipments belonging to the police in their hands to contact their own people. To be more precise, it would be more appropriate to say that it was Shrimati Jayanthi Natarajan, and hon. Member on this House, who was also seen carrying a walkie-talkie. In other words, it goes to show that the Government of Rajiv has in the makings of a police raj. But one thing is clear that the Prime Minister is virtually isolated from the common man and there is a vast gap between the ruler and the ruled.

I am reminded of Shah of Iran who was having the finest security arrangements who was totally away from people who finally had to run away from the palace. That may be the future of persons who try to impose authority on the people.

SHRI P. CHIDAMBARAM: Mr. Vice-Chairman, Sir, I am grateful to the hon. Members for their views and comments on the Bill. It again reflects the dilemma in the minds of opposition Members. While everyone spoke very carefully prefacing his speech by saying, "I do not oppose the Bill", every word that fell from the mouth of Mr. Upendra in particular and many others was in opposition to the Bill. Let us try to understand one thing. This Bill is intended to set up a group to protect the person, whosoever he may be, who occupies the office of the Prime Minister of India. The office of the Prime Minister of India in our Constitution is a unique office. It is the office of the Chief Executive. It is the pivot around which the polity of the country revolves. There is no point comparing this office with any other office anywhere because under each constitutional system, offices have a different dimension and different character, and the office of the Prime Minister of India is a unique office. Sir, we know—and I am sure Mr. Dipen Ghosh and his friends have never hesitated to point it out to us—that there are efforts at destabilisation, particularly in developing nations. These efforts of destabilisation do not stop short of even eliminating or assassinating the chief executive of the country. We must, therefore, be on our guard as a developing nation. As a nation which has evoked the envy of many other nations, we must be on guard.

Secondly, we are an open society. We do not close our country to others. We allow a large number of people to seek refuge in this country. We have freedom of speech and free-

[Shri P. Chidambaram]
 dom of movement. People write and speak in very provocative terms. We are an open society and there will always be some number of misguided elements in an open society who can not be shut away, who cannot be put away. We must learn to live with them, control them and be on our guard against them. It is considering all these that we thought that a group must be set up. The group was not set up for nothing. We lost Smt. Indira Gandhi and after that, a committee was set up, it went into the matter and suggested the setting up of a group. By an executive order, a group came into existence on the 1st April 1985. What amazes me is the criticism that we are replacing an executive order by a law. I think Parliament must be jealous about its rights and should have asked me why the Government did not come up with the law earlier and why it allowed the group to function under an executive order. In fact, the criticism that is being levelled against me is, "Why are you bringing the law?" The criticism should be, "Why did you not bring this law earlier?" It is true that executive powers extend to matters on which Parliament can make laws. But you cannot have a group of this nature—with appointments to the group, salaries paid to the members of the group, powers and duties entrusted to the group—functioning under an executive order. It is always best to have these matters regulated by a statute. Therefore, after seeing for the last three or four years or so, we thought that it was best to give it a statutory character and make it a statutory establishment. In doing so, we are creating this as an armed force of the Union. There are the CRPF, the BSF and the ITBP which are armed forces of the Union. The SPG will also henceforth be an armed force of the Union.

Sir, on the particular criticisms directed against specific provisions of the Bill, I am extremely grateful to Justice Masodkar who has very ably

[The Vice-Chairman (Shri Jagesh Desai) in the Chair].

answered the legal aspects. I cannot do better than fully endorsing what he has said on the interpretation of Section 11, Section 12 and Section 15. I think those who are acquainted with the laws will know that these sections are more or less copied from similar Acts; there is nothing novel, there is nothing unusual about those provisions. However, I must add a word about Section 11. Article 33 of the Constitution enables Parliament to impose restrictions upon the fundamental rights of persons who are members of the Armed Forces of the Union. We are not imposing any restriction on any fundamental right. All that we are pointing out is that the member of the Group shall hold office during the pleasure of the President which is relatable to Article 310. If a person holds office during the pleasure of the President, his services can be terminated in public interest. We have several rules which reflect this principle. Here Section 11 reflects that principle. If we find that in public interest a person should not be a member of the Group,...

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): Define public interest.

SHRI P. CHIDAMBARAM: Public interest is a phrase which is very well known to courts of law. It is there in our Constitution; it is there in the hundreds of laws which have been enacted; you must have come across that phrase a thousand times and I don't think there is any need at all for defining public interest. First of all, it cannot be defined. Merely because it cannot be defined, it is not as if it is understandable. Courts know what it is. But what we have provided is he shall be discharged *simpliciter*; there shall be no stigma attached to the person; it shall be deemed to be not a removal or dismissal. We have taken care to provide in a rare case where there is arbitrary action and the individual

is aggrieved by that arbitrary action, for an Appeal Board consisting of highly placed persons which will carefully look into the case and see whether any arbitrary action has been taken or he has been discharged *simpliciter*. I think the balance has been kept. 'Pleasure of the President' is under Article 310. The right to terminate on the ground of public interest is under Section 11 with the safeguard of an appeal to a high-power board under Section 12. And I need only add, or I need not add, that Articles 226 and 32 are always available and Section 12 does not restrict Article 226 and Article 32. We cannot do so and we have not done so.

I only conclude by referring to the general criticism about Prime Minister's security. SPG is a whipping boy. Any lapse by any security force, any policeman anywhere in India, is put on the shoulders of SPG. But I think the shoulders of SPG are broad enough to take on this criticism. These are fine young men who have been recruited with great care, trained specially and who are committed to defending the person occupying the office of Prime Minister even at the risk to their lives. That is the kind of obligation they undertake when they take on this job. They will defend and they will die in that defence. But lapses do take place. A policeman will stop the honourable T. R. Balu on Talkatora Road, another policeman will tell another honourable Member, "Don't come here", another policeman will tell another honourable Member, "Don't reverse your car". All this is not done by SPG. This is done by various policemen. For example, in Parliament House, in Parliament House precincts, it is done by the Parliament House Security Staff who are assisted by a detail of the Delhi Police which is placed under the control of Parliament House Security Staff. I have repeatedly made it clear in meetings convened by the honourable Speaker of Lok Sabha that SPG

does not come into the picture, that the Delhi Police which has been deputed to Parliament House acts directly under the instructions and control of Parliament House Security Staff and if there are any lapses, as, I am sure, there have been, I am sorry. But these are matters which should be brought to the notice of the honourable Speaker and, I am sure, he will take corrective action. As regards the lapses which take place in Tamil Nadu or other places, these are lapses which take place while providing security by the concerned State police force. Can any Member tell me that in his State the police do not commit any lapses at all? If the Prime Minister visits Andhra Pradesh or Karnataka or Tamil Nadu, the primary responsibility of providing security to the Prime Minister rests with the police of Andhra Pradesh or Karnataka or Tamil Nadu, as the case may be. So lapses will take place but—I do not certainly hold a brief for them and we are sorry that lapses take place—it is not possible to bring about a total behavioural change among the thousands of policemen overnight. We do our best, we try to recruit more educated people, we try to give them better training, we give them in-service training, we hold behavioural lessons for them. But it is not possible to change the entire behavioural pattern of our policemen overnight. I think it is too early a stage now and I do not think it is fair to blame the Special Protection Group. But the SPG is some kind of a whipping boy and it will be some kind of a whipping boy. But let me make one point very clear. It is not the SPG which is involved in all these things. The SPG is a small force limited to providing proximate security to the Prime Minister and it is only those half-a-dozen people whom you find immediately around the Prime Minister who belong to the SPG. Apart from the one or two officers who may be in the precincts, the bulk of the police people whom you see when

[Shri P. Chidambaram]

the Prime Minister is present do not belong to the SPG.

Then, Sir, there was a criticism over the expenditure on the SPG. Parliament has got supreme control over expenditure and the expenditure on the SPG is reflected in the Budget under appropriate heads and when the Parliament votes the expenditure, it can say that we are spending more or spending less. I do not think that we should grudge any expenditure for the security of the Prime Minister. We are not securing one person, but we are securing the person who occupies an office and that office symbolises the stability and continuity of the democratic Government in this country. Therefore, we must not grudge any expenditure for protecting the person who occupies that office at any given point of time.

Sir, I accept the suggestion that the SPG must be carefully recruited and specially trained. We are doing so. I thought I should reply to Mr. Upendra.

SHRI DIPEN GHOSH: How carefully? To what extent you will be careful? As you were careful in selecting the Home Minister, the Minister for Internal Security? As careful as you were in selecting your own Home Minister and the President of India...

SHRI P. CHIDAMBARAM: I think we will be more careful than.....

SHRI DIPEN GHOSH:.... whom you are calling as security risk now? ... (*Interruptions*)...

SHRI P. CHIDAMBARAM:... than Mr. Dipen Ghosh and his new-found friends... (*Interruptions*)...

SHRI DIPEN GHOSH: You yourself have gone on record as saying that in selecting the person whom you made the President you ran a risks... (*Interruptions*)...

SHRI P. CHIDAMBARAM: Sir, is it all covered under this Bill?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): He is in the habit of giving a running commentary.

SHRI P. CHIDAMBARAM: I think both of them are expert commentators and I think they should be sitting at a cricket match.

Sir, I do not wish to answer the other kinds of criticism levelled against this Bill. So many things were said. If it is sycophancy to bring about legislation in Parliament, I think you are really injuring the institution of Parliament, buttering it with these words. This is a Bill which has been brought forward in the Lok Sabha and the Rajya Sabha and there is no element of sycophancy. We are all concerned and I am sure you are also concerned. But if you want to show your pettiness or petulance by these remarks, you are welcome to show your pettiness and petulance. But I think the nation will not grudge the expenditure on the security of the person who occupies the office of Prime Minister.

Sir, I request the House to pass this Bill unanimously.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I shall first put to vote the amendment of Shri Dipen Ghosh for reference of the Bill to a Select Committee.

The question is:

"That the Bill to provide for the constitution and regulation of an armed force of the Union for providing proximate security to the Prime Minister of India and the members of his immediate family and for matters connected therewith, be referred to a Select Committee of the Rajya Sabha consisting of the following members, namely:—

1. Shri Aladi Aruna alias V. Arunachalam
2. Shri M. S. Gurupadaswamy
3. Shri Samar Mukherjee
4. Shri Parvathaneni Upendra

5. Shri Atal Bihari Vajpayee
6. Shri N. E. Balaram
7. Shri Dipen Ghosh
8. Shri K. Moharan

with instructions to report on the first day of the next Session."

The motion was negatived

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): As the House has already rejected the amendment for reference of the Bill to a Select Committee, I am not putting the amendment moved by Shri Satya Prakash Malaviya, which is similar in nature, to the vote of the House. I shall now put the motion moved by the Minister, Mr. Chidambaram, to vote.

The question is:

"That the Bill to provide for the constitution and regulation of an armed force of the Union for providing proximate security to the Prime Minister of India and the members of his immediate family and for matters connected therewith, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): We shall now take up the clause-by-clause consideration of the Bill. There is one amendment by Mr. Malaviya to clause 2.

Clause 2—Definitions

SHRI SATYA PRAKASH MALAVIYA: Sir, I beg to move:

1. "That at page 1, line 18, after the word "wife" the words or wives be inserted."

The question was proposed.

SHRI SATYA PRAKASH MALAVIYA: Sir, it is a very important, but an innocuous amendment. According to the definition, "members of the immediate family" means wife,

husband, children and parents. Here "husband" is in singular; "children" is in plural; "parents" is also in plural. But I do not know why the word "wife" is in singular only. Sir, our country is a secular country and the framers of our Constitution have mentioned in the Preamble that—

"We the people of India, having solemnly resolved to constitute India into a sovereign, socialist, secular, democratic Republic, and to secure to all its citizens.....etc., etc."

Now, Sir, a situation may arise when when any person belonging to a minority community can also become the Prime Minister of this country. Under the Mohammedan law a person who may become the Prime Minister or any person can have up to four wives. Therefore, I move the amendment that after the word "wife" the words "or wives" be inserted. I hope the Minister will accept this amendment. (*Interruptions*) I hope that Mrs. Jayanthi Natarajan, Mrs. Margaret Alva, Mrs. Veena Verma and others will support my amendment.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): The questions is:

1. "That at page 1, line 18, after the word "wife" the words or wives be inserted."

The motion was negatived.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): The questions is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 8 to 18 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI P. CHIDAMBARAM: Sir, I move:

"that the Bill be passed."

The question was proposed.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Ram Jethmalani. Two minutes.

SHRI RAM JETHMALANI (Karnataka): Sir, I am conscious of my limitations at this stage. But the combined effect of clauses 2(e), 2(g), 14 and 15 is something, about which I shall use the two minutes which you have given me very kindly.

Sir, I am next to none in my desire to protect the person of the Prime Minister. On that the nation must not grudge any expense which is inevitable. But, Sir, I wish to take the House into confidence, and I wish only to say this that in one of my unpublished letters to the Prime Minister I told him that it is in his power and in his grasp to create a situation in this country in which everyone from whom he expects a threat to his security will become a loving protector of him and his family. I regret that the ultimate security which the Prime Minister should have sought in the love and affection of the people the Prime Minister seeks in the artifices which are mentioned in clause (g) sterile zones and isolated cordons. I think that this in the final analysis will only add to the insecurity of the Prime Minister. These are not going to solve the problem. The problem will be solved by correct policies. And, Sir, while one would not grudge a single pie which is essential for the protection of the Prime Minister there are other higher values which the society, and Indian society, as to take care of. We cannot create extra-constitutional authorities. Now we are clothing the wife of the Prime Minister; we are clothing each child of the Prime Minister, with extraordinary privileges and powers, including the power to go out of the country and to take your Pretorian guards with you to frighten and bamboozle every diplomatic mission and to call in aid the entire Army. History shows that these Pretorian guards ultimately fight against the revolutions of the people. I suggest that we are, by this Bill, creating and

germinating the gravest threat to democracy and the end of a system of rule of law and creating an armed dictatorship in place of an elected Prime Minister. I wished to record it for posterity and I have done it.

SHRI KAPIL VERMA: You are defending the murderers of Indira Gandhi.

SHRI RAM JETHMALANI: I am defending people about whom the Supreme Court has yet to decide. (*Interruptions*) You don't even know the elements of our constitutional system and I am surprised that you are in the Rajya Sabha.

SHRI KALPNATH RAI: (Uttar Pradesh): Only one minute, Sir.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): The Minister is quite capable.

SHRI RAM JETHMALANI: I regard it as the highest achievement of my life.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Mr. Jethmalani, you should not speak without my permission.

श्री कल्पनाथ राय : आदरणीय उपसभाध्यक्ष महोदय, अभी हमारे माननीय सदस्य ने हिन्दुस्तान में वैल्यूज की रक्षा के लिए और यहाँ के आदर्शों की रक्षा के लिए बात की। मैं सदन को यह बतलाना चाहता हूँ कि अभी हमारे लोक सभा में एक माननीय सदस्य जो बोल रहे थे प्रो० के० के० तिवारी और आदरणीय राम जेठमलानी के संबंध में बहुत हुई तो उन्होंने कहा कि ये स्वीडन गए थे (व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I am hearing him. If I feel that, I will stop him.

श्री कल्पनाथ राय : आदरणीय उपसभाध्यक्ष महोदय, प्रो० के० के० तिवारी ने ... (व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): In this House, you cannot talk about a Member of the other House. You will not refer to the other House.

SHRI KALPNATH RAI: Yes, I will not मैं यह कहना चाहता हूँ कि दरमिय राम जेठमलानी जी श्री बोफोर्स के संबंध में स्व. डन गुर ने गौर. . . *

(Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Nothing will go on record.

श्री कल्पनाथ राय :*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I have said that nothing will go on record. It will not go on record. What more you want?

SHRI P. CHIDAMBARAM: Mr. Vice-Chairman, Sir....

(Interruptions)

श्री कल्पनाथ राय :*

SHRI RAM JETHMALANI: Let him say it outside... *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Order, please. I am on my legs, Mr. Jethmalani. Please sit down. It is very bad on your part. I have told you four or five times.

SHRI RAM JETHMALANI: Do you understand what he is saying?

(Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down. I will name you otherwise. You cannot talk to the Chair like that. I have not allowed him on the record. You must be able to hear me.

(Interruptions)

SHRI P. CHIDAMBARAM: Mr. Vice-Chairman, Sir....

SHRI KALPNATH RAI: He has challenged me. (

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please sit down. I have told him.

SHRI KALPNATH RAI: He has challenged me.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You meet me afterwards. Please sit down. *(Interruptions)* If he has challenged you, I will see the record. Nobody can challenge any Member in this House. That is all.

(Interruptions) Please sit down. Nothing is on the record. Please sit down. Otherwise I will have to adjourn the House. Please sit down.

SHRI P. CHIDAMBARAM: Mr Vice-Chairman, Sir, one of the hon. Members has during the Third Reading of the Bill made certain comments which are highly regrettable and do not... *(Interruptions)*

श्री कल्पनाथ राय :*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Nothing will go on record. Please sit down. Let the Minister reply.

SHRI P. CHIDAMBARAM: Sir, the hon. Member has made some remarks which, to say the least, are highly regrettable and do not contribute to an enlightened discussion on a Bill of this nature. Sir, we are a democracy and a living democracy at that. Our people know who the leaders are, and who the pretenders are. It is only the love and affection of the people and the support which they give that can elect any person to the office of Prime Minister. Our system may appear to be that individuals are elected from specified constituencies and these individuals join together and elect a Prime Minister. If one reads no more into the system and sees only the surface, one is very superficial. Nobody can be elected as Prime Minister of this country without the love and affection and support of the people of this country. Every Humpty 7.00 p.m. Dumpty can sit on a wall. Humpties Dumpties who sat on a wall came crashing down

[Shri P. Chidambaram]

in a few months. Sir, the Prime Minister, the person who is now the Prime Minister of India, was elected by a Parliamentary party which enjoys a majority in the House of the People, which was not enjoyed, and I say this with no disrespect at all, by any other Prime Minister at any time in post-independence period.

SHRI KALPNATH RAI: By practising fraud he has come to Parliament.

SHRI P. CHIDAMBARAM: It is very easy for any hon. Member, however eminent he may be, however erudite he may be, although we could quarrel on that, it is very easy to shoot poison darts on the Prime Minister and the immediate members of his family. We are trying to seure the stability and continuity of our political system, and as I said in my very brief reply, under the Indian Constitution anybody who understands the spirit and structure of the Indian Constitution will know that it is the office of the Prime Minister which symbolises the stability and continuity of India's democracy. We are trying to protect the person who occupies that high office. If your frustration runs so deep that you never hope to be elected to that office, it is not my problem. The person who occupies that high office must be protected.

Mr. Dipen Ghosh and others are very eminent Members of Parliament and I think they know what I say. We have got scores of examples in the world history in recent times where chief executives of nations have been assassinated. Sheikh Mujib-ur-Rahman was assassinated. President Allende was assassinated. Olof Palme was assassinated. Patrice Lumumba was killed two days after he assumed the office. Are we making a laughing stock of ourselves that we are not aware of these dangers. And when you want to protect the office of the Prime Minister, person of the Prime Minister, one has to protect all those who are immediate members of his family, because we know that the immediate

members of his family face the same kind of threat as the Prime Minister. They could be kidnapped. They could be blackmailed. They could be threatened. They could be killed. A number of things could happen. And what we have tried to do is to give that protection to the immediate members of his family.

I am extremely sorry that anyone should lend his forensic abilities and allow his legal imagination to run riot to believe that by reading section 2(e) and 2(g) and 14 and 15, you could build a praetorian guard around yourself, and summon every army to assistance. This is making nonsense of the Bill. The greatest protection that we have is that no court will accept such an attempt to make nonsense of the provisions of the Bill. Nobody can persuade the Members of Parliament to read it in that manner. Nobody can persuade the people of this country to read it in that manner. And the people of this country, in their wisdom, and their common-sense which is much greater than all the erudition and all the emipence put together of individuals, know to judge things.

Sir, I take serious objection to the expression 'praetorian guard'. I hope the hon. Member knows what he means by talking about praetorian guard. We have no praetorian guard in this country. We have no praetorian guard in this country and we will never have a praetorian guard in this country. What we have is an organised group, controlled by statute, amenable to the jurisdiction of Parliament and subject to all the laws of this country. We do not have a praetorian guard. We will never have a praetorian guard. And if you try to distort and describe laws passed by Parliament after consideration as setting up praetorian guards that shows the respect that you have for this institution, that shows the deep distrust you have of the way in which Parliament functions. Sir, I take serious objection and I condemn such statements: I repudiate such statements and I have no doubt that when Parliament votes this Bill,

it will be the most effective repudiation of such an irresponsible criticism of a Bill passed by Parliament.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): The question is:

“That the Bill be passed.”

The motion was adopted.

DISCUSSION ON THE WORKING OF THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Mr. Vice-Chairman, this is a discussion on the working of an important Ministry and I wish the Cabinet Minister in charge is present here.

THE MINISTER OF STATE IN THE DEPARTMENTS OF YOUTH AFFAIRS AND SPORTS AND WOMEN AND CHILD DEVELOPMENT IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI-MATI MARGARET ALVA): He is coming.

SHRI PARVATHANENI UPENDRA: I am inspired more by your presence than the presence of the frowning senior Minister.

The Human Resource Development Ministry is an important Ministry of the Government of India because, in its purview, it has a number of vital departments covering all sections of the society the students, the youth, the women, the children, the artists, almost every section of the society and therefore, a discussion on this Ministry is very important.

Before I go into details of each department, I would like to make a general comment that though this Ministry is important in its task, it has become a little unwieldy. I will make some observations and conclude with the same observations again.

The second observation is, a number of new schemes are being initiated. Some of them are very good

schemes and should be welcomed. But, at the same time, there is a proliferation of agencies to execute this task and these agencies in some respects are working at cross purposes and lack in coordination.

[The Vice-Chairman (Shri Satya Prakash Malaviya) in the Chair]

Another feature is, there is initiation of more Central schemes and the Centre is taking direct responsibility for a number of schemes. Thus, there is an attempt at uniformity negating the principle of unity in diversity.

After making these general observations on the Ministry as a whole, I would now take up the Department of Education. Education has been taken to the Concurrent List for no reason. First we thought that the Centre's taking up this responsibility for education, would be confined only to giving guidelines and coordination and we never envisaged that the Central Government would directly enter the educational field at various levels. And having entered, it should have been fair for the Union Government to allocate sufficient resources for educational advancement. But if you see the total expenditure, in 1987-88, it was Rs. 1209 crores, and in 1988-89, it is Rs. 1584.84 crores, it is just double the amount spent by one State, Andhra Pradesh, on education. The Andhra Pradesh Government spends nearly Rs. 800 crores on education and the Union Government, as a whole, in the country, is spending Rs. 1584 crores. In all these schemes, there is an element of mistrust of the States, a mistrust of the capacity of the States to undertake these schemes. The Centre is trying to do too many things at a time. In the education field, we find again that there is confusion about the role of the Union and the State Governments. It was there earlier also. It is not a new thing. The same confusion continues still. Confusion about the role of the Union and the States, confusion about the role of the Government and the private agencies in school education and higher education.