

SHRI MADHAVRAO SCINDIA: So, Madam, once again, I would like to thank all the hon. Members for the generous support that we have received from all sides of the House and Dr. Ram also for his very generous words that he used in describing the railways and I am sure, with the encouragement that we have received from all the sides of the House, we will constantly succeed in our endeavours to improve the railway system and to improve the facilities to the railway users. Thank you.

THE DEPUTY CHAIRMAN: The question is:

"That the Bill to provide for the establishment of a Railway Claims Tribunal for inquiring into and determining claims against a railway administration for loss, destruction, damage, deterioration or non-delivery of animals or goods entrusted to be carried by railway or for the refund of fares or freight to it or for compensation for death or injury to passengers occurring as a result of railway accidents and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill.

Clauses 2 to 38 were added to the Bill.

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

SHRI MADHAVRAO SCINDIA: Madam, I beg to move:

"That the Bill be passed."

The question was put and the motion was adopted.

THE DEPUTY CHAIRMAN: Now the House stands adjourned and will meet again at 2.35 p.m.

The House then adjourned for lunch at thirty-five minutes past one of the clock

The House reassembled after lunch at thirty-five minutes past two of the clock. **The Deputy Chairman** in the Chair.

REPORTED REMARKS OF THE HOME MINISTER, SHRI BUTA SINGH, AGAINST THE CHIEF MINISTER OF ANDHRA PRADESH.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Madam Deputy Chairman, I think you for allowing me to make this special mention which is very important and serious and also unpleasant for me I would like to refer to the utterances of the Union Home Minister, Mr Buta Singh, during his recent visit to Andhra Pradesh.

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): It is based on the press report

SHRI PARVATHANENI UPENDRA: Yes, based on the press report. (Interruptions)

THE DEPUTY CHAIRMAN: Order, please.

SHRI BUTA SINGH: I just want to submit this. Let us be fair. These are press reports till I speak.

SHRI PARVATHANENI UPENDRA: I said, "based on press reports" I also received reports over telephone from other sources.

AN HON. MEMBER: Unreliable sources. (Interruptions)

SHRI PARVATHANENI UPENDRA: Madam, will you please contain them?

THE DEPUTY CHAIRMAN: I request all the hon. Members to give a peaceful hearing to what the other hon. Members have to say. You will have a chance to reply. Please keep the atmosphere peaceful in the House.

SHRI PARVATHANENI UPENDRA: Madam Deputy Chairman, I have said the matter is very serious because it affects the Centre-State relations in

a very adverse manner. (*Interruptions*) And it is.... (*Interruptions*).

THE DEPUTY CHAIRMAN: Order, please I request all the Members not to create any disturbance.

SHRI PARVATHANENI UPENDRA: It is very unpleasant for me because personally, Mr. Buta Singh and I are known to each other for the last fourteen years and we have been very good friends. Whatever I say today has nothing emanating from malice or ill-will towards him. I respect him still. But I take serious exception to his utterances, as reported in newspapers (*Interruptions*).

SHRI B. L. PANWAR (Rajasthan): I have got a point of order to make.

उत्समापति आप मेरो बात सुनिए । बैट जाईए ।

SHRI PARVATHANENI UPENDRA: Madam, these remarks of the hon. Home Minister were made during his election campaign in Guntur District where a by-election to the chairmanship of the zilla parishad is taking place today. The regular elections were over earlier. Due to the death of the Congress candidate who was elected there, with a 40,000 majority, in the last elections, this by-election is taking place today. I can understand the anxiety of the Congress Party to retain this seat. (*Interruption*)

THE DEPUTY CHAIRMAN: Please try to be very brief.

SHRI PARVATHANENI UPENDRA: I cannot be brief, I have to make my point. You cannot contain them.

THE DEPUTY CHAIRMAN: I have requested everybody to listen quietly. Please bear in mind that this is not a full-fledged discussion. This is a Special Mention.

SHRI PARVATHANENI UPENDRA: If they disturb me, how can I finish?

THE DEPUTY CHAIRMAN: I have requested them also. It is not only you that I am telling this. I have told

everybody. This is something special about the Special Mention.

SHRI PARVATHANENI UPENDRA: Thank you, Madam.

SHRI LAL K. ADVANI (Madhya Pradesh): Not even during the Budget Session, do we have five Ministers sitting in the House. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: Madam, if they keep on this ding dong battle, there will be no end. Please contain them. They disturb me every minute.

THE DEPUTY CHAIRMAN: Will you please keep quiet?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES, AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): If you say that five Ministers are here, then 12 Ministers are there at Guntur (*Interruptions*)

SHRI PARVATHANENI UPENDRA: The importance attached by the Congress Party to this election is evident from the extraordinary deputation of as many as five Central Ministers for campaigning there. It never happened. (*Interruptions*).

SHRI MADAN BHATIA (Nominated): I want to raise a point of order.

SHRI V. GOPALSAMY (Tamil Nadu): I am on a point of order on his point of order.

SHRI PARVATHANENI UPENDRA: Please contain them. Otherwise, it will not progress.

SHRI DIPEN GHOSH (West Bengal): Madam Deputy Chairman, there is no use of raising any point of order. He will make the Mention and the Minister, who is here, will reply. What is the use of raising a point of order and creating disorder?

SHRI MADAN BHATIA: Madam, respectfully I wish to draw the attention of the House to Rule 190 which says:

"The Chairman, if he gives consent under rule 187 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his place and, while asking for leave to raise the question of privilege make a short statement relevant thereto."

SHRI V. GOPALSAMY: What has happened to him?

SHRI MADAN BHATIA: I am coming to that.

SHRI V. GOPALSAMY. He has not been briefed properly by them. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: Madam, our very learned Member has slipped at least once.

Madam, out of five Central Ministers, I can understand the involvement of two of them. One happens to be the PCC President and he has an obligation and the other one

THE DEPUTY CHAIRMAN. It will not go on record. Nothing will go on record ... (*Interruptions*) I have already said that it will be expunged. . (*Interruptions*)

SHRI P. CHIDAMBARAM: This is one country... (*Interruptions*)...

SHRI PARVATHANENI UPENDRA: Today, I will say whatever I want to say and I will not be provoked.

SHRI P. CHIDAMBARAM: This is one country. Anybody can yet elected from any part of the country... (*Interruptions*) .. We believe in one country... (*Interruptions*) .. This is one country .. (*Interruptions*) .. Mr. Advani are you supporting him?.. (*Interruptions*)...

*Not recorded.

SOME HON. MEMBERS: *

THE DEPUTY CHAIRMAN: Order, please... (*Interruptions*).

SHRI N. K. P. SALVE (Maharashtra): Madam, I want to urge... (*Interruptions*).

THE DEPUTY CHAIRMAN: Yes, please.

SHRI N. K. P. SALVE: Madam, I want to urge upon the Members of my Party to listen to the honourable Member with the patience he deserves. But it is very imperative that in view of the extremely sensitive nature of the subject, the honourable Member would do well in his own interest, if he wants to make out a good case for himself, not to use any intemperate language and be circumspect in whatever he has to say. That will help his cause.

SHRI PARVATHANENI UPENDRA: I take his advice, Madam.

SHRI CHATURANAN MISHRA (Bihar): Madam,

THE DEPUTY CHAIRMAN: No, please.. (*Interruptions*)... Order, please.

SHRI PARVATHANENI UPENDRA: Madam, of the other three Ministers, the Finance Minister... (*Interruptions*)... What is unparliamentary in that? I have said that the people have rejected him... (*Interruptions*).

THE DEPUTY CHAIRMAN: Don't go into all that now. Please proceed.

SHRI PARVATHANENI UPENDRA: It is a statement of fact and it is not an innuendo... (*Interruptions*) . Madam the Finance Minister true to his style, spoke at some meetings and he did his other work which is generally assigned to him. And, Madam, Mr. Chidambaram has got another role in the Central Government which also he has eminently done and quietly and calmly he has done his job there.

SHRI DIPEN GHOSH: That is his job!

THE DEPUTY CHAIRMAN: Please stick to your subject.

SHRI PARVATHANENI UPEND-RA: Yes, Madam, this is the subject.... (Interruptions)...

This is the subject... (Interruptions)

SHRI KAMALENDU BHATTACHARJEE (Assam): He has no subject; he looks at the object!

THE DEPUTY CHAIRMAN: Please don't shout. Please keep quiet

SHRI PARVATHANENI UPEND-RA: Then, Madam, our honourable Home Minister had specially flown there, and he had gone there by his own admission, to maintain law and order there, to see that there is free and fair election there. (Interruptions)

SHRI BUTA SINGH: Why do you put words into my mouth? Madam he is putting words into my mouth. There is no confession. Why do you use expressions like that? You say, "according to the Press reports".

SHRI PARVATHANENI UPEND-RA: Yes everything is according to the Press reports only. I have said it at the beginning itself. (Interruptions). I need not add at the end of every sentence that it is according to the Press reports.. (Interruptions).

SHRI BUTA SINGH: Why do you put dirty words into my mouth?

SHRI PARVATHANENI UPEND-RA: I said in the very beginning that it is according to the Press reports only. (Interruptions). I need not qualify every sentence with the words, "according to Press reports"

SHRI BUTA SINGH: You have no licence to use any derogatory language. (Interruptions).

SHRI PARVATHANENI UPEND-RA: There is nothing derogatory in

this. You are here. You are hearing this and you can contradict it, you can dispute it and you can clarify it. We will be very happy.. (Interruptions)...

SHRI BUTA SINGH: You are the leader of a party and you should know how to behave... (Interruptions). Please behave yourself. (Interruptions)...

SHRI PARVATHANENI UPEND-RA: You should behave like the Home Minister and I will also behave like the leader of a party.

SHRI BUTA SINGH: We expect some decorum from you.

SHRI PARVATHANENI UPEND-RA: I expect the same thing from the Union Home Minister.. (Interruptions). I am much smaller compared to you. (Interruptions).

I am much smaller as compared to you. I put you on a higher pedestal. Madam, it is a very important task. Everybody wants free and fair elections; law and order should be maintained. And he goes to Andhra Pradesh, because having done a wonderful job in Punjab and the Union Territory he is eminently qualified to go to A.P. and oversee law and order. (Interruptions)

SHRI BUTA SINGH: Let me remind him: I am proud of what I have done in Punjab. (Interruptions)

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra): On a point of order

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): He must stop making these unnecessary references. (Interruptions)

M A P

AN HON. MEMBER: Madam, it cannot go. *(Interruptions)*

THE DEPUTY CHAIRMAN: Please sit down. The Home Minister has already replied. Do you want to reply on his behalf now? Please sit down.

SHRI PARVATHANENI UPENDRA: Now, I come to the comments made by the Union Home Minister, and I give him the benefit of contradicting me... *(Interruptions)* Your paper has also published. Don't forget. I will quote from your paper also. Madam, I quote from the 'Newstime' dated December 2, 1987, published from Hyderabad and Vijayawada. My first objection is about the Home Minister casting doubts about the patriotism of one of the Chief Ministers elected by the people. That is my first charge. In support of that I quote:

"The Union Home Minister, Mr. Buta Singh, has alleged that the Andhra Pradesh Chief Minister, Mr. N. T. Rama Rao, was hand in glove with the separatist forces and was trying to divide this country into pieces."

(Interruptions)

"The Union Home Minister said the country was going through a critical phase when divisive elements were trying hard to destroy the unity of the country. Mr. Rama Rao is heading one such group."

Madam, this is a very serious charge. This is a very serious charge. He made charges against the Chief Minister and our party also. He said: "He is heading such group." Our party is a responsible Opposition in this House. Therefore, I have every right to take serious note of such utterances of the Home Minister, unless he denies them. That is my first point. And I also challenge him to show one instance where my party or my leader has preached separatism in any speeches or in any

action. I challenge him to prove that.

No. 2. And he questioned the right of an Indian citizen, much less as a Chief Minister or a political leader, to campaign in this country, any part of this country. They blamed us by telling that we are separatists, we are regionalists, we are parochial, and so on. But when the same party leader goes out of his State and joins the mainstream and campaigns for other parties, if he comes to the national scene, you again accuse him, what business has he got there to go and campaign in other States? *(Interruptions)* Is this country the 'jagat' of Rajiv Gandhi or the Congress Party? Cannot others go there? *(Interruptions)* He, the Home Minister, cited in support of this "the campaigning by Mr. Rama Rao in the recent Nagaland and Haryana elections," as proof for this. He says, "Rama Rao campaigned for the Nagas who want to break away from India"—all Nagas, mind you. Naga National Democratic Party is a recognised party, recognised by the Election Commission. It has not been banned and you cannot call them separatists. "Rama Rao campaigned for the Nagas. In Haryana also he advocated separatism and casteist feelings." I was with the Chief Minister when he campaigned in Haryana. In every speech which he made in Hindi, he preached nationalism and unity of this country. If the Home Minister can show one speech in Haryana where we preached casteism and regionalism, I am prepared to resign my membership here... *(Interruption)*

SHRI JAGESH DESAI (Maharashtra): On a point of order. He has described some torn sentences. There is no need to expand this subject in a Special Mention...

SHRI V. NARAYANASAMY (Pondicherry): It should be not more than three minutes.

SHRI PARVATHANENI UPENDRA: You are disturbing me; otherwise I would have finished by now.

Then the Home Minister says—this is the most objectionable thing—“He (Rama Rao) is telling the Punjabis to go away from India.” Where did you get this from Mr. Home Minister? “Then, Mr. Singh said, “NTR went to Nagaland with crores of rupees and wondered why he should go to campaign in a place where he has no party” After that follows, “This fellow goes to Nagaland .”, note “this fellow”! I cannot expect a word like this from the honourable Home Minister. He uses a derogatory word like “this fellow” not at one place only; he uses it in another place also. He says “Before the High Court concludes that this man is a cheat”—referring to the Chief Minister that “this man is a cheat”—“—this election is an opportunity for the people of Guntur to throw him out by electing the Congress candidate.” What is he preaching in a federal set-up? An elected Government is there. Taking advantage of a by-election in a Zila Parishad you say “throw him out” That really shows the intentions of this Government to destabilise the non-Congress-I Governments. This has been our charge and this speech has confirmed that suspicion and charge. And it is also an affront to an elected leader, a leader elected by the people. You cannot say “he will be thrown out”. We are not at your mercy. How can you say that?

(Interruptions)

SHRI VITHALRAO MADHAVRAO JADHAV: It is Half-an-Hour Discussion or a Special Mention? (Interruptions)

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI PARVATHANENI UPENDRA: I will conclude. They are not allowing me

Madam, the Union Home Minister has a special responsibility to maintain cordial relations with the State Governments, the Chief Ministers, etc. But I am very sorry to say that this Home Minister has acted con-

rary to this accepted principle. (Interruptions)

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI PARVATHANENI UPENDRA: hey are not allowing me. I would have finished by now.

Madam, he has also committed a blunder. At one place he says. Madam that what all he says has been said by the hon. High Court of Andhra Pradesh. He is highly misinformed. The hon. High Court of Andhra Pradesh has not passed any judgment so far. The petition is pending before them. Even when the Prime Minister was asked during his recent visit to Hyderabad he said, “the matter is *sub judice*; I will not comment.” But by bringing the High Court into the picture, by ascribing all his remarks to the High Court, he had not only committed a contempt of the High Court but was also indirectly trying to influence a judicial decision. That is my charge against him. Then, Madam.

SHRI P. CHIDAMBARAM: I am sorry Madam, I would not normally interrupt him. He has shown me the courtesy of saying that he has no grievance against me. But I want to point out one thing. He is not correct when he says that there is no judgment of the High Court. Four Writ Petitions were filed. Two Writ Petitions were admitted and have been posted for final hearing on the 15th December. In the other two cases, Madam orders have been pronounced on behalf of the Full Bench. And an order pronounced by a Full Bench of the High Court is a judgment. We are entitled to quote from the judgment. We are entitled to refer to the judgment. Therefore, it is incorrect to say that there are no judgments of the Andhra Pradesh High Court. There are two judgments of the Andhra Pradesh High Court, one delivered by the Chief Justice and one delivered by Justice Anjanavulu.

SHRI PARVATHANENI UPENDRA: They were the speaking orders while dismissing the Writ Petitions. If the High Court has pointed out anything, they are free to quote. If the High Court passed any stricture, you are free to quote. I have got the copies with me...

SHRI P. CHIDAMBARAM: I have also got the copies. Ask Mr. Babul Reddy and other lawyer friends: Is it a judgment or not? (*Interruptions*)

SHRI A. G. KULKARNI (Maharashtra): Madam, I am on a point of order.

THE DEPUTY CHAIRMAN: You are going to speak, you are also going to associate...

SHRI A. G. KULKARNI: I am going to associate. But I am raising the point of order because at this very moment the hon. Member is making a wrong allegation. Madam, while rejecting the plea in these two Writ Petitions which the hon. Member mentioned, the learned High Court Judges, including the Chief Justice, have advised the hon. Chief Minister of Andhra Pradesh to follow some moral and inner conscience and resign himself (*Interruptions*). If you want, Madam, I will quote

SHRI PARVATHANENI UPENDRA: Will you allow him, Madam? Is it a point of order? Let the Home Minister quote

THE DEPUTY CHAIRMAN: Mr. Kulkarni, you are exhausting all your points. You are going to speak. What you are telling is the information and the factual information that you possess.

SHRI A. G. KULKARNI: This is a judgment

THE DEPUTY CHAIRMAN: That is what I am saying

SHRI A. G. KULKARNI: He is reading information. I am reading a judgment. And the judgment appealed to the Chief Minister I would request Mr. Upendra to use his conscience and appeal to his Chief Minister

and plead with his leader, baba, please use your conscience, and go away. (*Interruptions*). Madam, can any false allegations be made by making a special mention? Why false allegations, when judgement is here?

SHRI PARVATHANENI UPENDRA: Madam, my next point is maintenance of law and order is the responsibility of the State Government. But the Hon. Union Home Minister says, "I have come here specially. I have come to personally watch the situation" and he also threatens officials "no official or policeman will be allowed to play with the election process. Whoever tries to do this, will be out of office." Because this is not a general election, this is not an election to the State Assembly or Parliament. The report says: "He reminded that the rules governing the conduct of elections did not come under the purview of the State Government, but were under the Central Government." It is wrong. This is a local election being conducted under the rules of the State Government, not the Central Government. Therefore you have no business to supervise this. You have no business to control this. As a Congress Leader you can go there, no objection. But you cannot say "as Home Minister I have come to supervise the elections." And what is your track record? What will you supervise there? And also Madam, it is not right for him to supervise a local election. It is completely wrong. And, Madam, he touched also many sensitive areas there. It is very unfair from the point of view of the Union Home Minister doing it. He is supposed to help the State Governments to maintain communal harmony and not cause feuds. Instead he particularly instigated the Muslim community in Andhra Pradesh by telling that the powers of the municipal corporation of Hyderabad have been withdrawn and all that. It is quite irrelevant (*Interruptions*). It is quite irrelevant to the election there. And moreover I must remind the Union Home Minister that

under the Congress Governments. under your supervision, under your guidance, so many communal incidents are taking place in the Congress (I) ruled States. In Andhra Pradesh, since we came, not a single communal incident has taken place. We are proud of our record. (Interruptions). And he also tried to incite passions among the Harijans by referring to certain old incidents which were not connected at all.

Lastly, Madam, there is another point to which I take serious exception. The one sentence is: "If the State Government continues to cheat the rural people, we the Centre—mark, we the Centre—may have to seriously think of the drastic step of taking over all the development work. Under what provision? Under what provisions you can take over the development work in a State? And if it is a threat to destabilise the Government, we are ready to face the threat. You have done it in 1984. You have faced the consequences. You will again face the consequences if you are thinking on those lines.

And, finally, before I conclude Madam, I must appeal to the Prime Minister to restrain the Central Ministers from doing these kinds of things when they go to the States, particularly to the non-Congress (I) ruled States. Instead of helping harmonise the Centre-State relations, they are embittering the Centre-State relations bringing a bad name to the Prime Minister, they are showing as if they are doing all this with the connivance of the Prime Minister, which, I do not think is a fact. They are giving the impression that the Prime Minister to let loose his Ministers they are doing. It is wrong for the Prime Minister to let loose his Ministers on the States, and allow them to take nonsense in the States when they go there on official visits. Finally, Madam (Interruptions)

THE MINISTER OF STATE IN
THE MINISTRY OF PARLIAMENT-
ARY AFFAIRS (SHRI M. M. JA-

COB): Please do not use words like 'let loose'. Please use some polite language. (Interruptions).

SHRI PARVATHANENI UPENDRA Why are you getting up unnecessarily? You are a good man. Finally, Madam, I want the Home Minister to withdraw these remarks which have angered the people and he should apologise to the Andhra Pradesh Government, the Chief Minister of Andhra Pradesh and the people of Andhra Pradesh. Otherwise, the agitation will continue against the Home Minister until he is removed from the Central Cabinet.

THE DEPUTY CHAIRMAN: Shri Bhandare. (Interruptions)

SHRI PUTTAPAGA RADHAKRISHNA (Andhra Pradesh): Madam, is a debate taking place? Is it a Special Mention or a debate? (Interruptions)

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): Of course, it is a Special Mention. (Interruptions)

SHRI M. S. GURUPADASWAMY (Karnataka): Madam, on a point of order. (Interruptions)

SHRI DIPEN GHOSH: On a point of submission, Madam. (Interruptions)

SHRI M. S. GURUPADASWAMY: If you are converting this into a debate, we have no objection.

श्री राम अवधेश सिंह (बिहार) : मे
व्यवस्था के सवाल पर खड़ा हूँ।

श्री बीरेन्द्र वर्मा (उत्तर प्रदेश)
डिबेट कर रही है तो कई आब्जेक्शन् नहीं
हैं।

SHRI DIPEN GHOSH: Let there be a debate. We do not mind.

SHRI BUTA SINGH: Yes. We are ready. (Interruptions)

THE DEPUTY CHAIRMAN: In the case of Special Mentions, sometimes, other Members also associate and give their reaction.

SHRI RAM AWADHESH SINGH: This has never been the convention. (Interruptions)

SHRI DIPEN GHOSH: The Home Minister can reply to this and that can be the end of it. He can refute these were wrongly reported by the Press. But if you want this to be converted into a debate we do not mind.

THE DEPUTY CHAIRMAN: I have never said that this is a debate. Some other Members have given their names. They also want to speak on this. (Interruptions)

SHRI DIPEN GHOSH: Generally, the precedent has been that one Member will be allowed to associate himself. Is he going to associate himself or dissociate himself? Let me understand. (Interruptions)

THE DEPUTY CHAIRMAN: That we will know only after he speaks.

SHRI P. CHIDAMBARAM: How can he associate himself? (Interruptions)

SHRI RAM AWADHESH SINGH: The Minister concerned can reply to this. (Interruptions)

श्री लाल कृष्ण आडवाणी : आप परम्परा बदल रही हैं ।

SHRI M. S. GURUPADASWAMY: Madam, please do not break the tradition. But as I said, we have no objection if you want to have a debate. (Interruptions)

THE DEPUTY CHAIRMAN: Already the tradition has been broken.

SHRI RAM AWADHESH SINGH: You are competent to convert this Special Mention into a debate. We have no grudge against it. (Interruptions)

THE DEPUTY CHAIRMAN: In the case of Special Mentions, generally, one or two Members are allowed to associate themselves. But I have already received eight names.

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): All of them are associating themselves?

THE DEPUTY CHAIRMAN: I have eight names here. This is also not according to the tradition. (Interruptions) They have been allowed by the Chairman.

SHRI PARVATHANENI UPENDRA: When we discussed this with the Chairman in the morning, he said that after I make the Special Mention, one Member from each Party will be allowed to associate himself. Associating oneself does not mean dissociating or contradicting. The Home Minister is here and he is competent to defend himself and reply. Why should you allow others?

श्री सत्य प्रकाश मलवीय : मेरा व्यवस्था का प्रश्न है ।

उपसभापति : आप मुझे बोलने दें तब ना ।

SHRI M. M. JACOB: I have sought permission from the Chairman that Members from this side also should be permitted to speak. The Chairman has permitted as per rules. It is a Special Mention and they will speak. (Interruptions)

THE DEPUTY CHAIRMAN: I can listen to one Member at a time. (Interruptions). You have to seek my permission. He is on his legs.

PROF. C. LAKSHMANNA: (Andhra Pradesh): On that only I want a clarification as to what is the meaning of 'association'.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: You consult the dictionary.

SHRI A. G. KULKARNI: Madam, may I make a submission? My submission is that the rules for special mention have unfortunately not been codified. (Interruptions). Fortunately for them, but unfortunately for us. I may mention that the general power rests with the Chairman or the presiding officer. If my friends have asked

for a debate, let us start with the debate. There is nothing wrong in that so far as the rules are concerned.

SHRI DIPEN GHOSH: I agree with you.

SHRI A. G. KULKARNI: Let me complete. We are here to meet every point made by Shri Upendra. He need not worry about that, but I must tell him that the Home Minister has not as yet resigned from the Congress (I) party. He is not only a Government Home Minister but he is also a member of the Congress (I) party. As a member of the Congress (I) party he has every right to go anywhere and everywhere. So, don't get chicken-hearted. If the Home Minister has gone there as a member of the Congress (I) party, there is nothing wrong.

So, Madam, turn it into a debate and give the floor to Shri Bhandare.

SHRI VIRENDRA VERMA: Madam to do full justice to the issue kindly allow full debate and every Member from both the sides may be allowed to speak.

SHRIMATI JAYANTHI NATARAJAN: Madam, on the question of 'associate' I want to say that I have also asked the Chairman to allow me to associate myself with the lofty sentiments of Centre-State relations, with the lofty sentiments of how the Home Minister should function, but there are also certain other comments which we have to make about the reports that we have read in the papers. In that sense we are associating ourselves with the original sentiments, but we are also entitled to make a comment.

डाक्टर जगतशान सिंह (मध्य प्रदेश):
मैडम, यह जो न्यूजपेपर को कह रहे हैं,
वह तो हई कोर्ट की जजमेंट है।
.. (व्यवधान)

SHRI NIRMAL CHATTERJEE:
(West Bengal): This morning when
we met the Chairman, there were two

alternatives, one was of making a special mention and the other was to have a Call Attention. There was a suggestion that both may be combined. Now, certainly we are creating history by allowing a special mention and having a discussion like this. I want to congratulate the Chair for allowing us to express our feelings on a matter of urgent importance like this. I think the entire House would like to associate itself by expressing views on such a matter of urgent importance. So, a full fledged debate can take place.

SHRI BUTA SINGH: Madam...

SHRI PUTTAPAGA RADHAKRISHNA: Is he replying?

SHRI BUTA SINGH: No, Madam, a suggestion has been made that the special mention may be converted into debate. I am ready, I am prepared to answer the debate.

PROF. C. LAKSHMANNA: Madam I want to seek a clarification. (Interruptions)

THE DEPUTY CHAIRMAN: I Members from both sides agree, we can have a debate. Agreed?

SEVERAL HON. MEMBERS: Yes.

THE DEPUTY CHAIRMAN: Now it will be a debate.

SHRI M. S. GURUPADASWAMY: Just a minute. We have no objection to the debate at all. I welcome it. We welcome it. But it should be within the parameters of the speech made by him.

SHRI N.K.P. SALVE: No, n (Interruptions)

SHRI PARVATHANENI UPENDRA: It should centre round my Special Mention and nothing else.

SHRI N. K. P. SALVE: The subject matter of the debate respectfully want to submit, will be the conduct of the Chief Minister vis-a-vis Ho-

[Shri N. K. P. Salve]

Minister's observations. If that is what we are going to discuss, let us have it.

THE DEPUTY CHAIRMAN That is what we are discussing and now it is a debate. And I will call the Members who have already given their names. Now Mr. Bhandare. No point of order. I will not allow. Please sit down. Mr. Bhandare. Stop this** now

SHRI PARVATHANENI UPENDRA: Madam, you expunged that word from my speech. Now it should be allowed to be retained. Or you expunge your own remarks.

THE DEPUTY CHAIRMAN: That correction will be made (*Interruptions*) No, I am not allowing. Please sit down. Mr Bhandare will continue.

SHRI JAGESH DESAI: It should be made clear that this will not be taken as a precedent. That should be announced by hon'ble Chairman.

SHRI PARVATHANENI UPENDRA: Why?

THE DEPUTY CHAIRMAN: That is not necessary.

SHRI CHATURANAN MISHRA: The Chair has always the power to make it a precedent.

THE DEPUTY CHAIRMAN: Why are you not starting, Mr. Bhandare? After they listen to your melodious voice, they will sit down.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: Madam Deputy Chairlady, I fully appreciate and also admire the utter despair and frustration of my very esteemed and lovable friend, hon'ble Mr Upendra. He has burnt his fingers once in this House by raising this issue about the so-called leader. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: What is this word "so-called"? Do you allow that? He is the Chief Minister. (*Interruptions*)

SHRI M. GOPALSAMY: I would say "so-called Prime Minister".

SHRI PARVATHANENI UPENDRA: We would call him the "so-called Prime Minister" he, afterwards. (*Interruptions*)

SHRI RAM AWADHESH SINGH: Unless that word is expunged, we will not allow him to speak. (*Interruptions*)

SHRI V. GOPALSAMY: Don't touch him. Mr. Bhandare should not have touched Mr. Ram Awadesh Singh. You want to manhandle him? (*Interruptions*)

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: Madam, I am not yielding.

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): He should withdraw his remarks against our Chief Minister (*Interruptions*)... Madam, make him withdraw those words. (*Interruptions*).

SHRI PUTTAPAGA RADHA-KRISHNA: Madam, point of order. ... (*Interruptions*)...

श्री राम अवधेश सिंह : ("सोकाल्ड प्राइम मिनिस्टर" कहना ठीक रहेगा ?
... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Please. Now I hope all of you have exhausted yourselves.

SHRI PARVATHANENI UPENDRA: He should withdraw that word. (*Interruptions*)

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: I have not said "Chief Minister." ... (*Interruptions*)...

SHRI PARVATHANENI UPENDRA: He should withdraw the word. Otherwise he will not be allowed to speak. .. (*Interruptions*)

SHRI RAM AWADHESH SINGH: Madam, you direct him to withdraw that word. Otherwise, you suspend him

**Expunged as ordered by the Chair.

SHRI PARVATHANENI UPENDRA: He should withdraw and apologize. Otherwise we will not allow him to speak. (Interruptions)...

THE DEPUTY CHAIRMAN: I request everybody to sit down.

SHRI MOHD. KHALEELUR RAHMAN (Andhra Pradesh): He should withdraw the word first.

THE DEPUTY CHAIRMAN: Order, please. Though the words uttered by Mr. Bhandare are not unparliamentary, even then I would advise him not to use them as far as possible.

श्री राम अवधेश सिंह : जब तक वापस नहीं लेंगे "सोकाल्ड", तब तक बोलने नहीं दिया जाएगा ।

SHRI PARVATHANENI UPENDRA: Those words should be expunged.

... (Interruptions) ...

SHRI PUTTAPAGA RADHAKRISHNA: Madam. (Interruptions)...

SHRI PARVATHANENI UPENDRA: I am on a point of order. We are observing some minimum courtesies here. Though we are discussing a sensitive matter, in my speech I have not uttered a derogatory word against the Home Minister or the Prime Minister. If he calls a leader "so-called leader", it is perfectly legitimate for us to call the Prime Minister "the so-called Prime Minister". Will you allow that?

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I said "leader." I did not say "Chief Minister."

SHRI PARVATHANENI UPENDRA: Yes, he is leader, he is Chief Minister. He must withdraw it. Expunction will not do. Madam, you must ask him to withdraw that. (Interruptions)

उपसभापति : बैठ जाइए । मेरी बात सुनिए । कोई भी आर्डर के अनुसार काम नहीं कर रहा है । ऐसे हाउस कामे चलेगा ।

श्री राम अवधेश सिंह : इस तरह बोलेंगे . . (व्यवधान)

उपसभापति : आपको बहुत बुरी आदत है, हर बार उठकर खड़े हो जाते हैं । कृपा करके बीच में मत बोलिए ।

It does not stand in good taste. Therefore, I would request the hon. Member not to use that word

SHRI V. GOPALSAMY: He should withdraw that

SHRI PARVATHANENI UPENDRA: He should withdraw.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I am not withdrawing anything which is not unparliamentary. (Interruptions).

THE DEPUTY CHAIRMAN: You have not said anything unparliamentary...

... (व्यवधान) मुझे बोलने दो । कैसे काम चलेगा ।

Mr. Bhandare. I did not say that it is unparliamentary. I only said, "if you want to have it, you can have it, but then to be in good task, respect the feelings of other hon. Members. I request you not to use it."

SHRI PARVATHANENI UPENDRA: Withdraw.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: No.

SHRI PARVATHANENI UPENDRA: You must withdraw.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I am not going to withdraw.

SHRI PARVATHANENI UPENDRA: He must withdraw that. There is no question. Otherwise, we will not allow. (Interruptions)

SHRI VISHVJIT PRITHVIJIT SINGH (Maharashtra): Madam, one minute, I will take. There is a question of semantics involved here.

THE DEPUTY CHAIRMAN: Mr Bhandare, you continue.

SHRI V. GOPALSAMY: Madam, have you allowed Mr. Prithvijit Singh?

THE DEPUTY CHAIRMAN: Please allow Mr. Bhandare to speak (*Interruptions*)

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Madam Deputy Chairman, I have listened with considerable attention to the essay in irrelevance of my hon. friend. I fully appreciate it. I want to make one or two points. First he challenged the credentials of our Ministers.

THE DEPUTY CHAIRMAN: As everybody is silent and in a mood to listen, I would once again request all the Members to throw light on the subject without producing any heat.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: The basis of his attack was: What right hon. Mr. Buta Singh has to go and speak in Andhra Pradesh? As has been rightly pointed out, there is one party which stands for the unity and integrity of this country. There is one and only one party, and that is Congress, which stands on every inch of Indian soil. (*Interruptions*)

PROF. C. LAKSHMANNA: Madam Deputy Chairman, it is casting aspersions. (*Interruptions*) Madam Deputy Chairman, I am on a point of order. (*Interruptions*)

SHRI MURLIDHAR CHANDRAKANT BHANDARE: What is the interruption for? I said the Congress party stands for unity and integrity of this country. What is the interruption for? (*Interruptions*)

PROF. C. LAKSHMANNA: I have no objection if the hon. Member says the Congress Party is a party which stands for the unity and integrity of the country. But if he says the Congress party is one and only one party which is standing for the unity and integrity of the country, it is casting

aspersions on other political parties. I would like to have a ruling from you. I would like to know whether you recognise that the Congress is the one and only party of the country which is standing for the unity and integrity of the country or not. If it goes on record, it will be assumed that this is the only party which stands for unity and integrity of the country. I want your ruling on this to go on record.

AN HON. MEMBER: It is the hon. Member's view.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF FOOD AND CIVIL SUPPLIES (SHRI H. K. L. BHAGAT): I am just making a very humble submission through you to the whole House. Well, the hon. Member has put it through what he called a point of order. There is no point of order. (*Interruptions*) Please listen to me. Let me make it clear. So far as we are concerned we believe in all the parties who are recognised. They are all political parties. We respect all the political parties. There is no question of not respecting any political party.

Secondly, you had made an appeal and I am joining you. Once the House, in its wisdom had decided to have a debate on this, I have my own opinion on it, but once the House is having a debate on it and you have requested, I also request the hon. Members on this side as well as on the other that they should not use any offensive language. Debate it in a spirit of patience and tolerance.

SHRI PARVATHANENI UPENDRA: But it is they who are using it.

SHRI H. K. L. BHAGAT: Don't talk of it, Mr. Upendra. You have also used offensive language, but I do not want to go into that.

SHRI PARVATHANENI UPENDRA: Tell me what offensive words I have used.

SHRI H. K. L. BHAGAT: You have unnecessarily brought the Prime Minister in it. But I want to say that we should respect everybody and by respecting everybody we should debate the matter. Therefore, I request my Members first and then all of you to have this debate in a spirit of toleration. Don't use any unparliamentary or offensive expression.

PROF. C. LAKSHMANNA: I would like to know whether the words "Congress party is the only party standing for unity and integrity" will go in the records or not. I would like to know.

THE DEPUTY CHAIRMAN: There is no point of order.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: What is quite relevant for today's discussion is the distinction between the national parties and the regional parties. As I was only saying that Congress Party is the one party whose Tiranga flies on every inch of the Indian soil and we have the Telugu Desam of the hon. Members (Interruptions)

श्री जगदंबी प्रसाद यादव (बिहार) :
कांग्रेस पार्टी ही है जिस ने हिन्दुस्तान
को बंटवा दिया ।

SHRI MURLIDHAR CHANDRAKANT BHANDARE: How can I go on in this?
(Interruptions)

उपसमापति : जरा सुनिये । आप
इतने सारे सीनियर मॅम्बर्स हैं । यह
एन्डर्स का हाऊस है और यहाँ कोई किसी
को मत नहीं रहा है । जरा तो शांत रह ।
Please sit down now. Please keep
quiet

SHRI MURLIDHAR CHANDRAKANT BHANDARE: We have regional parties who do not have any sign-board outside their state. This morning I was told that there is going to

be a debate on this. I phoned the Nagaland Commissioner here and he tells me there is not even a sign of Telugu Desam anywhere in Nagaland. There is not a single sign of the Telugu Desam anywhere in Haryana and yet you find that the hon. Chief Minister... (Interruptions).

SHRI PARVATHANENI UPENDRA:
What is the crime? (Interruptions)

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I did not disturb you. He tried to poke his nose everywhere where he has no business to go. (Interruptions) This is a democracy. We are fighting the elections. Everyone of us is a Congress man. Every one of us is an Indian. We don't make that this is Andhra Pradesh and that is Maharashtra. At least in Rajya Sabha we are all Indians. We are Indian outside also. Therefore, I am surprised at this very narrow, parochial, sectarian approach and the attack on the hon. Home Minister is on very, very unsustainable ground.

The second point which I want to emphasise at this stage is...

THE DEPUTY CHAIRMAN: No interruptions please.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: The second point which I want to emphasise is that the very fact ..

THE DEPUTY CHAIRMAN: You please sum up.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: The remarks made by the hon. the Home Minister have engaged my friends. I can really imagine that they have gone home and I must congratulate the hon. Minister....

SHRIMATI RENUKA CHOWDHURY: Every time you do it. You did it in 1985. (Interruptions) Don't imagine that we are afraid of you. We will

[Shrimati Renuka Chowdhury]
take you on the... (Interruptions)...
You have violated the rights of the
people That is why we are taking
... (Interruptions) If you say one
time, I will .. (Interruptions)

THE DEPUTY CHAIRMAN: Please
cool down. I know I have heard you.
You are a good warrior.

SHRI NIRMAL CHATTERJEE: Mr.
Bhandare, did you say that their go-
ing to Nagaland is parochialism? I did
not catch you.

SHRI MURLIDHAR CHANDRA-
KANT BHANDARE: Now, I cannot
improve your hearing I can certainly
do anything to your understanding
But I cannot improve your hearing.

Now, I must confess that a warrior-
like stance of the very charming
Member has left me unmoved (In-
terruptions)

SHRI PARVATHANENI UPENDRA:
Have you heard what she has said?

SHRI MURLIDHAR CHANDRA-
KANT BHANDARE I will read it to-
morrow.

SHRI PARVATHANENI UPENDRA:
She says "no charming lady is moved
by a man like you." (Interruptions)

श्रीमती रेणुका चौधरी : मैं चाँहिग
नहीं, हाँसिग हूँ ।

THE DEPUTY CHAIRMAN: Mr.
Kulkarni, what are you doing (Inter-
ruptions) All of you please sit down.
Now, you get back to your senses.

SHRI MURLIDHAR CHANDRA-
KANT BHANDARE: So, Madam, the
debate goes round a personality and
it is difficult to say what this person-
ality is. (Interruptions) At the same
time, we hear many strange stories.
Somebody has just now pointed out
but I do not want to say much about
that. What is paining me most and I
want to come to that because hon.
Mr. P. Upendra invited us to say
that. He said "we are free to read

from the judgement." May I have the
indulgence of the House, through you,
to read only a very short piece of that
judgement?

(1) A reference was made of in-
come of Rs. 7 lakhs.

SHRI PARVATHANENI UPENDRA:
Madam, I am on a point of order.

THE DEPUTY CHAIRMAN: Mr.
Bhandare, he is on a point of order.

SHRI MURLIDHAR CHANDRA-
KANT BHANDARE: All right, Ma-
dam.

SHRI PARVATHANENI UPENDRA:
Madam Deputy Chairman, in the be-
ginning itself, you have agreed that the
parameters of this debate or discussion
will centre round the Home Ministers'
statement and my Special Mention.
Secondly, if we enlarge this to dis-
cuss the Andhra Pradesh Chief Minis-
ter's performance or his conduct we
will be perfectly within our right to
enlarge the scope of the debate to
cover the Prime Minister's performan-
ce, this Government's performance
and then we will have an opportunity
for that. That is not the subject. The
subject is the Home Minister's re-
marks.

(Interruptions)

SHRI BUTA SINGH: Madam, may
I put the record straight. The hon.
Member ascribing to me certain press
reports himself mentioned that I was
saying that this is the High Court
judgement. Now having said that,
what is the High Court judgement?
It is on two counts. One, it is in the
report, the report which has been
published in my name. It says I have
said in the High Court that Shri N.T.
Rama Rao has concealed a large am-
ount of income tax. Second, that he
has acquired a huge amount of pro-
perty by misusing his office. This is
precisely the judgement.
(Interruptions)

SHRI PARVATHANENI UPENDRA:
Madam, I am on a point of order. The

hon. Home Minister has a copy of the judgement. I have also a copy of the judgement. Let him read (*Interruptions*). These are the fiduciary charges you have listed. Mr. Home Minister, please read out again. (*Interruptions*).

SHRI BUTA SINGH: It is now your statement which is being discussed. (*Interruptions*)

THE DEPUTY CHAIRMAN: Mr. Bhandare, please continue.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: I will stand corrected (*Interruptions*)

THE DEPUTY CHAIRMAN: Is it a copy of a judgement or a petition Mr. Bhandare?

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: Madam, it is a copy of a judgement.

SHRI PARVATHANENI UPENDRA: Madam, in the order, they have listed the charges. That is what he is reading. (*Interruptions*).

SHRI P CHIDAMBARAM: Mr. Upendra, gives a novel interpretation of a judgement. A judgement is a judgement from the first word to the last word.

SHRI PARVATHANENI UPENDRA: No, no. You are wrong. What a good lawyer you are?

SHRIMATI RENUKA CHOWDHURY: Are you telling us?

SHRI P CHIDAMBARAM: I will tell you what a judgement is. A judgement is a judgement. A judgement starts from the first word and ends with the last word. Madam, this is most novel interpretation of a judgement which I have heard. An affidavit is filed by the petitioner, it is supported by a petition.

SHRIMATI RENUKA CHOWDHURY: Are you giving us a lesson?

SHRI P. CHIDAMBARAM: Of course, I have to give a lesson to you. I have got a copy of the judgment. The Judgement is: WP No 12425 of 1987. It starts with the words "Judgement of the full bench delivered by the Hon'ble the Chief Justice." The judgement starts by saying "Article 164 of the Constitution" and it ends by saying "in projecting the case of the petitioner." Every word, every line of the judgment, we are entitled to rely upon. (*Interruptions*).

SHRI PARVATHANENI UPENDRA: No, no, Madam, I am on a point of order (*Interruptions*)

SHRI P CHIDAMBARAM: Every word is a part of the judgment. (*Interruptions*).

THE DEPUTY CHAIRMAN: There is fusion between the two. Do not quarrel (*Interruptions*)

SHRI RAM AWADHESH SINGH: Madam, he has come here to threaten me (*Interruptions*)

SHRI PARVATHANENI UPENDRA: I am on a point of order. (*Interruptions*)

श्री राम अवधेश सिंह : माननीया, मेरा व्यवस्था का प्रश्न है। श्री पृथ्वी-जित सिंह यहां पर बैठ गये हैं, ये किस की आज्ञा से यहां पर बैठे हैं
(व्यवधान)

SHRI PARVATHANENI UPENDRA: I am on a point of order. (*Interruptions*).

THE DEPUTY CHAIRMAN: Order, please.

इस तरह से काम कैसे चलेगा।

आप बैठ जाइये / (व्यवधान)

SHRI PARVATHANENI UPENDRA: I am on a point of order

THE DEPUTY CHAIRMAN: How many times would you want to raise a point of order?

SHRI PARVATHANENI UPENDRA: I have a right to do this. I have initiated this. (*Interruptions*) I will take just one minute. The hon. Minister of State for Home tried to mislead the House. (*Interruptions*)

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Madam Deputy Chairman, please exercise your right. You cannot allow him. He cannot interrupt me. (*Interruptions*)

SHRI P. CHIDAMBARAM: Madam, if you hold that I misled the House, it is a different matter. But if you hold that I have not misled, he must apologise

SHRI PARVATHANENI UPENDRA: I did not say you misled. I said you have tried to mislead

SHRI MURLIDHAR CHANDRAKANT BHANDARE: You try to mislead

SHRI P. CHIDAMBARAM: Please read the records. You have said the hon. Minister of State misled.

SHRI PARVATHANENI UPENDRA: If that is so, I amend it as 'tried to mislead'. (*Interruptions*)

उपसभारत : आप सब बैठ जाइये,
बार बार क्यों उठ रहे हैं?

श्री बिट्ठलराव माधवराव जाधव :
मैडम, आप हम पर ही क्यों गुस्सा हो रही है,

उपसभापति : मैं सब का कह रही हूँ।

श्री बिट्ठलराव जाधव : आप उनको
कहिये।

THE DEPUTY CHAIRMAN: Everybody wants to get up and raise a point of order. How can you conclude the discussion? Try to Co operate please. (*Interruptions*).

SHRI VITHALRAO MADHAVRAO JADHAV: You will not be allergic to others.

THE DEPUTY CHAIRMAN: I am saying it to everybody. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: To facilitate an easy discussion, I am saying this. In the judgment which he quoted the learned Court, mentioning the learned counsel for the petitioner, said this... (*Interruptions*) After listing out all the charges finally they said... (*Interruptions*)

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I will not allow this. I am on a point of order. (*Interruptions*)

SHRI PAWAN KUMAR BANSAL: (Punjab) Before that, you read paragraph 12. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: The Court's judgment is this. (*Interruptions*)

SHRI PAWAN KUMAR BANSAL: You read paragraph 12. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: Mr. . (*Interruptions*)... is accountable to the electorate... (*Interruptions*)

THE DEPUTY CHAIRMAN: Are you sure that you are raising a point of order?

SHRI PARVATHANENI UPENDRA: Yes I am on a point of order.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: You are just trying to read out something (*Interruptions*)

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI PAWAN KUMAR BANSAL: He is raising no point of order. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: This is the judgment The Chief Minister is... (*Interruptions*) Why are you afraid of hearing the truth? (*Interruptions*)

SHRI MURLIDHAR CHANDRAKANT BHANDARE: There is no

point of order. I will not permit him...

SHRI PARVATHANENI UPEND-
RA: But I must clarify the position.
It is going on record. I will take
only half a minute...

SHRI PAWAN KUMAR BAN-
SAL: He need not refer to the judg-
ment. It cannot be a point of order.
On a point of order how can he read
a judgment? He should read the
Rules.

SHRI PARVATHANENI UPEND-
RA: Mr. Chidambaram read it. There
he read it. What is wrong if I read?

SHRI P CHIDAMBARAM: My le-
arned friend said that this was not
a judgment. I wanted to tell him
what a judgment was. If he is not
willing to listen to me on what a
judgment was, he can listen to the
eminent advocate sitting behind him.
I will hand it over to him.

SHRI PARVATHANENI UPEND-
RA: Madam Deputy Chairman, you
said you would give me half a min-
ute. You have not given that. Un-
less you stop the interruptions how
can I make my point?

THE DEPUTY CHAIRMAN: I am
giving you half a minute. Please fi-
nish in just half a minute.

SHRI PARVATHANENI UPEND-
RA: When I said that it did not form
part of the judgment, I meant it was
not the opinion of the court; the
court listed all the charges and final-
ly they said, "The Chief Minister is
accountable to the electorate who
holds a watching brief to prevent
misrule by their elected representa-
tives." Therefore the court said to
the effect "we have nothing to do
with these things. It is left to the
Chief Minister to act according to his
conscience." That is why he has
appointed a judicial commission ag-
ainst himself. He did it himself. No
Prime Minister has done it so far.
Has any Prime Minister ever appoint-
ed a judicial commission against him-
self? Is the present Prime Minister
prepared to do it? (Interruptions)

THE DEPUTY CHAIRMAN: Plea-
se sit down. Mr. Bhandare, you
please conclude now. (Interruptions)
He has raised a point of order and he
will conclude now, and then Mr.
Dipen Ghosh... (interruptions) I will
not permit anybody. Nothing will go
on record.

Now let him finish his speech, Mr.
Bhandare, please finish your speech
now.

SHRI PARVATHANENI UPEND-
RA: But he is misleading.

THE DEPUTY CHAIRMAN: I ask-
ed him. He says it is a copy of the
judgment.

SHRI RAM AWADHESH SINGH:
He is quoting from the pleadings,
not from the judgment.

SHRI PARVATHANENI UPEND-
RA: Tell us what the opinion of the
court is. Mr. Shiv Shanker
4.00 P.M. is here. He is the Law Mi-
nister. Let him see that
(Interruptions).

SHRI MURLIDHAR CHANDRA-
KANT BHANDARE: Madam, I fully
see that they are rattled... (Inter-
ruptions)...

THE DEPUTY CHAIRMAN: Please
sit down... (Interruptions)...

SHRI MURLIDHAR CHANDRA-
KANT BHANDARE: Madam, what I
wish to point out is that this declara-
tion about the evasion of taxes, eva-
sion of Wealth Tax... (Interruptions)

SHRI SATYA PRAKASH MAL-
AVIYA: Madam, kindly permit me to
make my submission. I want to quote
the relevant Rule and it is Rule 238
of the Rules of Procedure and the
Conduct of Business in the Rajya
Sabha. Rule 238 says:

"Rules to be observed while speak-
ing: A member while speaking shall
not—

... ** ...

(v) reflect upon the conduct of per-
sons in high authority unless the dis-

[Shri Satya Prakash Malaviya]

cussion is based on a substantive motion drawn in proper term.

Explanation: The words "persons in high authority" mean persons whose conduct can only be discussed on a substantive motion drawn in proper terms under the Constitution or such other persons whose conduct, in the opinion of the Chairman, should be discussed on a substantive motion drawn in terms to be approved by him."

Therefore, Madam, my submission is that Mr. N. T. Rama Rao is a person in high authority and there is no substantive motion and, therefore, Mr. Bhandare cannot be allowed to read out the judgment because it is a reflection on the conduct of Mr. Rama Rao who is the Chief Minister of Andhra Pradesh and also the President of the Telugu Desam Party. (Interruptions)....

SHRI MURLIDHAR CHANDRAKANT BHANDARE: May I proceed, Madam.

PROF. C. LAKSHMANNA: Madam, what is your ruling?

THE DEPUTY CHAIRMAN: He is reading out the judgment which has already been given by the Court. . . (Interruptions) . .

SHRI SATYA PRAKASH MALAVIYA: What is there to refer to in the judgment? It refers to the conduct of the Chief Minister and there is no substantive motion before the House. (Interruptions) . . There is no substantive motion before the House. Therefore, he cannot be allowed. (Interruptions) . .

THE DEPUTY CHAIRMAN: You see, we are not discussing the conduct of the Chief Minister. Only because a reference to the judgment was made in the Special Mention, they are referring to it.

SHRI PARVATHANENI UPENDRA: What was that? . . (Interruptions) . .

What was it that I said? I said that the Home Minister should not have referred to it. (Interruptions) . . I objected to his referring to it . . . (Interruptions) . . I objected to it. He was referring to it and I objected to it. (Interruptions) . . That was my charge. He was referring to it and that was my charge.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Madam, the honourable Member, Mr. Upendra, invited me to read out the judgment. . . (Interruptions) . .

SHRI PARVATHANENI UPENDRA: He should not have referred to the judgment. That was my objection. . . (Interruptions) . . I said that the Home Minister should not have referred to the judgment. I did not refer to the judgement. I said that he should not refer to the judgment. . . (Interruptions) . .

SHRI P. CHIDAMBARAM: Please go through the record . . . (Interruptions) . . Madam Mr. Upendra in his opening remarks said, pointing to the Home Minister, that he had said this. He said that what he had said had been said by the High Court of Andhra Pradesh in its judgment. (Interruptions) . . Therefore Mr. Upendra said that this is not in the judgment of the Andhra Pradesh High Court, but there are the words which he is attributing to the High Court of Andhra Pradesh. Then I said that there is a judgment of the Andhra Pradesh High Court. . . (Interruptions) . .

SHRI PARVATHANENI UPENDRA: There is no High Court judgment. . . (Interruptions) . . (Interruptions) . . I did not complete my sentence.

SHRI P. CHIDAMBARAM: I said that two cases are pending. . . (Interruptions) . . What can I do? I have to repeat what I said earlier to make myself understood. . . (Interruptions) . . I said that there are two judgments. He said, "There is no judgement." I said that there were two judgements.



Then he said, "Quote the judgment." Then I said, "We will quote from the judgment." Now, the judgement is there. He referred to the judgement... (Interruptions)... He referred to the judgement. But he said that there is no judgment. Therefore, I said that we will establish that there is a judgment and the judgment is there... (Interruptions)... Therefore, we are entitled to quote from the judgment... (Interruptions)...

SHRI PARVATHANENI UPENDRA: I wanted you to read out the Court's findings... (Interruptions)... I wanted you to read the Court's findings. What did the Court say? ... (Interruptions)... You cannot refer to all the charges of the petitioners... (Interruptions)...

PROF. C. LAKSHMANNA: Madam, you please tell me whether in the name of quoting from the judgment anybody can cast aspersions on him? ... (Interruptions)...

SHRI P. CHIDAMBARAM: Are you afraid of the judgment?

PROF. C. LAKHMANNA: This is about persons in high authority. The judgment is about a particular person who is not present. (Interruptions). You give your ruling. (Interruptions).

THE DEPUTY CHAIRMAN: You better conclude, Mr. Bhandare. (Interruptions) Well, I am giving the ruling; As the judgement has already been delivered, and as the reference to the judgment was made he can make a reference to that. (Interruptions).

SHRI PARVATHANENI UPENDRA: Reference to what? You quote the findings of the court, not the charges. He is reading the petitioner's charges (Interruptions)

THE DEPUTY CHAIRMAN: Listen. I asked him whether it is a copy of the petition or it is a copy of the judgment. He tells me that it is judgment. I believe him.

SHRI PARVATHANENI UPENDRA: I have repeatedly said that when they deliver a judgment they list the arguments and then again they list the counter arguments, and then they come to the finding. What is the finding of the court? There are a hundred charges and counter charges. What is the finding of the court. (Interruptions).

THE DEPUTY CHAIRMAN: Mr. Bhandare, listen. Now you please leave that and you conclude. Don't refer to that. I request you. I request you because already the Minister has referred to that point. You need not repeat it.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: I leave it to the other Members to refer to it. (Interruptions).

THE DEPUTY CHAIRMAN: The Minister is there to reply. He can refer to that. (Interruptions) Mr. Ram Awadesh Singh, this is very bad. You cannot snatch away... (Interruptions)

SHRI RAM AWADHESH SINGH: He is misquoting. He is reading out of the petition. He says he is reading from the judgment. (Interruptions).

THE DEPUTY CHAIRMAN: I do not know how to conduct the business of the House. Nobody is listening to the orders of the Chair—except Mr. Vajpayee and Mr. Advani. (Interruptions) Please be quiet now.

SHRIMATI JAYANTHI NATARAJAN: It is Telugu Desam. That is why they are quiet.

THE DEPUTY CHAIRMAN: Now I won't allow any point of order. Only the speaker will continue and he will restrict to the subject. And he will finish within 5-6 minutes.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: If I am not interrupted.

[Shri Murlidhar Chandrakant Bhandare]

Madam, I was referring to a fact. It is not even an allegation. (*Interruptions*).

THE DEPUTY CHAIRMAN: Now, you don't argue. You speak. And you leave that to other Members to speak about. You please conclude. Mr. Bhandare, I request you. It is a very sentimental ... (*Interruptions*) ...

SHRI MURLIDHAR CHANDRAKANT BHANDARE: It is a court finding.

SHRI PARVATHANENI UPENDRA: I challenge him. He is an advocate. Let him say it is a court finding.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: What happened was that this matter came up before the then hon Finance Minister, my great friend, for whom I have the highest regard and respect, and for whose fiscal policies, I have said lots of words in this House. He sits where Mr. Salve is sitting now. (*Interruptions*).

SHRI PARVATHANENI UPENDRA: Is this the subject? (*Interruptions*) Is Mr. V. P. Singh relevant here? If you do like this, we will discuss everything from Rajiv Gandhi to ... (*Interruptions*) We will discuss Shiv Shanker. (*Interruptions*) We can discuss about the Prime Minister also. We can discuss (*Interruptions*).

THE MINISTER OF PLANNING, THE MINISTER OF PROGRAMME IMPLEMENTATION AND THE MINISTER OF LAW AND JUSTICE (SHRI P. SHIV SHANKER): Don't misbehave like that. (*Interruptions*) Why do you start this campaign? (*Interruptions*).

SHRI PARVATHANENI UPENDRA: In one deal they swallowed Rs. 200 crores. (*Interruptions*) In one deal they swallowed Rs. 200 crores. They should be ashamed of talking about corruption. The whole Government is corrupt and your Prime Minister is corrupt.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: The Chief Minister is guilty of violating the provisions of the Foreign Exchange Regulation Act....

SHRI PARVATHANENI UPENDRA: If he goes on like this, we will not allow.

THE DEPUTY CHAIRMAN: You are objecting to each and every word he is uttering. I don't understand it. Please try to be reasonable. He says 'Chief Minister' and you get up.

SHRI PARVATHANENI UPENDRA: He was referring to Mr. V.P. Singh. Is Mr. V.P. Singh the subject here? Why did he refer to Mr V.P. Singh?

THE DEPUTY CHAIRMAN: He is quoting him

SHRI PARVATHANENI UPENDRA: How is he relevant here? Why did he enlarge the discussion?

THE DEPUTY CHAIRMAN: You wanted the debate and you are not allowing the debate to proceed. What is this?

(*Interruptions*)

SHRI P. CHIDAMBARAM: Madam, those who sow the wind will have to reap the whirlwind Mr. Upendra read from the newspaper attributing a certain statement to the Home Minister, referring to the judgment of the Andhra Pradesh High Court

SHRI PARVATHANENI UPENDRA: I object to these references I did not quote from the judgment. I said that the Home Minister should not have referred to the judgment.

SHRI P. CHIDAMBARAM: Mr. Upendra referred to a newspaper report attributing certain statements to the Home Minister. Kindly listen, Upendra Ji.

SHRI PARVATHANENI UPENDRA: He is quoting from the judgement.

SHRI P. CHIDAMBARAM: I am using very precise language. Based on

a newspaper report, he attributed certain words to the Home Minister. He referred to the judgment of the Andhra Pradesh High Court.

SHRI PARVATHANENI UPENDRA: What did I say?

SHRI P. CHIDAMBARAM: Mr. Upendra, quoting the Home Minister said: 'I am not saying this. The Andhra Pradesh High Court has said all this, the Minister said.' He said this. Now we are entitled to say that when the Home Minister said that the Andhra Pradesh High Court has said this, we are entitled to say what the Andhra Pradesh High Court has said. You have already given a ruling and we can quote from the judgment.

SHRI PARVATHANENI UPENDRA: The matter is sub-judice and he should not have referred to it.

SHRI P. CHIDAMBARAM: Having received the judgment, having suffered the judgement, why are they afraid to see the words of the judgement?

SHRI VIRENDRA VERMA: Madam, he is quoting the allegations, narrating the allegations. He should read only the operative part.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: I will read the whole judgment.

SHRI PARVATHANENI UPENDRA: What is it that he is reading? You cannot allow such things.

THE DEPUTY CHAIRMAN: Have you finished, Mr. Bhandare? Mr. Dipen Ghosh.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: I was listening to him.

THE DEPUTY CHAIRMAN: Since when you started listening to him instead of listening to the Chair? Please conclude now.

SHRI PARVATHANENI UPENDRA: You read the operative part. You read the court finding.

SHRI MURLIDHAR CHANDRA-KANT BHANDARE: I am not trying to read out of context. I must give the context. *(Interruptions)* The Chief Minister was guilty of violating the provisions of the Foreign Exchange Regulations Act. ... *(Interruptions)* There was corruptoin in the purchase of land. The land was bought for HUDA ... *(Interruptions)*.

SHRI VIRENDRA VERMA: He is reading the petition. *(Interruptions)*

SHRI LAL K ADVANI: Madam Deputy Chairman, I request Mr. Bhandare to yield for a moment. Thank you, Mr. Bhandare. Madam, I was listening to Bhandareji. And I also felt that what he was saying, if they are the Court's findings, it is really serious, it is a serious indictment. *(Interruptions)* Please bear with me. *(Interruptions)* Madam, when I got a copy of the judgement, I felt I ought to read the whole thing. I find that after all these portions referred to by Bhandareji have been stated, after that, the Court says: "While we have set out in some details the events referred to by the Petitioner as justifying the imposition of the President's Rule it is not for us to express any opinion on the same." This is the court saying... *(Interruptions)* There too, you can say that the Court seems to lean in favour of the charge. That is a serious allegation. He was reading out as if there are the findings of the Court.

AN HON MEMBER: He did not say that.

SHRI LAL K ADVANI: What is most important is that the Court has not given any finding on the veracity or otherwise of these allegations. That is the most important part. And therefore, the Court says, "We are not expressing any opinion on this."

SHRI VIRENDRA VERMA: He was reading out the petition.

SHRI P. CHIDAMBRAM: Before anybody comes to the conclusion that the hon Member is reading out of the context, you must allow the hon. Member to read. Where did Mr. Bhandare say that he is reading out of the context? I would plead. Madam.... (Interruptions) I would make one plea.

SHRI PARVATHANENI UPENDRA: They are all irrelevant.

SHRI P. CHIDAMBRAM: I would make one plea. We will settle the entire controversy if you will kindly allow the hon. Member to read the whole judgement (Interruptions).

SHRI PARVATHANENI UPENDRA: Is it the subject matter? You give a separate notice for that

SHRI P. CHIDAMBRAM: Madam, what objection can anyone have for the whole judgement being read? What objection can anyone have, any thinking person have to the reading of the whole judgement starting from first para to the last?

SHRI PARVATHANENI UPENDRA: Why? What is the provocation for that? (Interruptions).

SHRI MURLIDHAR CHANDRAKANT BHANDARE: There was corruption in the purchase of land.... (Interruptions).

SHRI PARVATHANENI UPENDRA: Madam, are you allowing all those things? You can not allow all these things. (Interruptions).

SHRI M. S. GURUPADASWAMY: What Mr. Bhandare is reading is a narration. (Interruptions) Please listen.

श्री कल्पनाथ राय : महोदया, अष्टाचार पर पूरा पठने दीजिए ।

श्री पर्वतनेनि उपेन्द्र : कल्पनाथ जी, तुम्हारे नेत के अष्टाचार पर बोलो न ।

THE DEPUTY CHAIRMAN: You should listen now, please. (Interruptions) After Mr. Bhandare, Mr. Dipen Ghosh is going to speak. So whatever judgment or whatever it is..

SHRI VIRENDRA VERMA: He is reading the petition.

SHRI M. S. GURUPADASWAMY: Madam, I say....

THE DEPUTY CHAIRMAN: I will allow you also to read the judgment.

SHRI M. S. GURUPADASWAMY: What my friend, Mr. Bhandare is reading is only a narration of the petition, not the judgement. It is not subject-matter of discussion today. (Interruptions)

SHRI PAWAN KUMAR BANSAL: Madam, this is what the judges say: we take it that the questions put to us by the learned counsel for the petitioner are rather addressed to the Chief Minister himself than to us. Even accepting that the healthy democratic traditions demand the resignation of the Chief Minister not only when he forfeits the confidence of the majority of the members of the Legislative Assembly but also on his own accord when it is shown that he is guilty of moral turpitude and was therefore unworthy of holding the exalted office the call for action has to come from within, it is not a matter of compulsion from outside. (Interruptions)

SHRI VIRENDRA VERMA: Madam he is reading the complaint. (Interruptions)

THE DEPUTY CHAIRMAN: The House is adjourned for ten minutes.

The House then adjourned at twentytwo minutes past four of the clock.

The House reassembled at thirty-nine minutes past four of the clock, **The Deputy Chairman** in the Chair.

THE DEPUTY CHAIRMAN: Now, Mr. Bhandare please.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Madam, I will take just a minute. (*Interruptions*)

SHRI VIRENDRA VERMA: He is reading the allegations. (*Interruptions*) He should read the operative part of the judgement (*Interruptions*)

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I will not be thought by my hon. friend as to how I should proceed (*Interruptions*)

THE DEPUTY CHAIRMAN: You read the operative part of the judgement. (*Interruptions*)

SHRI RAM AWADHESH SINGH: You must obey the direction of the Chair.

THE DEPUTY CHAIRMAN: Please sit down. Listen Mr. Bhandare. I request you to read the operative part.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Then this deals with the self-confession of evasion of tax.

SHRI PARVATHANENI UPENDRA: He is again referring to charges.

PROF. C. LAKSHMANNA: He is defying your orders.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I know that every word that I read is unpalatable to them. I realise why they are getting restless.

SHRI PARVATHANENI UPENDRA: Let him end by going through the operative part. (*Interruptions*)

SHRI MURLIDHAR CHANDRAKANT BHANDARE: What should be the path for every patriot, for every righteous-minded citizen of this country to follow...

SHRI SATYA PRAKASH MALAVIYA: This is not the operative part. (*Interruptions*)

THE DEPUTY CHAIRMAN: You read the operative part.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I will repeat ten times before I conclude my speech. I know what I have to say. We have the freedom of expression. One hears many things which the other person does not like.

SHRI PARVATHANENI UPENDRA: Do not talk about freedom of speech. We know what you have done to the "Indian Express". Don't talk about freedom of expression.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: They want freedom of expression, they want freedom from laws, they can be self-confessed tax dodgers and they want to know the meaning of freedom of expression.

PROF. C. LAKSHMANNA: There cannot be any freedom of expression in their regime. Therefore, let him confine to the operative part. (*Interruptions*)

SHRI V. GOPALSAMY: Bofors, Bofors.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Now a single interruption from Mr. Gopalsamy and I will be back to the allegations.

THE DEPUTY CHAIRMAN: Now he is reading the operative part and then it will be over. (*Interruptions*). No interruptions, please.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: It says: We take it that the question put to us by the learned counsel for the petitioner is rather addressed to the Chief Minister himself than to us. (*Interruptions*). I do not know what is going to be his fate this evening after his performance here.

THE DEPUTY CHAIRMAN: Please conclude. Don't make observations like this.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: This is what the court have accepted. Even accepting

that healthy democratic traditions demand the resignation of the Chief Minister not only when he forfeits the confidence of the majority of the members of the Legislative Assembly but also on his own accord when it is shown that he is guilty of holding the exalted office, when it is shown that he is guilty of moral turpitude

SHRI PARVATHANENI UPENDRA: Who said that?

SHRI MURLIDHAR CHANDRAKANT BHANDARE: The Judge.

SHRI PARVATHANENI UPENDRA: No, no, it is a wrong quotation. (*Interruptions*)

SHRI MURLIDHAR CHANDRAKANT BHANDARE: From there he comes here. He has *gheraod* me from all sides. Is it permissible?

This is the judgement of the Court. This is the operative part.

SHRI RAM AWADHESH SINGH: You please examine it and if what he has said is false, you move a privilege motion against him. It is a question of privilege. He is misquoting. (*Interruptions*)

SHRI MURLIDHAR CHANDRAKANT BHANDARE: You move a privilege motion against me. (*Interruptions*). It is not a matter of compulsion from outside. (*Interruptions*) They do not like to hear one word of this judgement. What can I do? They have invited it.

SHRI PARVATHANENI UPENDRA: He is coming to the operative part. Come to the operative part. I know the operative part.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: On the first part, this is the operative part.

SHRI PARVATHANENI UPENDRA: Read fully. I have got a copy.

SHRI MURASOLI MARAN (Tamil Nadu): On a point of order.

THE DEPUTY CHAIRMAN: No point of order.

SHRI MURASOLI MARAN: Mr. Advani has hit the nail on its head. Now Mr. Bhandare reads something. Mr. Advani has clearly stated that it is not a part of the judgement.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: It is a part of the judgement.

SHRI MURASOLI MARAN: This House has got a healthy tradition. Mr. Bhandare is not an ordinary Member; he is a senior Advocate. He should not read something to mislead the House. He is misleading the House. (*Interruptions*)

SHRI P. CHIDAMBARAM: It is an amazing charge. I have already placed a copy of the judgement on the Table of the House. He can verify it. (*Interruptions*) Of course, I placed it on the Table of the House. You allowed me to place it. (*Interruptions*).

SHRI MURASOLI MARAN: If he is allowed to read it, he will be guilty of misleading the House, and you will be guilty of allowing it.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Now let me conclude. (*Interruptions*)

SHRI V. GOPALSAMY: Madam I want your ruling. The Minister of State of Home Affairs has said that he has placed it on the Table of the House. He cannot place it on the Table. I want a ruling from the Chair. This is a very serious matter.

PROF. C. LAKSHMANNA: Under what rule he has placed it on the Table of the House? Have you accepted it?

SHRI V. GOPALSAMY: We want a ruling on this.

SHRI ATAL BIHARI VAJPAYEE (Madhya Pradesh): Have you allowed Mr. Chidambaram to lay the copy of the judgement on the Table?

SHRI PARVATHANENI UPENDRA: He cannot place it. (*Interruptions*) He is misleading the House. Under what rule have you permitted him to place it?

THE DEPUTY CHAIRMAN: There is a procedure to lay the papers on the Table of the House. According to present procedure he has not laid it on the Table

PROF. C. LAKSHMANNA: They why did he say that? He is the Home Minister. He should know that. (*Interruptions*)

THE DEPUTY CHAIRMAN: I am not allowing anybody to interrupt now. Mr. Bhandare is concluding.

SHRI CHATURANAN MISHRA: Why are you allowing a quotation from that?

THE DEPUTY CHAIRMAN: That is the operative part.

PROF. C. LAKSHMANNA: It is not the operative part. That is our argument

SHRI M. S. GURUPADASWAMY: I will give you the operative part. May I give you the operative part?

SHRI MULIDHAR CHANDRAKANT BHANDARE: No, I will read the operative part.

SHRI M. S. GURUPADASWAMY: With your permission, may I give you the operative part?

SHRI MULIDHAR CHANDRAKANT BHANDARE: I will not take it from you.

THE DEPUTY CHAIRMAN: Wait, You read what according to you is the operative part. And then Mr. Gurupadaswamy will read which according to him is the operative part. And the matter will rest there. You allow him to complete now. Nobody is listening to the Chair. What is this? Please sit down every body. Mr. Bhandare, now please conclude.

SHRI MULIDHAR CHANDRAKANT BHANDARE: Let me quote:

"The Chief Minister is accountable to the electorate who holds a watching brief to prevent mis-performance and

misrule by their elected representatives. It is true the moral and ethical standards might differ from person to person. What might shock the conscience of one person might not cause even a stir in the mind of another. It is for the Chief Minister..."

SHRI PARVATHANENI UPENDRA: That is why we have appointed a Commission, unlike Rajiv Gandhi who is shielding

SHRI MULIDHAR CHANDRAKANT BHANDARE: He has appointed a Parliamentary Committee (*Interruptions*). Don't tell me that. You are guilty of dereliction of duty.

"What might shock the conscience of one person might not cause even a stir in the mind of another..."

SHRI PARVATHANENI UPENDRA: That applies to your leader.

SHRI MULIDHAR CHANDRAKANT BHANDARE: "It is for the Chief Minister himself to make up his mind in regard to the path he should follow in the face of these allegations. No gratuitous advice, much less any specific direction, from this Court is necessary"

SHRI PARVATHANENI UPENDRA: And you stopped the work of the Commission by going to the court.

SHRI MULIDHAR CHANDRAKANT BHANDARE: He refers to the Commission of Inquiry. The other day I read in a newspaper that that Commission of Inquiry is dead because he appointed a fresh Commission... (*Interruptions*)... He was his legal adviser.

SHRI PARVATHANENI UPENDRA: That is wrong... (*Interruptions*)...

PROF. C. LAKSHMANNA: That is unfounded malicious.

SHRI PARVATHANENI UPENDRA: I challenge you, Mr. Bhandare: Do you stand by that statement that he worked as his lawyer?

SHRI MULIDHAR CHANDRA-KANT BHANDARE: I know that ...
(Interruptions) ...

Madam, I will end by saying this: We are living in a democracy. We have a fierce debate. We go and say whatever we like about ourselves and whatever we like about others. It is a matter of the deepest regret to me that what was merely an election campaign should have been brought into this House. And if the matter has recoiled and if they are feeling that they are mauled by this debate, I have only to say that they have only to blame themselves for the very unenviable position in which they have placed themselves.

There is no doubt in my mind since this question raises an important aspect of State-Centre relationship that a monolithic national party like the Congress is the only alternative before the people.

SHRI ATAL BIHARI VAJPAYEE:
Look at the monolith!

SHRI DIPEN GHOSH: Madam Deputy Chairman. I am glad and I must particularly thank my learned colleague, Mr. M. C. Bhandare, that he has relied more on a court judgment than on any other paper — not the newspaper. I am glad, because only the other day when a very learned Member belonging to the Treasury Benches, himself a legal luminary, castigated the Supreme Court for protecting the so-called anti-socials...

SHRI P. SHIV SHANKAR: Madam, I am sorry, may I have a say?

SHRI DIPEN GHOSH: I did not mention his name, Madam.

SHRI P. SHIV SHANKER: He said "A learned Member of the Treasury Benches."

SHRI DIPEN GHOSH: But I did not mention his name.

SHRI P. SHIV SHANKER: I would like to set the record straight ... (Interruptions) ... Madam, since this has been referred to, may be it will be referred to again, I would like to have my say ... (Interruptions) ... When I was speaking ...

SHRI DIPEN GHOSH: I have not had my say, Madam, Unless and until I have had my say, how can he make his statement?

SHRI PAWAN KUMAR BANSAL:
Be straightforward and serious.

SHRI DIPEN GHOSH: Now, Mr. Bansal, please stop it. Enough is enough. I have not yet ended. How can Mr. Shiv Shanker be given the floor?

SHRI P. SHIV SHANKER: Madam, may I have a say?

SHRI DIPEN GHOSH: I am not going to yield.

SHRI P. SHIV SHANKER. He said that I castigated the Supreme Court.

SHRI DIPEN GHOSH: I am not going to yield. I did not mention his name.

SHRI P. SHIV SHANKER: Whom did you mention then?

SHRI DIPEN GHOSH: Madam, I did not mention his name ... (Interruptions) ... I will let you know that when I complete.

SHRI P. SHIV SHANKER: He said, "A Member of the Treasury Benches, a learned person."

SHRIMATI RENUKA CHOWDHURY: So you call yourself a learned man? ... (Interruptions) ...

SHRI P. SHIV SHANKER: I am a Member of the Treasury Benches ... (Interruptions) ...

SHRI DIPEN GHOSH: You call yourself a learned person and behave like this?

SHRI P. SHIV SHANKER: And that I castigated the Supreme Court. This is the language which has been used. I am not saying anything against him. I am saying what the circumstances were. What was said I must explain.

SHRI DIPEN GHOSH: If I refer to you or your statement then you will have the right to explain but not by stopping me. After I complete ... (Interrup-

tions) . You cannot have that prerogative.

SHRI P. SHIV SHANKER: Madam, I am rising on a point of order. I rose on a point of order.

SHRI DIPEN GHOSH: Madam, are you allowing him to raise a point of order?

THE DEPUTY CHAIRMAN: Yes.

SHRI P. SHIV SHANKER: She has allowed me. That is why I stood up. I must submit that I was speaking on the accountability of the executive, legislature and judiciary under the Constitution.

SHRI LAL K. ADVANI: There is no point of order.

THE DEPUTY CHAIRMAN: It is his submission.

SHRI DIPEN GHOSH: What submission? How can it be allowed?

THE DEPUTY CHAIRMAN: Listen When he rose he said, he wanted to have a say. Therefore, he is making a submission. I have allowed him. I can allow him. He is making a submission. Let him make a submission because he thinks it is an allegation it is a hidden allegation against him, and he wants to clarify the position.

SHRI DIPEN GHOSH: I did not make any allegation.

SHRI P. SHIV SHANKER: You said that I had castigated the Supreme Court. These are the words used by you. I have to explain.

SHRI LAL K. ADVANI: Madam, I am on a point of order on this.

SHRI P. SHIV SHANKER: How can there be a point of order on a point of order?

SHRI PARVATHANENI UPENDRA: It is not a point of order, it is a submission.

THE DEPUTY CHAIRMAN: No point of order.

श्री लाल कृष्ण आडवाणी : अपने-
उनको सबमिशन की जो परमिशन

दी है उसी पर मेरा प्वाइन्ट ऑफ आर्डर है।

उपसभापति : आप उनको पहले बोलने तो दीजिए ।

SHRI LAL K. ADVANI: I am on a point of order, Madam. A point of order should get precedence over a submission being made by a Member.

SHRI BUTA SINGH: Chair has permitted him. Let her decide first. Then you can have your point of order.

SHRI LAL K. ADVANI: I have a point of order on whether a permission of this kind can be granted.

THE DEPUTY CHAIRMAN: You know very well ..

SHRI LAL K. ADVANI: I am merely pointing out the rule.

THE DEPUTY CHAIRMAN: He is standing with my permission. I have allowed him to make a submission. Let him make it. Then you can make your point of order.

SHRI LAL K. ADVANI: I have a point of order before he makes his submission.

SHRI DIPEN GHOSH: He said, he was on a point of order. That point of order is being granted. But I have a right to ask what point of order you have got in making a submission.

SHRI P. SHIV SHANKER: Because you said castigated.

SHRI DIPEN GHOSH: I did not mention your name. How did it hurt you?

SHRI P. SHIV SHANKER: Are you prepared to say that it is not I?

SHRI DIPEN GHOSH: You wait till I finish.

SHRI P. SHIV SHANKER: You deny. You say, Mr. Shiv Shanker is not the person. I will sit down.

SHRI DIPEN GHOSH: This is the calibre of a Minister.

श्री पी० शिव शंकर: आपके खिलाफ नहीं बोल रहा हूं, आप बोलने तो दीजिए ।

SHRI DIPEN GHOSH I can also put a question to you in that connection. You are a lawyer. I am not a lawyer. Mr. Chidambaram was speaking about lawyers.

I would like to put a question to you

THE DEPUTY CHAIRMAN It will not go on record.

SHRI P. SHIV SHANKER: Unfortunately, you never hear the advice of the lawyers including those sitting on your side. This is the difficulty.

SHRI DIPEN GHOSH: Madam, I am taking objection. I did not mention his name.

SHRI P. SHIV SHANKER: You deny. I will sit down.

THE DEPUTY CHAIRMAN: Listen. In that case he said that you wanted to know from him, you indirectly pointed at him.

SHRI DIPEN GHOSH: *

That is why I had put the question.

THE DEPUTY CHAIRMAN: It is not going on record. It is in bad taste to ask such a question. No. Please sit down.

Mr. Shiv Shanker, whatever you want to say, you finish, make a submission and finish.

SHRI DIPEN GHOSH: How can he make a submission? He will have to wait until I finish. After I finish, he can make a submission.

THE DEPUTY CHAIRMAN: All right Mr. Advani.

SHRI LAL K. ADVANI: There is the rule. He can stand up on a point of personal explanation under Rule 241.

श्री अटल बिहारी वाजपेयी : अगर उनको परसनल एक्सप्लेनशन देना है तो बाद में दे सकते हैं।

5 P.M.

SHRI LAL K. ADVANI: Under Rule 241.

SHRI P. SHIV SHANKER: I stood up on the ground.

SHRI PARVATHENENI UPENDRA: Madam, you have allowed Mr. Advani to speak.

SHRI P. SHIV SHANKER: ...to make my submission because a reference was made.

SHRI PARVATHENENI UPENDRA: Under what rule?

THE DEPUTY CHAIRMAN: You see the Chair has the discretion to allow a Member to make a submission if he wants to.

SHRI ATAL BIHARI VAJPAYEE: Not in the middle of the speech.

THE DEPUTY CHAIRMAN: In the middle. Only when you raise a point of order. Otherwise how points of order are raised? They are raised only in the middle. Therefore, whenever there is something objectionable or out of order, in that case.. (Interruptions) I have allowed it, do you want to challenge? (Interruptions) Do you want to challenge? In my capacity as Deputy Chairman I have allowed it. (Interruptions) No I say you sit down.

AN HON MEMBER: He says that he is on a point of order.

THE DEPUTY CHAIRMAN: Sit down first. You please finish with your point of order Mr. Shiv Shanker.

SHRI P. SHIV SHANKER: I was trying to submit that I was speaking on the accountability of the Legislature, the Executive and the Judiciary under the Constitution and I developed my theme to say that because the people of India are sovereign, therefore, all these three institutions have got to be accountable to the people of India. Then the question I raised was that because the majority of the people of India are the poor masses, how far the three institutions have accounted themselves to those persons. That was the theme which I was developing. And having developed it, then I came to judiciary. I started with the role of the Supreme Court right before Independence and after Independence. If my speech is read thoroughly as

whole in the context in which I spoke, I was referring to the role of the Supreme Court 20 years after that was set up from 1950. I said — the Zamindari abolition, regulations, how it met the fate and what actually happened, how the people were meted out justice. It is those things which I referred to. I did not refer to the matters at this stage. In fact, I am proud that the Supreme Court at least from 1980 has taken up the cause of the common man. *(Interruptions)*

SHRI PARVATHENENI UPENDRA: I am on a point of order.

SHRI DIPEN GHOSH: What does he say?

SHRI PARVATHANENI UPENDRA: Isn't he casting a slur on the Supreme Court Judges? Does it mean that the Supreme Court was not acting for the common man?

SHRI P. SHIV SHANKER: I am prepared for a discussion on my speech. Let the speech be made a part of the record. I am prepared to lay it on the Table of the House, if the hon. Members want it. I will speak on each and every word of that. I don't get away from this. But I would like to end up by saying that the question that my friend was putting was in bad taste and it is highly mean on his part to put such a question.

THE DEPUTY CHAIRMAN: Shri Dipen Ghosh will continue.

SHRI DIPEN GHOSH: Madam Deputy Chairman, I have not seen the full text of Mr. Shiv Shanker's speech, but at least by making a submission he has admitted that prior to 1980 the Supreme Court was not performing... *(interruptions)*.

AN HON. MEMBER: Don't misinterpret it.

SHRI DIPEN GHOSH: Because just now he has used the sentence at least since 1980, the Supreme Court has been taking up the cause of masses.

SHRI P. SHIV SHANKER: Yes, I stand by that.

SHRI DIPEN GHOSH: So, it is concluded that a prior to 1980 the Supreme Court could be accused of not taking up the cause of the masses. Is it so?

SHRI P. SHIV SHANKER: Shall I say that the legal aid was abolished when the Janata Party Government was in power?

SHRI DIPEN GHOSH: Janata party was in power for two and a half years. Before 1980, from 1947 to 1980, for only two and a half years Janata Party was in power. You used in your expression in English 'since 1980'. Since 1980, that means...

THE DEPUTY CHAIRMAN: I would like to remind the Members to restrict their speeches to the subject.

SHRI DIPEN GHOSH: Madam, I appreciate Mr. Bhandare's increasing reliance on the High Court judgment because in the meantime, the right of the court, status or the role of the court has been questioned by the Members belonging to the Treasury Benches. That is one aspect.

THE DEPUTY CHAIRMAN: Put your point now.

SHRI DIPEN GHOSH: This is the newspaper report. Until and unless our hon. Minister, Mr. Buta Singh refutes one by one what has been published in this newspaper or denies having said like that, I assume that at least, if not all, certain things he has stated need to be reviewed or discussed. In what background? Whether a court has gone against a particular individual or not. I am not going to question that. This issue has to be viewed in the background of, more and more, strained Centre-State relations because this speech is not an exception. It betrays increasing intolerance if not intransigence on the part of Centre towards the opposition-led States. Mr. Buta Singh is not an exception. His mentor, I am not going to say "so-called" — his real leader — Prime Minister himself is indulging in these exercises.

SOME HON. MEMBERS. No, no.

SHRI DIPEN GHOSH: Madam, the other day I viewed a T.V. programme, that is, on last Sunday from 7.30 to 7.45 in the evening, prime time of the T.V. (interruptions) I am not relying on "Newstime" but I am relying on the Government media where the Prime Minister was shown addressing various meetings in Tripura.

श्री मीर्जा इशान्वरेग (गुजरात) : यह गलत बोल रहे हैं ... (व्यवधान)

उपसभापति : बोलने दीजिए, उनको (व्यवधान) अगर एक एक वर्ड पर टोकेंगे तो यह कब खत्म होगा (व्यवधान) वह टी० वी० के बारे में कह रहे हैं।

SHRI DIPEN GHOSH: The Prime Minister was shown speaking to the masses of Tripura in a Telefilm.

SHRIMATI JAYANTHI NATARAJAN: How it relates here?

SHRI DIPEN GHOSH: You will come how it relates. You are a lawyer, you please wait.

SHRI V. NARAYANSAMY: I am on a point of order.

SHRI DIPEN GHOSH: I have seen the Prime Minister, none other than the Prime Minister, the President of their party accusing the Chief Minister of Tripura stating all cock and bull stories, all absurdities and all wrong information.

SHRI V. NARAYANSAMY: I am on a point of order.

SHRI DIPEN GHOSH: Madam, you can recall how the Prime Minister had acted on the eve of West Bengal poll — how he had gone from length to breadth in West Bengal accusing the Chief Minister — "ageing Chief Minister" and other Ministers in his speeches.

SHRI P. SHIV SHANKER: Madam, I am on a point of order.

SHRI DIPEN GHOSH: No, I am not going to yield.

SHRI P. SHIV SHANKER: Please decide whether my point of order ...

SHRI DIPEN GHOSH: No, he should wait till I finish.

SHRI P. SHIV SHANKER: No, no, it must be heard. I would like to be heard.

SHRI DIPEN GHOSH: You yourself declared that there shall not be any point of order.

SHRI P. SHIV SHANKER: Let me be heard and then decide. (Interruption)

I must be heard. What is my point of order, it must be heard.

श्री अटल बिहारी वाजपेयी : पहले आपने सवमिशन एलाउ दिया, अब पाइंट आफ आर्डर एलाउ कर रही है, लेकिन मेरे दोस्त आडवाण जी का पाइंट आफ आर्डर आपने एलाउ नहीं किया . . (व्यवधान)

उपसभापति : शकधर की किताब में पेज 718 के ऊपर दिया है :

If any member makes hidden innuendoes to a Minister the Minister has the right then and there to reply to that. According to that इसलिए हमने उनको एलाउ किया है, ऐसे नहीं किया या है। आप न करें तो अच्छा है।
and it was according to the rule.

श्री पी० शिव शंकर : आप रुक आउट कर दीजिए मुझे कोई ऑब्जेक्शन नहीं है। I have no objection. Now, you were pleased to give ruling that everything that arises out of what Mr. Upendra has said ... (Interruptions).

SHRI DIPEN GHOSH: That is there. I have framed it that it betrays an increasing intolerance if not intransigence on the part of the Centre towards the Opposition led States (Interruptions).

SHRI P. SHIV SHANKER: Madam, my submission is, are Tripura and West Bengal within the purview of what was said by Mr. Upendra? (Interruptions). No Madam, you must listen.

THE DEPUTY CHAIRMAN: Mr. Dipen Ghosh will continue. Please do not go outside the purview.

SHRI LAL K. ADVANI: Madam, the purview is Centre-State relations. That is the basic issue.

SHRI DIPEN GHOSH: I give a right to Mr. Buta Singh as leader of the Congress (I) to take part in electioneering whether it is in Guntur, Nagaland, Haryana or anywhere else. But the question is, there are certain remarks having been made by Mr. Buta Singh as Home Minister that make me concerned. So, that is why I started with this that it is to be viewed in the background of growingly strained Centre-States relations, it betrays increasing intolerance if not intransigence on the part of the Centre towards the Opposition-led States. I cited certain more instances. Now, I quote. Mr. Buta Singh will lend his ears. It also has been published. I quote: "I, as Home Minister of India had come down personally to monitor Guntur election situation. Anybody who tampers with the election process will not be let off. The Central Government will take strict action."

It is good. (Interruption). It is very good. Mr. Bhardwaj, please wait until I frame my question. He will reply. You please wait. You are the Law Minister. Please do not create lawlessness here. (Interruptions) Madam Deputy Chairman the other day I had the opportunity of meeting the Home Minister, Shri Buta Singh, in his chamber, about certain reports on the Haryana by-election. Certain reports came to us and we wanted to discuss with the Home Minister before the election date. I think it was two days before the election date. Mr. Buta Singh had informed me—I do not know whether Mr. Buta Singh will agree or disagree with me on that statement now — "First of all, holding of election pertains to the Election Commission. Maintenance of law and order in connection with the election pertains to the State Government. I, as the Home Minister of India, do not come into the picture anywhere." It was his reply. (Interruptions)

SHRI BUTA SINGH: Madam, I distinctly remember I gave the Constitutional provision. At the same time, I told him that if and when the Chief

Election Commissioner asked for the assistance of the Central Government, we would be too willing to assist by providing the para-military forces (Interruptions)

SHRI DIPEN GHOSH: Exactly.

SHRI BUTA SINGH: Let me complete now. Also, as I have said, these reports, which Mr. Upendra has read and Mr. Dipen Ghosh is reading, are taken as gospel truth by them without verification. They are basing every argument of theirs on these. And he is trying to prove the case of another State. In connection with the elections, I will go there when the elections take place in Tripura also. (Interruptions)

SHRI DIPEN GHOSH: More you will be coming to our State and more your party will be defeated. That is why I hold out my permanent invitation to all of you. Madam Deputy Chairman, the Home Minister himself has admitted that if the State Government wants, then the Central Government comes into the picture. That is why I consider it wrong. Had he gone there as a Congress-I leader to take part in electioneering, for the purpose of making the Congress-I candidate there win, then it was all right, I would not have objected to it. But the question is, as the Home Minister he has stated. So, I think this is wrong.

The second point is—Mr. Bhandare had also tried to dwell on it—about the parochial attack and all that. It is true that there are parties, there are groups, who indulge in separatism, divisive activities and fundamentalist activities and thereby endanger the unity and solidarity of our country. It is true. There are such groups and parties. Which party, group, I am not going to say. There are parties and groups... (Interruptions) who directly indulge in separatism, divisive activities and fundamentalist activities. There are parties and groups who encourage and abet these. And the foremost

[Shri Dipen Ghosh]

party, which is indulging in encouraging those parties and groups, indulging in activities of separatism, communalism and fundamentalism, is Congress-I of which Mr. Buta Singh is the Home Minister. He has taken objection for Mr. NTR going to Nagaland and Haryana. And while going in Nagaland, even Mr. Bhandare said, he encouraged Nagas, etc. The other day I heard even underground Nagas are going to be called to Delhi for giving a red carpet ovation. Who is encouraging separatism? We know who had encouraged Gheishung. We know who had been encouraging TNV? TUJ is the legalised signboard of TNV. They are allied with TUJ. Before complaining against others, let Mr. Buta Singh search his own heart.

Finally, even in regard to corruption why are they making so much noise? There are more skeletons in their cupboards and those skeletons are stinking and that is why they want to try to cover up their own misdeeds and that is why they are picking up all these court cases. So, in the background of this debate, in the background of Sarkaria Commission Report which has since been submitted to the Government, I say there should be a full-fledged debate on the strained Centre-State relations.

SHRI BUTA SINGH: Madam, have you observed how he has carefully avoided defending Mr. Rama Rao?

SHRI A. G. KULKARNI: Madam, I am limiting myself to the news item in the "Newstime" from Hyderabad. I am not such a learned person to go into the intellectual judgments. But I have enough common sense to understand what they want to say. I have listened to Mr. Upendra. At the outset I object why my friend, Mr. Upendra, has taken the view that Mr. Buta Singh has gone out of the way, that there is the Centre-State relations question, etc. I think many of my colleagues in the Opposition parties are unnecessarily taking a very serious, an uncalled

for, view of a very small matter. Madam, Mr. Buta Singh—it is known and perhaps Mr. Upendra will bear me out—went there for the Guntur elections for pleading for the Congress (I) candidate, for getting votes for the Congress (I) member. He never went there as the Home Minister. He used a private car and it is the practice in this country that whenever the Ministers, whether Central or State, go for any election work, they have to use private cars and the only exception is the Prime Minister, for security reasons. So, he went in a private car. He is the Home Minister and so, anybody in this country can complain to the Home Minister that there is a possibility of violence, of capturing of booths, etc. in this area, particularly in Andhra Pradesh, where the election was due because of the death of a Congress (I) member. I do not abuse them or I do not allege that the Telugu Desam people are notorious for capturing booths. I never say that. (Interruptions). But, Madam, there is a possibility. (Interruptions). As the Home Minister, he held a meeting, not a Press conference, with the officers. He called the officers. What did he tell them? It was only with the officers that he had the meeting and it was not in any open ground. What did he say? I would like to quote from the "Newstime". He said: "I, as the Home Minister of India, have come down personally to monitor the Guntur election situation. Anybody who tampers with the election process will not be left free. The Central Government will take strict action." What on earth is objectionable in this?... (Interruptions) Madam, the Home Minister would never have said anything else and he would have abdicated his authority as the Home Minister and we would also have taken him to task because he is the Home Minister of the Government of India and our party has formed the Government here and it is only his responsibility which he has carried out.

SHRI V. GOPALSAMY: He may be the Home Minister, but he cannot encroach upon the territory of a State Government.

SHRI A. G. KULKARNI: Do you mean to say that the ADMK Chief Minister cannot go to any other place?

SHRI V. GOPALSAMY: Law and order is a State subject. What business have you got there?

SHRI A. G. KULKARNI: Please let me make my point. Now, he has mentioned about some crores of rupees, etc. How many crores, God alone knows. But it was in the reply in the Rajya Sabha that there were some dues, about Rs. 95 lakhs from Mr. N. T. Rama Rao. I do not think so. But I do not know also whether it is correct or whether it is incorrect or whether it is in dispute. But as a senior artiste, I do not say as the Chief Minister, he owes much to the Government because senior artistes always owe much to the Government. (Interruptions)...

SHRI PARVATHANENI UPENDRA: It is only Rs. 4.9 lakhs.

SHRI A. G. KULKARNI: Madam, the honourable intellectual leader of the Telugu Desam Party is saying...

SHRI PARVATHANENI UPENDRA: I only corrected it. It is only Rs. 4.9 lakhs.

SHRI A. G. KULKARNI: Rs. 4.5 crores?

SHRI PARVATHANENI UPENDRA: I corrected it; it is only Rs. 4.9 lakhs.

SHRI A. G. KULKARNI: But the entire amount was Rs. 95 lakhs.

SHRI PARVATHANENI UPENDRA: Maybe in the case of Mr. Amitabh Bachchan.

SHRI A. G. KULKARNI: Madam, I want a clarification from him. Has he not received, between November 22 and 28, various petitions from the

people of Guntur taluk regarding possible threat of booth-capturing and not permitting the weaker sections to vote? My friend from the other side, instead of bringing the Centre-State relations, etc. (Interruptions) My friend Mr. Bhandare has already explained, and I do not want to create another hornet's nest and thus create more problems. But I have already stated in my first intervention that the court has given advice... (Interruptions) A morally upgraded man like NTR should ask his conscience.

SHRI PARVATHANENI UPENDRA: You read the judgment.

SHRI A. G. KULKARNI: I can read it for you. (Interruptions) It is page 13 of the judgment. It is WP 12425 of 1987; that is the judgment Number (Interruptions) Don't unnecessarily provoke me. This is of second November. (Interruptions).

PROF. C. LAKSHMANNA: What is this? (Interruptions)

THE DEPUTY CHAIRMAN: Mr. Upendra asked him to read the judgment.

PROF. C. LAKSHMANNA: Mr. Upendra is not deciding. Mr. Upendra cannot decide. Are you over-ruling your ruling? (Interruptions)

THE DEPUTY CHAIRMAN: Nobody can threaten me.

PROF. C. LAKSHMANNA: I am asking you: Are you over-ruling your own... (Interruptions)

SHRI P. CHIDAMBARAM: Mr. Upendra says that the court has not said this. Is it not the right of the Member to say that the court has said it? (Interruptions)

SHRI A. G. KULKARNI: Healthy democratic traditions demand the resignation of the Chief Minister, not only when he forfeits the confidence of the majority of the Members of the Legislative Assembly but also of his own accord, when it is shown that he is guilty of moral turpitude.

[Shri A. G. Kulkarni]

and, therefore, unworthy of holding an exalted office. The call for action has to come from within. And I appeal. *(Interruptions)* It is not a matter of compulsion. *(Interruptions)*

SHRI PARVATHANENI UPENDRA: Read the whole thing.

SHRI A. G. KULKARNI: That you read.

PROF. C. LAKSHMANNA: What is this? *(Interruptions)*

SHRI A. G. KULKARNI: This country has a heritage, culture, of thousands of years, and...

SHRI PARVATHANENI UPENDRA: You started it?

SHRI A. G. KULKARNI: I am doubtful of your party. *(Interruptions)*.

SHRI B. SATYANARAYAN REDDY (Andhra Pradesh): You are changing from this side to that side: Is that your culture?

SHRI PARVATHANENI UPENDRA: What is your culture? *(Interruptions)*

SHRI N. K. P. SALVE: Agriculture! *(Interruptions)*

SHRI A. G. KULKARNI: Madam, I say that this country has got a culture.

SHRI PARVATHANENI UPENDRA: You have done enough. You have proved that you are a Congress (I) man.

SHRI A. G. KULKARNI: Madam, whatever these intellectuals may say, there is a common courtesy of a common man or a common woman with a little intelligence at least to listen to what the sages or the intellectuals say. The Chief Justice of a High Court has said it. *(Interruptions)*

SHRI PARVATHANENI UPENDRA: . . . *

SHRI A. G. KULKARNI: I am making my last point.

SHRI PARVATHANENI UPENDRA: . . . *

SHRI A. G. KULKARNI: If you want to say anything about him, go to the court, file a petition in the Supreme Court and get decisions. This is the only way.

SHRI PARVATHANENI UPENDRA: . . . *

SHRI P. CHIDAMBARAM: There are serious aspersions which Mr. Upendra has cast on him. I am sure he would like to withdraw them on second thought. *(Interruptions)* I am appealing to his good sense. He has made very serious allegations against him.

SHRI PARVATHANENI UPENDRA: . . . *

THE DEPUTY CHAIRMAN: Any aspersions cast on the Chief Justice or the High Court Judge will not go on record.

SHRI A. G. KULKARNI: I am finishing. I want to know from the Home Minister whether it is a fact that in a Malayalam daily, dated 14th November, 1987, there is a report. *(Interruptions)*

It is in Malayalam. I have got a copy in English. I do not want to quote or say anything. They have stated.

SHRI B. SATYANARAYAN REDDY: Who translated it?

SHRI A. G. KULKARNI: Mr. Gopalsamy has translated it. *(Interruptions)*

SHRI PARVATHANENI UPENDRA: Is it within the scope of the discussion? You have given the parameters. He cannot read from every document.

SHRI A. G. KULKARNI: The parameter is this judgment

SHRI BUTA SINGH: The whole discussion is based on press reports. He is also reading a press report.

SHRI PARVATHANENI UPENDRA: What is this report? There are

hundreds of press reports. We cannot refer to hundreds of press reports. We are not discussing all the press reports. We cannot go on like that

SHRI A. G. KULKARNI: The Chief Minister brought one Lakshmanan... *(Interruptions)*

Madam, the allegation is that the Chief Minister brought one Lakshmanan in Hyderabad to file a writ petition against the Chief Justice. So, in this connection I want to appeal to all the political parties—this is my last sentence—that for heaven's sake, for cheap popularity do not indulge in politicising either the judiciary or the administration. *(Interruptions)* Nobody is going to gain by it. But the moral standards in this country will go down. For heaven's sake do not play with the fire. I only advise my friends.

SHRI M. S. GURUPADASWAMY. Madam Deputy, Chairman, I must congratulate the people of Guntur for having got the love and affection of five Central Ministers. And in Guntur the occasion was and is a local election to Zilla Parishad. It was not a parliamentary election nor an election to the Legislature. It is an election to the Zilla Parishad. I don't think, to my knowledge, in the history of this country since independence, any Central Ministers went to canvas for Zilla Parishad elections. There is nothing wrong in going for canvassing. I don't object at all. I only express my amusement on the whole thing that how a petty election which will not decide the fate of the State Government or the Central Government could attract the attention of five Central Ministers.

AN HON MEMBER: What was wrong in it?

SHRI H HANUMANTHAPPA (Karnataka): Will you yield for a minute?

SHRI M. S. GURUPADASWAMY: No, I have no time Madam, I do not want to try the patience of the House. If anybody can remove Mr. Buta Singh from the speech, from

the body of the speech, what impression does this convey to anybody, to any person? If you go through the speech, the language used and the expressions used, they do not convey that the language and those expressions were from a cultured person. That is all I could say. To my mind it is not a decent speech given by a decent person. This can be a speech given by a person who is on the street. *(Interruptions)* I do not like to be disturbed. I appeal to your sense of decency. That is all. More than that I cannot do anything. I appeal to the sense of decency of all Members of the House. If it is true and if this is really the speech, I think the person who has delivered it must have lost his balance of mind. There are the precious gems from the speech which have been read out already. But I give three gems which have been picked up. Along with those gems is the photo of my friend also. One precious gem is: "Shri N. T. Rama Rao has stolen crores of rupees from income-tax. He has acquired crores of rupees worth property. I am not saying this. The Andhra Pradesh High Court has said all this." Another gem is: "I as Home Minister of India, had come to personally monitor the situation in Guntur." He had personally gone to monitor. That is the word. "Anybody who tampers with the election process will not be let off. The Central Government will take strict action." Under what rules I do not know. The third gem is: "The Chief Minister can't stop even women being raped under his very nose in the MLAs hostel. The Prime Minister had to go all the way from Delhi to save them,—from rape." The Prime Minister had to go from Delhi to Hyderabad to save women from rape. There are other gems also in the speech.

Please forget your party. I want to forget my party. I am not quoting the law here. Is it all proper? *(Interruptions)* Please listen. Please give me this benefit. Will you call this speech a proper decent civilised speech? Can you?

AN HON MEMBER. Yes.

SHRI M S GURUPADASWAMY:
I am getting the echo of culture.
That is all I can say. I am only
saying that this speech as it is, is a
speech of garbage. It has the language
of a chaprasi.

SHRI MURASOLI MARAN: Sir, I
object to it. Chaprasi uses very
civilised language. (Interruptions)

SHRI BUTA SINGH: I respect
chaprasi equally as I respect the
Hon Member.

परिवरण और वनमंत्री (श्री भजन
लाल) : चपरासी की भाषा तो हमारे से
भी सम्य है, हमारे से भी अच्छे हैं।
चपरासी तमोज से बात करता है

SHRI M. S. GURUPADASWAMY
If you take offence, I withdraw (In-
terruptions). All right, I withdraw
that expression.

SHRI KAMALENDU BHATTACHARJEE: You are saying Mr. Buta
Singh has lost his balance. The
fact is that you have lost your bal-
ance

SHRI M. S. GURUPADASWAMY:
To keep the temper of the House I
withdraw that expression. If you go
through the speech, you will get an
inevitable impression that Mr. Buta
Singh employed the language deliberately
to intimidate. (Interruption)
He will not intimidate you, I am
sure. Mrs. Natarajan. Mr Buta Singh
employed the language deliberately
to intimidate overawe and bludgeon
the State Government by using a
small stick like this. This is only
a Zilla Parishad election. It is too
small. If he had taken a bigger
issue, I would have been happy. After
all, we fight political battles.
There is nothing wrong in that. But
the way he has gone about, warning
the local officials district officials is
not proper. It is not your concern.
You have gone there to campaign.
Campaign and come back. No objec-
tion. Why should you call the offi-

cials and warn them. threaten them?
For what?

DR. H. P SHARMA (Rajasthan).
Against tampering of ballot boxes.
(Interruptions)

SHRI M. S GURUPADASWAMY.
The law is there. You are not a substi-
tute for law (Interruptions).

SHRI DIPEN GHOSH: What did you
do in 1970 (Interruptions) Where
were you at that time. at the time of
West Bengal and Bihar elections?
(Interruptions)

SHRI M S GURUPADASWAMY
The courts are there. It is not your
concern. It is not your responsibility
at all. You cannot call them, warn
them, threaten them, intimidate them
create fear in their minds. No. It is
not your jurisdiction. Mind you You
may be the Home Minister. But the
Home Minister has certain restrictions.
You cannot function this way. This
is not the way. If you had not done
this, I would have been happy.

Madam, my friends were reading
excerpts from the judgement. My
friend, Mr Bhandare, was quoting
from narration. In a judgement, there
are various parts. My friend, Mr
Chidambaram, knows much more than
me. He is an active lawyer. There is
a narration part and there are other
parts. The most important part is the
operative part. There were two writ
petition. I will read out the operative part
only. In the first writ petition the operative
part is like this

"We have no doubt in our mind
that whatever be the merits of the
allegations made, if and when found
appropriate, the power to termina-
te the tenure of office of the Chief
Minister being vested solely in the
Governor under article 164(1) of
the Constitution, no writ of quo
warranto as prayed for would is-
sue from this court. In that view,
the writ petition is dismissed, with-
out any order as to costs"

In the second writ petition, the operative part is....

SHRI KAMALENDU BHATTACHARJEE: You are confused.

SHRI M. S. GURUPADASWAMY: It is you who is confused. Why do you confuse me?

It is on page 29 which says.

"While we refuse to give any direction to the Central Government in the terms played for by the petitioner, we have no doubt that the writ petition filed by the petitioner as well as the details set out in the judgement will receive the consideration of the Central Government and an appropriate decision will be taken....

SHRI P. CHIDAMBARAM: Mark the words 'as well as the details'.

SHRI M. S. GURUPADASWAMY: The verdict is: 'The writ petition is accordingly dismissed with the aforesaid observations'.

SHRI P. CHIDAMBARAM: Again mark the words 'with the aforesaid observations'.

SHRI M. S. GURUPADASWAMY: The Judgement finally says 'There shall be no order as to costs' (Interruption) I am only reading the operative part. What is your difficulty?

SHRI P. CHIDAMBARAM: If you will yield for a minute.

SHRI M. S. GURUPADASWAMY: I am not yielding.

SHRI P. CHIDAMBARAM: You read the details.

SHRI M. S. GURUPADASWAMY: I am not yielding (Interruptions)

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI M. S. GURUPADASWAMY: You are a learned lawyer. You understand.

SHRI P. CHIDAMBARAM: I appeal to you to read the details.

SHRI M. S. GURUPADASWAMY: I do not want to go into the details. I am only reading the operative part. Only operative part. Madam, I am not holding brief for Shri N T Rama Rao. Let me say finally, if he has committed any wrong, any improper action, if he is involved in any moral offence, then there is law for that. Already he has appointed a Commission to go into (Interruptions). Your difficulty is, it is a very comprehensive investigation wherein even Congressmen will be brought in. Your people have been the rulers of Andhra Pradesh since 1956. All your leaders will be brought in. That is your fear.

SHRI V. NARAYANASAMY: Including Janata Party leaders

SHRI M. S. GURUPADASWAMY: I am not defending anybody, let me tell you. You are suffering from a sort of paranoia, a particular psychological fear which you cannot get over. Therefore, let us think of this in a proper perspective. If any wrong has been committed by my friend, Mr. Buta Singh, if the speech, as it is printed, is true, the minimum that I expect is that he must express his regret. And if he has any evidence to prove that he has not made the speech, he must tell us. Of course, we are not holding any inquisition here. We may be at fault, we may be wrong. We are basing our charges on the basis of the printed material. It is all quoted here for authenticity. If my friend thinks that he has at all made the speech, the least I expect from him, as a civilized person, as a Member of this House, is regret, an unqualified regret. Thank you.

SHRI N. K. P. SALVE: Madam, so far as the constitutional proposition is concerned, if a Union Minister is referring to any Minister in any State, whether he be the Minister or the Chief Minister of a ruling party or the opposition party.

SHRI DIPEN GHOSH: Tomorrow Guntur result will be out. Will the Minister be available in that case?

श्री वीरेन्द्र वर्मा : इन्होंने शुरू कर दिया । अब कल होगा ।

THE DEPUTY CHAIRMAN: All right. The debate will continue. But I have to make an announcement.

ALLOCATION OF TIME FOR DISPOSAL OF GOVERNMENT AND OTHER BUSINESS

THE DEPUTY CHAIRMAN: I have to inform Members that the Business Advisory Committee at its meeting held today, the 3rd December, 1987, allotted time for Government Legislative Business as follows:—

1. Consideration and return of the following Bill, as passed by the Lok Sabha:—

Business	Time allowed
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(a) The Finance (Amendment) Bill, 1987.	4 hrs.
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(b) The Comptroller and Auditor General's (Duties, Powers and conditions of Service) Amendment Bill, 1987.	1 hr
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2. Consideration and passing of the Administrative Tribunals (Amendment) Bill, 1987. 2 hrs

The House stands adjourned till tomorrow, 11.00 a m

The House then adjourned at six of the clock till eleven of the clock on Friday, the 4th December, 1987.