

मान्यवर, इस प्रथा को भोग किशोर कन्याओं को बचपन से ही इस मानस का भोग बना दिया जाता है कि स्त्री को देवी शक्ति से ही रूठे हुए मेघ राजा वर्षा प्रपात करेंगे। मान्यवर, ऐसे अपमृत्यु के कोई आधारभूत आकड़े लभ्य नहीं हैं किन्तु ऐसी कुप्रथाओं के प्रति सामाजिक तथा राजकीय जागरूकता अनिवार्य आवश्यक है। मैं आशा करता हूँ कि सरकार इस दिशा में कानून को अधिक कारगर बनाकर ऐसी प्रथाओं का निर्मूलन करे।

Reported Remarks of Home Minister, Shri Buta Singh, against Chief Minister of Andhra Pradesh—Contd.

SHRI N. K. P. SALVE (Maharashtra): Madam, Deputy Chairman, the other day I was submitting that the reported allegations... (Interruptions)... Give me ten minutes, uninterrupted, I will finish.

Madam, I was submitting that the allegations made by the Home Minister in the elections of the Guntur Zila Parishad are of a very serious nature. The reported allegations imply a very grievous legal and moral turpitude on the part of the Chief Minister in his demeanour and conduct, and if these allegations are irresponsible—if they are untrue, false, and devoid of any credible basis—then we should join Mr. Upendra and his party in very seriously censuring the Home Minister. But, apart from the language that he has used—I am not on the language; I am on the content of the matter, I am on the reported allegations as such, the merits of the allegations—supposing he has spoken on some credible basis what he considers is the truth, the whole truth and nothing but the truth, then I am afraid the situation would be much different. The allegations which he has made, Madam, I submit, are that the Chief Minister has been a tax evader; there is allegation of tax evasion, there is allegation of amassing illegally acquired wealth, there is allegation of corruption and dishonesty in administration; the Chief Minister is alleged to be engaged in anti-national, separatist, divisive activities. Madam, I want

to submit that I do not like this matter, as I stated earlier, being raised in the House at all and we have to discuss the allegations against the Chief Minister. But imagine what happens, Madam, I am quoting from the "INDIA TODAY" of November, page 41. What I am quoting is in respect of a judgement which has already been delivered. I am quoting the answer of the lawyer, a distinguished lawyer, Mr. Palkhivala, who is representing Mr. N. T. Rama Rao there, defendant No. 1, I am quoting what has been stated, what has happened in the court itself:

"At one stage Justice Anjaneyulu drew Palkhivala's attention to a significant point made by the petitioner's lawyer, S Ramchandra Rao, (the lawyer had contended that Rama Rao, by revealing under the Voluntary Disclosure Scheme in 1985 that he had concealed income of Rs. 59 lakhs, was a self-confessed criminal who could not be allowed to remain in office) Palkhivala only replied that this was a question of ethics beyond the court's purview. He added that society had not yet reached a stage of maintaining such high ethical standards."

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): A point of clarification, Madam. He has not declared anything after 1985. That is a false allegation.

SHRI N. K. P. SALVE: I really wish the lawyer had known about it. That is my point. I wish Mr Palkhivala had got up and said that this was wrong.

SHRI ATAL BIHARI VAJPAYEE (Madhya Pradesh): Many lawyers are like that.

SHRI PARVATHANENI UPENDRA: Madam, at that time the lawyer for Mr. N. T. Rama Rao did not at all go into the merits of the charges because he was questioning the jurisdiction of the court itself to entertain the writ petition. Therefore, he said that. The Chief Minister also has not filed any counter-affidavit. He said that the court had no jurisdiction.

[Shri Parvathaneni Upendra]

That was our stand, and that was argued. Therefore, he did not go into the merits of the charges.

SHRI N. K. P. SALVE: Absolutely right. When you are challenging the jurisdiction of the court to give a direction and issue a writ of *quo warranto* dismissing the Chief Minister, the lawyer is entitled to raise a plea that this is not relevant. But in a case like this, in such a delicate matter, if it was such a blatant lie, I would really expect a lawyer to say, "Firstly, your lordship, this is wrong, and secondly this is not the issue." But seeing it from the viewpoint of someone who is outside this information, what is he likely to feel when the lawyer himself refers only to a legal, technical point for restraining the court, pleading the court, canvassing that court, "You cannot issue a writ of *quo warranto* because the question of disclosure under the Voluntary Disclosure Scheme, though it is an absolutely unimpeachable evidence of tax evasion, is not untrue, that is a matter of ethics of a person." What am I to draw from it? He had nothing to say so far as the self-confessed criminal case was concerned. Only on a limited point he was seeking relief. He was canvassing his claim that no writ could be issued. At any rate, as long as this was the position in the court of law, is not one entitled to believe that the Chief Minister of Andhra Pradesh has gone in for voluntary disclosure which has not been denied in a court of law? The same weekly

PROF. C. LAKSHMANNA (Andhra Pradesh): On a point of order.

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

SHRI N. K. P. SALVE: I will say nothing against him. I am making a very important statement. I accept that his statement is correct.

PROF. C. LAKSHMANNA: I am raising a different point.

SHRI N. K. P. SALVE: I accept that his statement is correct. Not for a moment do I say that what Mr. Upendra has said is incorrect.

PROF. C. LAKSHMANNA: I am raising a different thing. There are two points here. Number one, when the Voluntary Disclosure Scheme was announced, if somebody came out of it, does it lead to. (Interruptions)... I am seeking your point of order.

THE DEPUTY CHAIRMAN: Please tell me what is your point of order?

PROF. C. LAKSHMANNA: That is what I am saying. If the Government is having a scheme under which a voluntary disclosure is made, is it following from that particular direction of the Government that somebody who is voluntarily disclosing his self-acquired assets. (Interruptions) Secondly, if there was no disclosure at all, because somebody makes an allegation, can that be treated as a point to nail anybody who has not done any crime at all?

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): What is the point of order, Madam?

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): This is his point of order.

PROF. C. LAKSHMANNA: Will you keep quiet? I am talking to the Deputy Chairman. It is between me and the Deputy Chairman, not between you and me.

THE DEPUTY CHAIRMAN: Please now finish it.

PROF. C. LAKSHMANNA: Therefore, I would like to seek your ruling on whether, when it is made clear on the floor of the House, by Mr. Upendra that Mr. Rama Rao has not declared anything at all in 1985... (Interruptions)... as alleged by somebody in the court, that can be a point to be disclosed here, I would like to have your clarification on these points.

SHRI A. G. KULKARNI: My point of order arises from the point of Prof. Lakshmanna. My only reference the point of order is.....

SHRI N. E. BALARAM (Kerala): Point of order out of another point of order? What procedure are you adopting? There should be some procedure. (Interruptions)

THE DEPUTY CHAIRMAN: You have said about the procedure. I only wish that everybody abides by the procedure. Nothing of this sort will be in the House. Now, let me tell you, whatever Mr. Lakshmananna has raised, there is no point of order.

SHRI N. E. BALARAM: I am not going to speak. I am only saying that there cannot be a point of order arising out of a point of order.

THE DEPUTY CHAIRMAN: I have given my ruling. There is no point of order.

SHRI N. E. BALARAM: My only point is, can there be a point of order arising from another point of order?

(व्यवधान)

श्री बोरेंद्र वर्मा (उत्तर प्रदेश):
क्वाइट आफ़ आर्डर तो है नहीं। अभी
आपने रुल अउट कर दिया है तो फिर
काहे को उठा रहे हैं।

THE DEPUTY CHAIRMAN: I have given my ruling.

SHRI A. G. KULKARNI: My point of order is when my senior colleague, Mr. Salve, has read from a judgment in the court and a submission by Mr. Palkhiwala, Mr. Upendra says that he has not disclosed any unaccounted money etc. Now, Mr. Lakshmananna says he has not disclosed in 1985. It means he might have subsequently or previous to that disclosed it. But a point is, a learned Advocate like Palkhiwala having known fully well just like the Chief Justice of the Andhra High Court had in that judgment stated:

"The point is, it is an appeal to the conscience and ethics and morality of N. T. Rama Rao, nobody else."

Again here it is stated that we are quoting wrong judgments. We have never said it is in the judgment. We say what the Chief Justice has observed. If I am wrong, I am prepared to apologise, but if I am correct, what Mr. Upendra and Prof. Lakshmananna are saying is wrong. Can eminent jurist like Mr. Palkhiwala has also accepted that the ethics and morality lie with Mr. N. T. Rama Rao and nobody else.

PROF. C. LAKSHMANNA: What did he explain? (Interruptions)

THE DEPUTY CHAIRMAN: No disrespectful reference to any judge will go on record. (Interruptions)*

Any reference made to any judge in the House will be expunged.

SHRI PARVATHANENI UPENDRA: I have a submission. We are perfectly willing to hear Mr. N. K. P. Salve. Even the newspapers have commented in their editorials that what is not a judgement is supposed to be made out a judgement. Therefore, let him not go into the irrelevant things and provoke

SHRI N. K. P. SALVE: I have never said.

SHRI PARVATHANENI UPENDRA: He can defend Mr. Buta Singh. On the points he has already made, we have no objection.

SHRI A. G. KULKARNI: Madam, I have already said that there are the observations of the Chief Justice in the judgement. If I am wrong, I will apologise. (Interruptions).

THE DEPUTY CHAIRMAN: Please sit down. Nobody, except Mr. Salve. Mr. Salve, please continue, don't yield.

SHRI N. K. P. SALVE: Madam, I never for a moment said that I was quoting a judgement. I have made it absolutely clear that I was referring to an answer given by the distinguished lawyer, Mr. Palkhiwala to a very simple question

*Not recorded.

[Shri N. K. P. Salve] ...

asked by the Chief Justice. The question was: Would not a voluntary disclosure of Rs. 59 lakhs *ipso facto* involve clear self-admission of culpability and guilt?

SHRI PARVATHANENI UPENDRA: Why he is repeating that? It has already been contradicted. He is still harping on that subject. You tell him... (*Interruptions*).

SHRI N. K. P. SALVE: Mr. Upendra has rendered yeoman service to his party and to the Chief Minister by repudiating that he has made no voluntary disclosure whatsoever on the floor of the House.

SHRIMATI RENUKA CHOWDHURY: He said after 1985.

SHRI A. G. KULKARNI: Madam, you just note how they are changing the position (*Interruptions*). Mr. N. T. Rama Rao is a tax evader. He is a tax dodger.

SHRI N. K. P. SALVE: Has he made earlier?

SHRI PARVATHANENI UPENDRA: I do not know

श्री वीरेन्द्र वर्मा : आपने फिर इजाजत दे दी ... (व्यवधान) इजाजत नहीं दी और बोल रहे हैं।

SHRI N. K. P. SALVE: Madam, I am inclined to consider now that Mr. Palkhivala knew there was a voluntary disclosure scheme. Therefore, this was the reply.

SHRI MURASOLI MARAN (Tamil Nadu): What is wrong? (*Interruptions*)

SHRI N. K. P. SALVE: What is wrong in it, if you want me to tell you I will certainly. Not for long but for a period of over three decades I have had something to do with taxation and I have a limited experience in the field of taxation. (*Interruptions*) Prof. Lakshmananna has raised it. Therefore, I must deal with it. I have submitted on the floor of the House that any voluntary disclosure amounts to confession of your guilt on tax evasion. I stand by what I am saying.

SHRI MURASOLI MARAN: Then, it should apply to all Chief Ministers and to all politicians.

SHRI N. K. P. SALVE: It applies to every one. No one is an exception. It applies to every Chief Minister. It applies to every Minister. It applies to every one. What is the voluntary disclosure scheme? Voluntary disclosure scheme is a scheme in terms of which for tax evasion if you come forward to disclose the income. (*Interruptions*).

DR. G. VIJAYA MOHAN REDDY (Andhra Pradesh): As a Chief Minister he has not disclosed anything... (*Interruptions*)

SHRI N. K. P. SALVE: Do you want to know about voluntary disclosure? Madam, these are very voluntary disclosures or there is no voluntary disclosure. If there is a voluntary disclosure, I submit that it is a document which is conclusively final and firmly establishes the guilt of tax evasion by a person. The scheme itself involves that you have not paid your taxes annually... (*Interruptions*).

SHRI PARVATHANENI UPENDRA: Madam, to reduce his labours, I can clarify. After he became the Chief Minister he has not made any disclosure. Is it enough? (*Interruptions*)

SHRI N. K. P. SALVE: What is needed is this. At any stage of your life if you have made a voluntary disclosure. (*Interruptions*).

SHRI PARVATHANENI UPENDRA: I will describe Rajiv Gandhi's life as a pilot. Are you prepared?

AN HON. MEMBER: We should discuss.

SHRI N. K. P. SALVE: If we ask a debate on that and if the debate comes, there is nothing for us to be ashamed of Rajiv Gandhi's life. (*Interruptions*). We are proud that (*Interruptions*) he is leading the country today and we have full faith in him. We are not scared. If there

has been a voluntary disclosure scheme and if a person has ever made a voluntary disclosure, Madam, I submit, he is guilty of tax evasion. I am making this statement with the maximum of restraint and responsibility (*Interruptions*). Let there be a debate on the security and the Italians' having been brought, we will not hide behind anything. But making counter allegations, unfounded, baseless allegations against the Prime Minister is not going to wash off your own sins, your own acts of omission and commission. You are answerable once you are in public life. Once you are in public life, you are answerable for your past. You are answerable not only for your past, you will have to be answerable for all your ancestors and your progeny, Madam, I submit, therefore, Mr Palkhivala very definitely only said, "your Lordship, this is a question of personal ethics and on ethical level, if he had come up. (*Interruptions*). I am talking of something else. Madam, on this voluntary disclosure of Mr. N. T. Rama Rao, there is something recorded in that... (*Interruptions*)

THE DEPUTY CHAIRMAN: What is being said without the permission of the Chair will not go on record.

SHRI N. K. P. SALVE: Madam, there appears to be some grievous mistake on the file of the record of the Ministry of Finance. Mr. Reddy, sit down.

SHRI PARVATHANENI UPENDRA: How can you stop him like this?

SHRI N. K. P. SALVE: Madam, you have ordered me not to yield and I do not want to yield. (*Interruptions*).

THE DEPUTY CHAIRMAN: Please sit down. Everybody including Mr. Salve should sit down. Let there be some orderly debate. What is the example you are setting? This is not the way in which discussion can go on. Please sit down. You must have some tolerance to the views of others. If such interruptions go on, then how can the debate conclude? I will advise everybody to sit down. Please sit down. Don't interrupt now.

SHRI N. K. P. SALVE: I have levelled no charges against them.

श्री वरेन्द्र गर्मा : उपसभापति जी, मैं एक महत्वपूर्ण प्वाइंट आफ़ आर्डर आपकी आज्ञा से उठाना चाहता हूँ।

अभी मेरे माननीय मित्र मालवे जी ने आपकी उपस्थिति में माननीय रेड्डी साहब को कहा कि बैठ जाइये बैठ जाइये और ऐसा धमकी में कहा है। क्या वह अधिकृत है और इन्हें क्या इस बात का अधिकार है ऐसी बात कहने का?

आप इस पर व्यवस्था दे दीजिएगा।

श्री एन० के० पी० साल्वे : बिल्कुल अधिकार नहीं है। गुस्से में कभी-कभी कोई गलत बात हो जाती है। मैं उनमें क्षमा मांगता हूँ। आखिर मेरे सन्न की भी एक हद हाती है। मैं इतनी देर से सुन रहा हूँ। मैंने कोई आक्षेप नहीं लगाया, कोई आरोप नहीं लगाया है।... (*व्यवधान*)

उपसभापति : आप प. करके शांति रखिये, मेहरबानी करके हाउस में शांति रखिये। आपको भी बोलना है। कृपा करके आप बैठ जाइये।

1 00 P.M.

He has tendered an apology. Please, sit down (*Interruptions*)

SHRI N. K. P. SALVE: Having brought the Home Minister into the dock, they must be willing to listen to some home-truths. They must show the patience. He has shown the patience, restraint and dignity. (*Interruptions*) Now, there also appears to be something very grievously wrong with the Finance Ministry here. I am reading from 'The Week' of November 22, which refers to a noting by the erstwhile Finance Minister so far as Mr. N. T. Rama Rao is concerned. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: He publicly denied it. It was published in newspapers.

SHRI N. K. P. SALVE: It is in court, Madam. Something is in court, Madam. The former Minister Mr. V. P. Singh. *(Interruptions)*

SHRI PARVATHANENI UPENDRA: I have said it has been denied. Again he is pursuing it. *(Interruptions)*

SHRI N. K. P. SALVE: I do not know of the denial, Madam. But I certainly do know one thing that such serious allegations have been made. Well, I am very happy if it is untrue. I wish their newly found leader, newly found Messiah, Mr. V. P. Singh, was here to deny this, that this is a falsehood. He is not here. He was sitting here when the topic was about to start. He went away. I asked him. *(Interruptions)* I am quoting, Madam. This is what it is. The former Finance Minister, Mr. V. P. Singh, noted on Mr. NTR's file on June 6, 1985, "It was a clear case of wilful concealment." It was a clear case of wilful concealment. *(Interruptions)* It does not refer to what period the voluntary disclosure was made. It does not. *(Interruptions)*

SHRI PARVATHANENI UPENDRA: What prevents you from taking action? You have got the Government. Come on, challenge.

SHRI N. K. P. SALVE: This is what I am going to ask Mr. Buta Singh. What is preventing him from taking action in the face of all these allegations? I am very happy with the question. We will have to see in the end whether he has been too charitable as the Home Minister, whether he has been very kind as the Home Minister just because it was an opposition Chief Minister or as the Home Minister, he is bringing to book those whose *prima facie* guilt is so well established by so many documentations. There was an allegation. There is a reference to the records in the same. *(Interruptions)*

THE DEPUTY CHAIRMAN: Please, do not interrupt.

SHRI N. K. P. SALVE: As to the properties that Mr. Rama Rao and his family owns this is what is stated from records:

"It is also on record that the family own, 300 acres of land at Maheshwaram which is now being sold to a Yadhav."

"The family own another 100 to 120 acres of wet land at Nimmakuru."

(Interruptions)

SHRI PARVATHANENI UPENDRA: Has it got any relevance? You yourself decide.

SHRI N. K. P. SALVE: It is on record, Madam. *(Interruptions)*

SHRI B. SATYANARAYAN REDDY (Andhra Pradesh): If you go on reading. *(Interruptions)*.

SHRI N. K. P. SALVE: I am not here proving the veracity. I am not on the question of the veracity, the truthfulness of these allegations. I am not on the question of the veracity of the various allegations. *(Interruptions)*

श्री सत्य प्रकाश मालवीय : (उत्तर प्रदेश) : उपसभापति महोदय, मेरा व्यवस्था का प्रश्न है ? मेरा एक व्यवस्था का प्रश्न है ?... (व्यवधान)

उपसभापति : पृष्ठिए।

श्री सत्य प्रकाश मालवीय महोदय, जो श्री पी. उपेन्द्र और उनका विशेष महत्व का उल्लेख है जिस पर कि हम चर्चा कर रहे हैं उस सिलसिले में जो हमारी नियमावली है उसमें इस बात का स्पष्ट प्रावधान है कि... (व्यवधान) कोई व्यक्ति अगर हाई अथारिटी में है तो उस पर कोई आरोप नहीं लगाया जाएगा।... (व्यवधान) जो यहां पर कहा जा रहा है उसमें स्पष्ट रूप से आरोप है।... (व्यवधान) और जो रूल 238 है उसमें साफ-साफ उस बात को दिया हुआ है कि जो लोग हाई-अथारिटी में हैं उनके आचरण पर आक्षेप तभी कर पाएंगे जबकि सबस्टेंसिव मोशन हाउस के सामने हो। चूंकि रामा-राव के संबंध में कोई सबस्टेंसिव मोशन

नहीं है इसलिए मेरा निवेदन है कि सल्वे जी ने जो कुछ इस संबन्ध में कहा है, उसको रिकार्ड में आप हटवाइए। इस संबन्ध में आप अपनी व्यवस्था दीजिए।

THE DEPUTY CHAIRMAN: Mr Salve, please continue and finish quickly.

SHRI N. K. P. SALVE: Madam, not for a moment...

DR. G. VIJAYA MOHAN REDDY: You must give your ruling on his point of order.

... (Interruptions)

THE DEPUTY CHAIRMAN: Members from this side, please don't shout. It is not in good taste.

Shri Satya Prakash Malaviya has raised a point of order that allegations against a Chief Minister or conduct of a Chief Minister cannot be discussed unless there is a substantive motion. But for his information I would like to point out that there is no such provision of bringing a substantive motion if a Chief Minister is to be discussed. In the past on 21st December, 1964 a motion was there and it was discussed against the Chief Minister of Punjab; against the former Chief Minister of Orissa, Shri Biju Patnaik, a Calling-Attention was brought and there were some corruption charges against him and the Chief Minister's conduct was discussed.

SHRI MURASOLI MARAN: It is a ready-made ruling. The ruling is ready-made. Very surprising. Shocking.

THE DEPUTY CHAIRMAN: It is not ready-made...

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): It is an aspersion on the Chair. I object to it. To say that it is a ready-made ruling is an aspersion against the Chair. His remark must be withdrawn.

SHRI MURASOLI MARAN: It is not an aspersion. Ready-made rule means that it is a ruling readily available.

THE DEPUTY CHAIRMAN: You should not get annoyed if the ruling goes against you. What can I do about it? You cannot pass aspersions against the Chair. (Interruptions.) Please listen. You asked for a ruling and you don't listen!

SHRI PARVATHANENI UPENDRA: Madam, you also shout! Have some patience.

THE DEPUTY CHAIRMAN: You asked for a ruling and if I give the ruling, you cast aspersions against the Chair. You don't allow the Chair to give its ruling. You asked for a ruling and when the Chair gives the ruling, you cast aspersions. How am I supposed to pass a ruling? Otherwise, I sit down. If you do not want a ruling, I won't give it. (Interruptions) Please listen. You react to Members when they speak. (Interruptions) Both sides. When they speak from that side, you object from this side and when you speak from this side, they object from that side. Now even when the Chair speaks, you object. How do you expect me to conduct the business of the House? I am not interested in any discussion. You asked for a ruling and you make accusations against the Chair that it is ready-made. It is not ready-made. You come and see here. The point is whether a Chief Minister's conduct can be discussed without a substantive motion. There is no ruling ready-made here, for your information.

श्री अटल बिहारी वाजपेयी : महोदया, आप जो कुछ कह रही हैं, ठीक कह रही हैं, मगर जरा नहीं से कहिए।

उपसभापति : आप अगर नमी से सुनने को तैयार हों तो मैं आप जितना नमी से बोल रहे हैं उससे भी ज्यादा नमी से बोलने के लिये तैयार हूँ। मैं बड़े आदर-पूर्वक कहना चाहती हूँ की चीफ मिनिस्टर के ऊपर डिसकशन हो सकता है।

श्रीमती रेणुका चौधरी : थैंक यू मैडम। भजन लाल जी की भी बात हो सकती है।

पर्यटन और वन मंत्री (श्री भजन लाल) : उपसभापति जी, मैं इस बात के लिये तैयार हूँ। इन लोगों को मैं पूरी तरह से जवाब दे सकता हूँ।... (व्यवधान)

SHRI N. K. P. SALVE: Madam, I want to submit... (Interruptions) ... Madam, I want to submit that I am not levelling any accusations against the Chief Minister of Andhra Pradesh because I do not know anything... (Interruptions) ... and I accept what Mr. Upendra says to be correct. I am also not, for a moment, vouchsafing the veracity of the various allegations made. But like an ostrich—this is a political matter—do not sink your heads into the sand. These are political matters and face them politically as they face politically... (Interruptions)

SHRI PARVATHANENI UPENDRA: That is why we have appointed a Commission.

SHRI N. K. P. SALVE: I am submitting that the question here is not whether the statements made here about the record in Andhra Pradesh are veracious, are true, or not. The question is that these sorts of things have appeared and whether there is, as I submitted earlier, any *prima facie* credible evidence or basis for anyone to make the type of reported allegations which Mr. Buta Singh has made. Ultimately, he had gone there to fight an election and he had not gone there to extol him as the Chief Minister. When one goes to fight an election, then one must understand that things like this happen... (Interruptions)...

THE DEPUTY CHAIRMAN: Please conclude now, Mr. Salve.

SHRI N. K. P. SALVE: I am concluding in just two or three minutes, Madam. Therefore, Madam, I submit that there is so much *prima facie* evidence on this tax evasion, there is so much *prima facie* evidence on amassing of wealth, of illegally begotten wealth... (Interruptions) ... Now, I come to the question of corruption in administration. This is what I am reading, Madam, from the same weekly:

"A researcher at the Central University."—this is the finding and certain facts have been given here--

—"A researcher at the Central University, Hyderabad, in his thesis on the Telugu Desam, offers some interesting statistics: Mr. NTR made 96 promises so far, but fulfilled only 27..."

SHRI PARVATHANENI UPENDRA: That is good! You have not fulfilled even one... (Interruptions)...

SHRI N. K. P. SALVE: "He has denied his own statements 36 times..."... (Interruptions) ... Madam, I want to submit something. Again, the question is raised by my colleague, Mr. Upendra Verma, sitting right to me. He is a very mature person otherwise. He asks: "Is it proved? Is it proved?" I am not saying that anything has been proved. These are given in the papers and he has given certain facts and figures. After all, if it is the figment... (Interruptions) ... After all, if it is the figment of someone's imagination, it is a political matter and fight it out politically. He says further:

"96 promises have been made out of which only 27 have been fulfilled."

He says further, Madam, :

"He has denied his own statements 36 times."

Now, whether it is 36 times or 35 times or 37 times, I do not know. But this is what he says and, Madam, the quantum is irrelevant because it is the quality of the man that we are seeking to judge today. Then, Madam, he goes further:

"Of the 23 inquiries ordered against the IAS and IPS officers and 37 judicial

inquiries ordered into several incidents, reports have been placed or made public only in 15 cases."

SHRI PARVATHANENI UPENDRA:
Very good.

SHRI N. K. P. SALVE: Again, Madam:

"NTR Government has initiated action and accepted favourable verdicts only in seven judgements out of 34 judgements against the Government since 1986."

(Interruptions)

SHRI PARVATHANENI UPENDRA:
That shows you are manipulating the judiciary. (Interruptions) That shows how successful you are in manipulation... (interruptions)

SHRIMATI RENUKA CHOWDHURY:
It is the denigration of the judicial system. (Interruptions).

SHRI N. K. P. SALVE: Now, I come to the question of tax evasion.

SHRIMATI RENUKA CHOWDHURY:
It is a denigration of the judicial system of this country. I can also quote Judges who*

THE DEPUTY CHAIRMAN: Do not record; it is a disrespectful reference to the Judges. Nothing against the Judges will go on record.

SHRI PARVATHANENI UPENDRA:
Why is he referring to Judges?

THE DEPUTY CHAIRMAN: If there is anything said against the Judges, and which is disrespectful or denigrating to the Judges, it cannot go on record.

SHRI PARVATHANENI UPENDRA:
There are two writ petitions pending against him in the court. The petition has been filed. (Interruptions) The Chief Justice of Andhra Pradesh is the subject-

matter of writ petition. It has been reported to the President. There is nothing wrong in that. It is in the court now. It is before a full bench. It is a fact. It is not an allegation.

THE DEPUTY CHAIRMAN: Mr. Upendra, please.

अगर कोई भी चीज कोर्ट में पेंडिंग है, तो उसके बारे में आप नहीं बोल सकते।

SHRI PARVATHANENI UPENDRA:
As he is referring to judicial proceedings, this case of Chief Justice is before the... (Interruptions)

उपस्थानित. हल्स के मुताबिक कोई भी बात अगर सब-जुडिस है, तो उस पर आप नहीं बोल सकते।

SHRI PARVATHANENI UPENDRA:
Whatever he is referring to, it is sub-judice, in the Andhra Pradesh High Court.

SHRI N.K.P. SALVE: Nothing is sub-judice. What Mr. V. P. Singh writes is also sub-judice? I have not referred to a single line, because they were so allergic to the writ petition, they were allergic to the judgment. I have the judgment here. Did I even pick up the judgment? If they feel so offended at what is wrong, at something so authentic, stated by a researcher, the remedy is not shouting me down here. The remedy is to fight it out politically. (Time bell rings) I am concluding in two minutes, Madam. The question, therefore, for consideration is this. I am not going into other issues, Madam. The question for consideration is this: On the basis of such over-abundance of credible evidence, with facts and figures, notations on the files by Mr. V. P. Singh given in courts, reply by Mr. Palkhiwala who says that it is a question of ethics—obviously, he did not think very highly of his client then; if he had thought so he would not have replied in the way he did—in view of all this, all these people are left out and poor. Buta Singh is put in the dock? On the basis of this, if Mr. Buta Singh had not made the reported allegations, he would

[Shri N K P Salve]

have been guilty of being chicken-hearted and soft (Interruptions) Anybody else, any man possessed of his rational faculties, cannot go to any other country... (Interruptions) I do not know about the language. He is very polite in his language. If he has put this in a very, very rough manner, certainly we would not approve of a rough language. But so far as the content of the matter is concerned, he has hit the nail on the head and my congratulations to him ! (Interruptions)

SHRI LAL K. ADVANI (Madhya Pradesh) Madam, Deputy Chairman, I have been listening very carefully to Bhandareji at the outset and to Salveji right now. Of course, he would say that it was the interruptions that made his speech so long. On that day he spoke for a long time for over an hour and today also for 45 minutes. I find that of the various statements that have been attributed to the Home Minister he confined his attention to the allegations in respect of tax evasion, corruption, etc. Now, if I were to point out which are the excerpts from the reported speech of the Home Minister which I find as offensive, I would identify six. I can mention them individually, because I hope that the Home Minister in his reply would deal with them one by one. He has to say which of them is correct, which of them is partially correct, and which one of them is totally untrue. The first three I regard as far more serious than the subsequent three. I find that Salve Ji does not refer to these three except in a casual manner saying that among the allegations that he made is that he evaded taxes, etc. and that he was anti-national in his activities. I have been in public life for quite some time. My own entire approach and my sense of values of behaviour in public life would be that if someone alleges that I am corrupt, then I would try to rebut that allegation of corruption. But if someone tells me that I am anti-national, I would regard it as avile abuse. I would not regard it simply as a charge which needs to be rebutted. I would take strong exception to it and I would like to stress...

SHRI N. K. P. SALVE: On a very important point of submission. (Interruptions) I don't like to interrupt him. You stopped me because so much of time had been taken. There is so much overwhelmingly written about that aspect of the matter also. Therefore, if I have not referred to it, with due respect I want to submit to Advani Ji that it is purely because of constraint of time and because the Chair asked me to finish my speech.

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): Since Mr. Advani has taken it up, let me make it very clear on the floor of this House that I never said that Mr. N. T. Rama Rao is anti-national. I said that in the recent elections he had put forces which are anti-national forces and divisive forces. I will prove it (Interruptions)

SHRI ATAL BIHARI VAJPAYEE: Even in Haryana. There is a reference to Haryana.

SHRI BUTA SINGH: Some of the parties he had gone to support are definitely working against the nation.

SHRI LAL K. ADVANI: At least at this point of time there is one contradiction and it is that he never said that Mr. N. T. Rama Rao is anti-national. All right. Now what I am trying to hammer out is about what has been happening in the last three days is unhappy. At least I associated myself with this entire debate only because I regard it as wrong on the part of any political leader of any responsibility and eminence to accuse a political adversary of lack of patriotism or to question his patriotism. When this allegation happens to be levelled against the Chief Minister of a State and the allegation is being made by the Home Minister, I regard it as very serious. Therefore, I agreed to this kind of debate. Otherwise, my approach would have been that, many things have been said several of these things are before a court of law and so this matter need not be discussed at all. With due deference to my colleagues, I could imagine that once we allowed this debate to take place, this House would become the Andhra Pradesh Assembly, which is not desirable from any point of view. I am sorry that

a ruling of this kind should have come that the Chief Minister's conduct could be discussed.

THE DEPUTY CHAIRMAN: I only said that in the past, without a substantive motion, the Chief Ministers were discussed. That is what I said

SHRI LAL K. ADVANI: Substantive Motions also would relate to Motions which can be moved by a Member of Parliament. In respect of a Chief Minister, I cannot move even a substantive motion. I can move a substantive motion about a Judge. I can move a substantive motion about the Election Commissioner. But I cannot move a substantive motion in Parliament about a Chief Minister. Now I would like to read out specifically the Union Home Minister, Mr Buta Singh. I read from "Newstime" of 2nd November, which the Home Minister can say is somewhat sympathetic to the ruling party in Andhra Pradesh. I know that I am fully aware of the political alignments in Andhra Pradesh I am sure that the Home Minister would be aware that I do not entirely agree with the Andhra Pradesh Government there. I have criticised the Andhra Pradesh Government on very many issues. Here, the report says: "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) I am afraid Madam, if Mrs. Jayanthi Natarajan were to say that, I would simply advise her not to use that kind of language because she is capable of far more refined and balanced language, very critical but far more refined. When this is attributed to the Home Minister, I expected the Home Minister immediately to deny it and tell this 'Newstime' paper that this is gross misreporting, that he had never said that NTR is trying to divide the country. This is questioning the motives, the motivations of the Chief Minister.

The second excerpt I objected to says that in "Haryana, he advocated separatist and casteist feelings" I was in Haryana those days when the campaign was taking

place and when Shri NTR visited Haryana. I have heard him speaking in Delhi only the other day. And I know that everywhere he emphasises that 'I work for Andhra, I am proud of being a Telugu, but I am even more proud of being an Indian.' I have heard him repeatedly saying that. I can understand allegations of this kind being made at the State level where certain actions you attribute to any casteist intentions. Such allegations do go on in political life. But to say that he advocated separatism and casteism "and further that he is telling the Punjabis to go away from India" . . . (Interruption) This is highly objectionable.

SHRI BUTA SINGH: It is their own paper.

SHRI LAL K. ADVANI: Madam, as I said, this is the 'Newstime' report which has primarily precipitated the entire debate. But I tried to find out what has been reported in some other papers also. And here I have with me a Telugu daily, 'the Andhra Jyoti' which, I believe was started by the late Mr. K.L.N. Prasad. It cannot be accused of being sympathetic or aligned with the Telugu Desam. And here I read—I can somewhat read Telugu also, somewhat, because I am a little familiar with Kannada, but I nevertheless tried to put it in Devanagari: "Shri Ramarao Punjabilaku Khalistan kavalantaru; Nagaland vidipommntaru"—meaning, "Shri Ramarao asks Khalistan for the Punjabis and desires Nagas to be separated. . ."

SHRI BUTA SINGH: All fantastic.

SHRI LAL K. ADVANI: This kind of statement that the Minister is making now should have been made immediately. And why should the House waste his time?

SHRI BUTA SINGH: What do I do when the whole bogey has been raised on a press report. Unfortunately, their own press?

AN HON MEMBER: It is not his own press.

SHRI DIPEN GHOSH (West Bengal): Mr. Buta Singh, the point is that as soon as it appeared in the newspaper, you should have made a denial.

SHRI BUTA SINGH: Next day you hauled me here? How could I do it? I have to make a reply here now.

SHRI P. CHIDAMBARAM: The debate started on the 3rd.

SHRI LAL K. ADVANI: Madam, I come to the next excerpt, which says: "NTR went to Nagaland with crores of rupees and wondered why he should go to Nagaland in a place where he has no party. Why this fellow goes to Nagaland, 'he wondered.'" His speech in English was immediately being interpreted in Telugu. I can understand. I can fully appreciate that in the cut and thrust of political life, we indulge in rhetoric. And in an election this rhetoric becomes somewhat acerbic. I am sure that if all this had been published in the name of some Congress functionary, it may not have mattered much, it would certainly not have taken any time of this House. But it is principally because it is the Home Minister who is alleged to have said it that the problem arises. Today you take this opportunity to say that 'I did not say anything of this kind, all this is nonsense, all this is fantastic, I have not said anything of this kind.'

SHRI BUTA SINGH: It is twisted.

SHRI LAL K. ADVANI: But I wish he realised the kind of damage he has already done to the fabric of this country's Constitution. Even 'the Times of India' today says, there is no reason to doubt the veracity of this report. I have with me the editorial of 'the Times of India' which says: "We see no reason to doubt the veracity of the newspaper's report on the speeches made by Mr. Buta Singh." Now, this is the "Times of India." You cannot accuse it of being opposed to you, inimical to you, allergic to you. This is a paper which, by and large, can be regarded as being appreciative of the establishment's stand on very many issues (*Interruptions*). I am merely saying that you cannot accuse it of being involved.

SHRI BUTA SINGH: You read the "Indian Express".

SHRI LAL K. ADVANI: I will not, because I know you have an allergy towards it. The Times editorial says, "Mr. Singh had no business to charge Mr. Rama Rao with working for the division of the country just because the latter campaigned for the opposition in Nagaland and Haryana. And then it goes on to make a very pertinent comment. It is a quotable quote for always: 'Opposition is not treachery. It is legitimate politics'. (*Interruptions*). I fully appreciate. If suppose, for instance, allegations of that kind are made against the Chief Minister and if I were in a position to answer it, I would answer it.

SHRI BUTA SINGH: In Andhra we are the opposition. Give us the same privilege.

SHRI LAL K. ADVANI: I am also the opposition along with you. (*Interruptions*).

THE DEPUTY CHAIRMAN: No disturbance please.

SHRI LAL K. ADVANI: I am pleading for a...

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Madam, we have to adjourn for lunch but the business before us is very heavy. I would request you that you suspend the lunch hour.

SOME HON. MEMBERS: No, no.

THE DEPUTY CHAIRMAN: May I know the desire of the House?

SHRI DIPEN GHOSH: Let Mr. Advani complete and then we will adjourn for lunch.

THE DEPUTY CHAIRMAN: Mr. Advani is making his speech and it is more or less a peaceful one. I would request the whole House to listen peacefully and have tolerance for what others are saying (*Interruptions*).

SHRI LAL K. ADVANI: Madam, the third portion I have already said, namely, about his going to Nagaland. Why should this fellow go to Nagaland when he has no party there? I think on that basis, for many parties in this country a large area of the country will become out of bounds, if you

are to go to only those places where you have a party, where you have a party office, otherwise you are not allowed to go there, or you should not go there. In case you go there, you become suspect of promoting divisive causes and all that. So, as I said, my objection principally was to the first three excerpts that I have referred to. The latter three excerpts also are objectionable, for example the last excerpt, namely: "the Home Minister reminded that the rules governing the conduct of elections did not come under the purview of the State Government but were under the Centre and warned that the Centre would be forced to intervene to ensure free and fair election if any foul play was noticed. Frankly I did not expect the Home Minister to make a wrong and incorrect statement of this kind. It was a local body election and the local body election rules did not come under the Central Government. They fall within the purview of the State Government. It is a wrong statement. The remaining two excerpts are those to which a lot of reference has been made by Salveji etc. . .

SHRI BUTA SINGH: You do not want to mention because your party has written a memorandum on that.

SHRI LAL K. ADVANI. Excerpt 5 is: "He has stolen crores of rupees from income tax. He has amassed property worth crores of rupees. I am not saying all this. This is what the Andhra Pradesh High Court has said." It is the last two sentences in this excerpt to which I am taking serious objection (*Interruptions*). In the High Court these allegations had been made that he has stolen crores of rupees from income-tax and that he has amassed wealth worth crores of rupees, but to say that I am not saying it, because the High Court has said, this is wrong. The last excerpt to which I object is one which is in utter bad taste. No one does it in that manner, even when any Minister goes to an election campaign, he goes as a party worker in an election and he does not go about saying that I, as Home Minister of India, have come down to personally monitor the election situation. "Anybody who tampers with election processes, will not be let off. The Central Government will take strict action."

Now, this is trying to throw your weight about. He has no doubt considerable weight. I request Mr. Buta Singh to know that Union Home Minister is a very important position. Even when he goes as a political leader of the Congress Party, he does not have to remind any one that he is the Home Minister of the country. But when a person says this in that tone, is it not legitimate for anyone to conclude that he is trying to browbeat and threaten the local officials and the local people in that way?

I have cited all these six excerpts. There can be no defence whatsoever for any of these excerpts even if these were said at a different level. But here they are reported said by the level of the Home Minister. So far as Home Ministers in the States are concerned, their principal responsibility is maintenance of law and order in the State. That is the principal function. So far as the Union Home Minister is concerned, law and order is not his principal responsibility, except in case of Union Territories, where it is his principal responsibility. I was going through the official Gazette relating to Allocation of Subjects—Responsibilities for Ministers. It is a gazette published in 1985, about the allocation of work and duties and functions and responsibilities to various Ministers. Under the Home Ministry of the Union, the principal duty is Centre-State relations. Centre-State relations is one of the prime tasks. If not the principal task of the Union Home Minister and I feel that by making speeches of this kind, the Home Minister is not discharging his principal duty. It is therefore that I take strong exception to all these allegations that have been made. If they are substantially correct, they should be withdrawn; if they are not substantially correct—and verbal excesses have been made—they should be refuted. All that I would like to say is that we do not question the right of the Home Minister to go for an election campaign and criticise a political adversary; but the criticism should not also be allowed to degenerate into questioning the patriotism or the loyalty and commitment to national unity of political opponents particularly of a Chief Minister who has been elected by an overwhelming majority there. I may

[Shri Lal K. Advani]

not agree with him. But he is the elected Chief Minister of that State. And let me recall, in 1984, an elected Chief Minister of Jammu and Kashmir State was dislodged, was removed from Government and the argument given at that time, I recall, was not merely that he has lost his majority. In this House we heard of that Chief Minister being accused of lack of patriotism, accused of being mixed up with anti-national elements, accused of having promoted and trained terrorists in Punjab. You just recall the amount of embarrassment you had to face and he had to face when three years later both of them joined hands and became partners in the coalition ...

SHRI GHULAM RASOOL MATTO: What is the harm... (Interruptions).

श्री लाल कृष्ण आडवाणी : मैं अपना सबसे बड़ा आलोचक हूँ, इनसे भी ज्यादा, लेकिन आलोचक होते हुए भी मैं यह मानता हूँ कि... (व्यवधान)...

श्री गुलाम रसूल मट्टू : हम आपको अच्छी तरह जानते हैं... (व्यवधान)...

श्री लाल कृष्ण आडवाणी : मैं सार्वजनिक, इन पब्लिक लाइफ... (व्यवधान)...

श्री गुलाम रसूल मट्टू : अगर किसी पार्टी के आदमी ने किसी बात को सियासी मसले की बुनियाद पर कही हो और उसके बाद उन दो पार्टियों के दिल मिल जाये, तो उसमें क्या बुराई है ?

SHRI LAL K. ADVANI: In public life, there are limits. In public life and public debates, public utterances at levels of responsibility at least, there should be a certain *Lakshmen Rekha*, there should be certain limitations which we should not cross and there should be no verbal excesses and you have to basically trust the patriotism and commitment to national unity and integrity of political adversaries.

With these words, I conclude.

THE DEPUTY CHAIRMAN: The House stands adjourned for lunch till 2 39 P.M.

The House then adjourned for lunch at thirtynine minutes past one of the clock.

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

THE DEPUTY CHAIRMAN: Now, Statement to be made by hon. Minister, Shri Natwar Singh.

STATEMENT BY MINISTER

II. Recent deliberations in U.S. Congress on South Asia

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI K. NATWAR SINGH): Madam Deputy Chairman,

Last week the US Congress has considered some actions on South Asia which, if enacted, would have adverse implications for our bilateral relations with the United States.

We would not like to pre-judge the final outcome of the congressional proceedings nor, in normal circumstances, would government have commented on them. Yet the circumstances of congressional action have made it imperative to emphasize that improvement in Indo-US relations requires a better appreciation of India's point of view. Financial flows or technology transfer are not the totality of the relationship nor can they be used as levers to force policy changes upon us. A healthy relationship between two sovereign democracies has to be built on mutual interest, trust and confidence. Devoid of these elements our relationship with the U.S. cannot prosper much less return its present level.

India made a commitment many years ago not to develop nuclear weapons. We