

animal, vehicle, vessel or other conveyance used in carrying such essential commodity, is seized pending confiscation..." What is happening is that while confiscation proceedings are going on, the police have seized it, the food authorities have seized it and while it is pending before the Collector, an application is made to the court—either Special Court or High Court or the local court—saying that the Collector has no authority under the law...

[Mr. Chairman in the Chair]

SHRI NIRMAL CHATTERJEE (West Bengal): Sir, as soon as he mentioned "Collector", you are here.

MR. CHAIRMAN: I am not the Collector, I am the Governor.

SHRI AJIT PANJA: Sir, as I was submitting on this Section 6E, what was happening was that after seizing while the confiscation proceedings are pending they are making an application to the court saying that the Act does not provide for seizure of the vehicle, therefore the vehicle be released immediately. The court naturally found that under the provisions of the Act, the Collector had no authority, that the police had no authority under the Essential Commodities Act, so the court released the vehicle on some bond. Immediately the vehicle is released, we lose track of evidence, we lose track of the driver concerned, we find that number plates are changed, inter-State movement takes place and the entire proceedings become a mockery because no evidence could be given.

SHRI SANKAR PRASAD MITRA: You have to fix a time limit for confiscation proceedings.

SHRI AJIT PANJA: That, according to the rules, could be thought of. But this provision has been made pending confiscation, not that the powers of the court have been totally taken away.

So far as interest is concerned, it is a little over 13 per cent for co-operative banks are concerned and 17.5 per cent as far as State Banks are concerned. Therefore it has been raised from 6 to 15 per cent as the simple interest and that increase at this stage is sought for.

There is no ambiguity so far as public demand and land revenue are concerned. This alternative is only made available because the Arunachal Pradesh Government reported to us that there is no system 4 P.M. of recovering through land revenue. So, it has to be done by public demand. Therefore, they could not enforce it.

MR. CHAIRMAN: The Minister will continue after the Short Duration Discussion is over, probably tomorrow.

SHORT DURATION DISCUSSION ON REPORTED STATEMENTS OF SOME UNION MINISTERS AGAINST CERTAIN STATE GOVERNMENTS AND THE JUDICIARY DURING THEIR VISITS TO THOSE STATES

MR. CHAIRMAN: Now, before we start the proceedings, I want to say a few words. This is the Council of States and certain matters which are of relevance and importance in the relations between the States and the Centre are very important not only to the House but the country as a whole. Now this discussion can be utilized by all the Members of the House to bring about a kind of understanding with regard to the way in which the Centre and the States should react to each other and observe a code of conduct in respect of criticism of each other. This House can also enter into a slinging match and then really waste the time of the House without giving any positive lead either to the Government or to the others for regulating the conduct

[Mr. Chairman]

of the executives in the States and the Centre. It is my earnest appeal to all of you that you should utilize this occasion to see that we have a kind of understanding with regard to the manner in which the Central Ministers, State Ministers, State executives and Central executives should approach the question of Centre-State relations so that harmony and not discord is developed. I would, therefore, appeal to the Members that they use this occasion for the purpose of setting very high standards not only in debate but also in the conduct of the various people concerned. Now, with these remarks I want to give the floor to you. I will fix 15 minutes for each speaker.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): We need more time, Sir.

MR. CHAIRMAN: No, no. Fifteen minutes are more than enough.

SHRI PARVATHANENI UPENDRA: More the initial speakers.

MR. CHAIRMAN: All right. Twenty minutes for the two initial speakers and 15 minutes for others. Mr. Upendra.

SHRI PARVATHANENI UPENDRA: Mr. Chairman, Sir, I fully echo your sentiment and myself and my colleagues on this side would try to abide by the guidelines you have prescribed. Sir, while raising a discussion on this issue I would like to make it very clear that I have no personal animosity towards any of the Ministers whose statements I am going to refer to. Mr. Tewari is a good friend of mine; in spite of his vitriolic tongue, he is a good friend. I am only sorry that ministerial responsibility has not sobered this irrepressible member.

Sir, the main intention of raising this discussion today is that some of

the utterances of the Ministers of the Union Government when they visit States on official tours, tend to mar the relations between the Union and the States. Otherwise there is no need to refer to those speeches and waste the time of the House. Hierarchically, the Ministers, whose statements I am going to refer to, are a very small fry; they are very low in the Union Government and normally such statements should have been ignored... (Interruptions)...

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): All are equal.

AN HON. MEMBER: Don't permit him to say that. ... (Interruptions)...

SHRI MURLIDHAR CHANDRAKANT BHANDARE: All the equal. Tomorrow he will say some Member is inferior to another member.

MR. CHAIRMAN: I request all of you kindly to allow everybody to have his say without interruption... (Interruptions)... You have also the opportunity to have your say. This is a debate. I will look into it.

SHRI PARVATHANENI UPENDRA: Is there anything unparliamentary in what I have said?

MR. CHAIRMAN: I only request all the hon. Members to allow the speaker, to conclude his speech and to guard against intervention so that you do not give him another lease of life. It is better for all of you on both the sides. It is an appeal to both the sides not to interrupt. If anything wrong is said. I will immediately intervene and say that it is not correct.

SHRI PARVATHANENI UPENDRA: Thank you, Sir.

SHRI LAXMI NARAIN (Delhi): Sir, I have a point of order.

MR. CHAIRMAN: I cannot stop a person from raising a point of order.

SHRI PARVATHANENI UPENDRA: It should not be an irrelevant point.

SHRI LAXMI NARAIN: Am I allowed to speak, Sir?

MR. CHAIRMAN: Yes, Sir.

SHRI LAXMI NARAIN: Mr. Chairman, I want to say that the item on the agenda is to raise a discussion on the reported statements of some Union Ministers against certain State Governments and the Judiciary, during their visits to those States.

Sir, you will kindly appreciate that the Ministers may be in the State Governments or in the Union Government. They all belong to political parties. If one is a Minister, one does not cease to be a member of a political party.

MR. CHAIRMAN: What is your point of order?

SHRI LAXMI NARAIN: I am coming. (Interruptions)

You are not the Chairman. I am speaking with the permission of the Chair. Please don't disturb me. Otherwise, the doctor shall have to be called here.

MR. CHAIRMAN: The point of order must relate... (Interruptions)...

SHRI LAXMI NARAIN: Mr. Kulkarni, you are the most respected Member of this House.

MR. CHAIRMAN: Please raise your point of order.

SHRI LAXMI NARAIN: What I want to submit is, he may be a Minister or may be someone else, he

does not cease to be a member of a political party.

MR. CHAIRMAN: You are referring to the merits of the case. No point of order. Mr. Upendra.

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): Sir, I have a very small point before Mr. Upendra makes his speech.

As a sportsman I would like to put before Shri Upendrajji that when two hockey teams meet, they meet with 22 sticks and one ball. The sticks are to be used for the ball and not for the players. So, I request him that he should try to...

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Which is the ball?

SHRI BUTA SINGH: The ball is the discussion. Instead of hitting the ball, if he starts hitting the legs, shoulders and heads of the players, then, Mr. Chairman, you will find a very very tragic playground. Therefore, my request is to keep within the rules of the game so that the dignity, decency, everything is maintained.

SHRI A. G. KULKARNI (Maharashtra): The rules of the play will be observed. Why are you worried?

SHRI V. GOPALSAMY (Tamil Nadu): The umpire is there.

SHRI A. G. KULKARNI: The umpire is there.

MR. CHAIRMAN: I am the umpire. (Interruptions) Each person cannot raise all that. I am the umpire, and I will see. Mr. Upendra will continue. (Interruptions).

SHRI PARVATHANENI UPENDRA: Sir, I agree with the Home Minister's suggestion. We will observe the rules of the game provided the other side also observes.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: You have to start your duty first.

SHRI PARVATHANENI UPENDRA: Yes. Sir, while raising this issue I am also aware that apart from the constitutional propriety etc. which I want to raise, there is a political angle also. Many Members asked me and you yourself also raised this question, Sir, "Accusations are made by both sides. Chief Ministers and others also are making accusations against the Centre. What is wrong? This is a part of the game". Sir, I do agree. And we are capable of dealing with our opponents politically. We are doing that, and we will continue to do so. We are not afraid of political criticism. We will meet it. We are capable of hurling, and we are capable of taking also.

But, Sir, as I said in the beginning, the main issue is the political propriety, constitutional propriety of the Central Ministers' behaviour when they visit a State on an official visit. I am confining only to that part. I am not going into that of others. The Congress Party, the Congress working President, the Congress Vice-President and the General Secretaries are there. They are criticising. Let them continue to criticise, and we are prepared to take the criticism, and we will answer for it. But, Sir, here the question of propriety arises. Ministers visit the State and the State Government plays host. In some of the functions the State Ministers and very senior officials of the State Government are also present. If a Central Minister takes the advantage of that position and uses that occasion to make a broadside against the State Government or criticise the Chief Minister or indulge in vitriolic criticism of the Government, the relations between the Centre and the State unnecessarily will get sore. That is why we are worried about it. And since

we want to evolve certain kind of code, we are bringing this matter before this august House today.

Sir, I will come first to Mr. Tiwary, because he is the immediate provocation for this Motion. He was kind enough to visit Andhra Pradesh on June 22. He was at a holy place—Tirupati—where he addressed a meeting, of his party workers and made certain statements there. I do not want to refer to the entire statement made by him because he is within his rights on some points. I am asserting again that he is within his right to criticise the Andhra Pradesh Government also if they are doing anything wrong. I am not coming to that part. Anybody is entitled to do that. Even the Prime Minister can criticise and even the central ministers can point out the mistakes. But, Sir, he has gone beyond the limits of reasonable criticism. That is why I am quoting those portions only, which I feel are objectionable and are beyond the norms and propriety of behaviour of political parties and political leaders.

MR. CHAIRMAN: What is the source of your information?

SHRI PARVATHANENI UPENDRA: My source of information is the paper DECCAN CHRONICLE dated 23-6-1986. It is a paper edited and owned by a Congress Member of this House, Mr. T. Chandrasekhar Reddy. I am not referring to any other paper. I can lay it on the Table of the House. Mr. Chandrasekhar Reddy is here and let him deny it. He is the Congress Member of this House and nobody can say his paper has published it wrongly. It says:

"Union Public Enterprises Minister, Prof K. K. Tewari, today called upon his Partymen in Andhra Pradesh to launch a 'liberation movement' from the grassroot-level to

oust the 'corrupt, parasitic and purposeless' Telugu Desam Government in the State".

Here mark the words "liberation movement". That is one thing.

AN HON. MEMBER: What is wrong?

SRHI PARVATHANENI UPENDRA: You justify it afterwards. Mr. Tewari is capable of justifying himself. Don't interrupt me like this.

MR. CHAIRMAN: I have got to ensure the freedom of speech. Therefore, I will not allow anybody to interrupt. Nor will I allow these people to interrupt when you speak. Therefore, please cooperate.

SHRI PARVATHANENI UPENDRA: He added:

"He would speak to those at Delhi and would spend more time in Andhra Pradesh."

He further went on:

"The 'Andhra Pradesh bachao movement, by partymen taking to the streets, participating in processions should be followed by 'Jail Bhara' by courting arrest along with continuous education of the masses to expose the 'false' claims soon."

He is entitled to say that.

Then he says:

"The Chief Minister was destroying the Administrative fabric and pushing the State down in terms of progress.

What is happening today in Andhra Pradesh is an unmitigated disaster where all levers of the administration are being destroyed throwing the entire administrative machinery into a mess."

Then he mentions some other things.

The report says:

"The Union Minister said that soon after returning to New Delhi, he would himself concentrate on organising this 'liberation movement' in Andhra Pradesh and would visit the State often."

After that there are another portions. Then he came to Hyderabad. We thought that probably because it was a party workers' meeting, he went off a little and probably there was no restraint on his tongue. But when he came to Hyderabad, the Press people asked him about his statement. There was a scope for him to retrace his statement also. By that time the protest was lodged. The Chief Minister also protested and wrote a letter to the Prime Minister. We also reacted. But in spite of that, in Hyderabad again, he gave another statement defending his own utterances at Tirupati.

He came to Delhi and issued another Statement again justifying the earlier statements. Some of the extracts are worth noting. He said:

"But it is now going down the drain because 'of the reactionary and feudal practices of Mr. N. T. Rama Rao' and his 'misdeeds have brought the State Administration virtually to a standstill'."

He said Mr Rama Rao was "bullying officials of the Indian Administrative Service and Indian Police Service cadre and treating them as his party worker. He subverting all democratic and political norms and was assiduously creating a climate to promote separatism and this was being done by projecting State loyalty against "national loyalty".

Again he said, Sir, and made it clear that NTR's complaint to the Prime Minister would have no effect

[Shri Parvathaneni Upendra]

on him as he would not be silenced. I quote what he said "I have never been silenced so far,". He said this at a news conference in Hyderabad.

He said, again in Hyderabad, that NTR's programme for the poor was reactionary, feudalistic and even 'fascistic'. Mr. Tewari further said that NTR was a 'dangerous revivalist and an obscurantist'. I quote what he said "He believes in bizarre, discredited rituals, soothsayers and astrologers. What more can we say about this man "

SOME HON. MEMBERS: Very good.

SHRI PARVATHANENI UPENDRA: Whether it is right or wrong, your Prime Minister's photograph with Mr. Chandra Swamy is there. Who believes in whom everybody knows. Don't shout these things. We know who believes in astrology. (Interruptions)

SOME HON. MEMBERS: Don't go to the astrology. Confine yourself to the subject. (Interruptions)...

SHRI PARVATHANENI UPENDRA: Sir, they are not following your guidelines. (Interruptions)...

MR. CHAIRMAN: Why do you call in the Prime Minister and all that.

SHRI PARVATHANENI UPENDRA: Sir, they are accusing my leader. My leader is supreme to me as their leader is supreme to them. (Interruptions).

MR. CHAIRMAN: By just going out of your line...

SHRI PARVATHANENI UPENDRA: Okay, Sir. Mr. Tewari defended what he said at Tirupati about launching a movement taking it to the streets and following it by a jail bhara agitation to topple the Telugu

Desam Government. He was asked by the 'Hindu' correspondent when he hoped to fulfil the objective. He replied: "no dates could be fixed for such programmes". He said in reply to another question, the local party-men would lead the agitation.

Mr. Tewari is a very courageous man. He is the man who instigated the Andhra Congressmen to launch a 'liberation struggle', but faced with 400 to 500 strong demonstrators, he ran away through the back door to the plane, leaving his own fellowmen to the mercy of the demonstrators.

MR. CHAIRMAN: Mr. Upendra, please see me and speak.

SHRI PARVATHANENI UPENDRA: All right, Sir.

MR. CHAIRMAN: This is the rule, every speaker must see the Chair and speak and not speak to the other persons.

SHRI PARVATHANENI UPENDRA: Sir, there are many more gems. I will quote only one or two now. He said "how can we tolerate when the leader of an obscure corner of India tries to pull down a Government at the Centre?" Mr Tewari is a professor of English. I don't blame him if he does not know Geography. But everybody knows where is Andhra Pradesh whether it is in an obscure corner of India or not. Subsequently, he was wise enough to issue a statement denying that. I am happy that he has denied that. (Interruptions).

Sir, there is another thing, "citing examples of such movements launched by the Opposition in various parts of the country in the past and also now. Mr. Tewari pointed out that the Telugu Desam Party itself had organised a series of conclaves in Vijayawada, Calcutta and Kashmir in a bid to 'overthrow duly elected Government at the Centre. When

newsmen reminded that no such resolution to overthrow the Central Government was adopted at any of these conclaves, he tried in vain to justify his observations by stating that the media had reported as such." This report also appeared in the "Deccan Chronicle" owned by the hon. Member, Mr. T. Chandrasekhar Reddy.

Sir, these are the main points from Mr. Tewari's speech. Sir, you yourself judge and let the hon. Members also judge whether all these utterances are in consonance with the dignity of a Union Minister, who was on an Official visit to the State? Even if it is a private meeting, even if it is a party workers meeting which was open, which was well reported, why should he go to such an extent as to attack a State Chief Minister, deride that Government and condemn it? Is it in the interest of good Centre-State relations? That is the first point which I want to raise.

When did we pass a resolution about overthrowing the Central Government? Sir, many hon. Members and many leaders who are here had attended those conclaves. The first conclave, which was held in Vijayawada in May, 1983, passed a resolution on national unity. The second conclave at Delhi passed a resolution on Punjab problem; the third conclave at Srinagar dealt with Centre-State relations and how they should be restructured; the fourth conclave at Calcutta devoted itself fully to economic issues. Nowhere a question of an alternative to the Congress(I) was ever discussed in any of the conclaves, publically or privately, and I do not know how this idea came. I will come to that latter because that is being taken as a justification for Mr. Tewari's utterances. Sir, the Opposition parties never gave a call for ousting the Central Government. I dare say, Sir, with all emphasis at my command, that the Opposition parties never gave a call for

ousting the Central Government through unlawful and unconstitutional methods. If we are trying to remove this Government through constitutional means, through electoral process, there is nothing wrong in that. We are here only to defeat the Congress Party and we will continue to try for that. There is nothing wrong in that. They can also do that. They are doing it and they did it. But we have never called for a liberation struggle! I know they are ready with their quotations. May be some leaders might have said some political leaders might have said that. But there is a distinction between a political leader making a statement and a responsible Union Minister making a statement. I am drawing a line between these two. Sir, that is the first question which I answered. No conclave ever passed a resolution calling for ousting the Central Government through any means other than the constitutional ones.

Sir, whether the Andhra Pradesh Govt. is going backwards or going centuries backward, the people of Andhra Pradesh are there to judge and not Mr. Tewari. When the elections come, they will tell. Thrice they have given their judgment in the last two-three years and you must be ashamed to call that Government a reactionary Government. We have got the mandate of the people and you should respect the mandate of the people. You can't ask for the overthrow of the legally elected Government through unconstitutional means and taking the struggle to the streets. Are we not respecting the mandate got by the Congress Party at the Centre? Are we not behaving responsibly here? Have we ever transgressed our limits? Even when the Congress Party in our State was breaking mykes in the Assembly, we never behaved like that here. They should learn lesson from us. That is why, Sir, whether the Andhra Pradesh Government is reactionary

[Shri Parvathaneni Upendra]

or not, it is for the people of Andhra Pradesh to judge. I would only quote two things. When the Congress Party left the administration there, when it was defeated there in 1983, the State's Plan was around Rs. 600 crores. This year's Annual Plan is about Rs. 1100 crores. It has been increased by our own efforts and not through any additional Central grants. Central grants remain only at 26 per cent. During the 37 years of Congress Party rule, this built only 40,000 houses for the poor. In two years, we built 14,30,000 houses for the weaker sections. We are supplying rice to the people at Rs. 2/- a kilo. to 1 crore families and you call it a feudalistic approach! If it is so, then why are you supplying rice and wheat to the tribal people at concessional rates? Is it not feudalistic approach? Why did you distribute goats and cows to the poor people under the 20 Point Programme? Is it not feudalistic? If some poor people are given some benefits, you call it a feudalistic approach? After so many years of independence, if you are not able to give two square meals a day to the people and if somebody is giving them, you accuse him of a feudalistic mentality. Is it fair? And you call it as taking the State backward? Sir, this is totally an unfair accusation and I have to condemn it. There are so many statistics but I will not take the time of the House and it is for the people of Andhra Pradesh to decide. They have decided it in the past and they will continue to decide it in future also. There is another point which I want to raise. Mr. Tewari says that Mr. N. T. Rama Rao is preaching local loyalty, regionalism and all that. Sir, I will only give one quotation...

MR. CHAIRMAN: And with that you will close.

SHRI PARVATHANENI UPENDRA: No, Sir.

MR. CHAIRMAN: With that quotation, you will have to conclude.

SHRI PARVATHANENI UPENDRA: In a speech to the Legislative Assembly Members in an orientation course, this is what Mr. Rama Rao said:

"I make bold to say that adult franchise is a powerful instrument of national cohesion and solidarity. It is the duty of people's representatives to rise above narrow considerations and inculcate among the people the true spirit of national unity. They must fight resolutely the divisive forces that are splintering our body politic. They must fight the forces of secession and disintegration."

Is it preaching regionalism, Sir? Sir, I will give another quotation. In a speech on the role of regional parties in Indian political life, Mr. Rama Rao says:

"The fear that is often expressed about the loyalty of these parties to the national ideals and their commitment to the principles of national unity and integrity is unfounded. For instance, we of the Telugu Desam party consider ourselves as Indians first and as Telugu later. We shall never place our regional interest above the national interest. We are prepared to make any kind of sacrifice and to meet any type of challenge for the good of our country as a whole."

Now, Sir, for the benefit of Mr. Tiwari, I will quote one more thing in Hindi.

MR. CHAIRMAN: Why? He understands English.

SHRI PARVATHANENI UPENDRA: Because sometimes while speaking in English, he is committing mistakes. Instead of telling one thing, he is telling another.

MR. CHAIRMAN: He is a professor.

SHRI DIPEN GHOSH (West Bengal): He is a professor of Indian English.

श्री पर्वतनेन उपेन्द्र : महोदय, दिनांक 5 अक्टूबर, 1983 को कश्मीर की जनसभा में श्री एन०टी० रामाराव ने हिंदी में कहा :—

“मजहब के नाम पर जानि-पति के नाम पर दंग करना और करना महफूज है। तेलुगूदेशम के बारे में गलत प्रचार किया जा रहा है। मैंने कई बार कहा है, इस मंच से फिर और एक बार घोषणा करता हूँ कि पहले हिन्दुस्तानी में बाद में तेलुगू वाला हूँ हिंदुस्तानी एत' का रक्षा करना तेलुगूदेशम का पहला कर्ज है। हिंदुस्तान से अलग होने की बात कोई कहे, तो तेलुगूलम उसका विरोध करेगा।”

MR. CHAIRMAN: Now, you should stop. You have made a very dignified speech.

SHRI PARVATHANENI UPENDRA: One minute, Sir.

MR. CHAIRMAN: I am afraid you will spoil it.

SHRI PARVATHANENI UPENDRA: I won't spoil it; I will maintain the standard.

MR. CHAIRMAN: Conclude in another two to three minutes.

SHRI PARVATHANENI UPENDRA: I will finish in five minutes. (Interruptions) Sir, I have given the quotations to prove that nowhere NTR preached regionalism or put regional loyalty above national loyalty. This is completely an untrue statement which Mr. Tiwari made. Many papers wrote editorials about Mr. Tewari. Every paper criticised him. I do not want to quote them. Every national newspaper

criticised his statement and advised him to exercise a little more restraint in future.

I will only conclude by referring to one or two statements briefly. I do not want to go into details.

I respect Mr. Shiv Shanker very much. I know him for a very long time. He is an able son of Andhra and I am very happy that he is in the Cabinet.

SHRI DIPEN GHOSH: Not of India?

SHRI PARVATHANENI UPENDRA: He has been entrusted with a very high responsibility. We are proud that he is entrusted with responsibilities like External Affairs and Commerce. He has got a house in Hyderabad and he can come there any time. Every week he is coming and he is welcome I am happy...

THE MINISTER OF EXTERNAL AFFAIRS AND MINISTER OF COMMERCE (SHRI P. SHIV SHANKER): I do not require your permission to come to Hyderabad.

SHRI PARVATHANENI UPENDRA: Sir, I did not question his right. I said, he is welcome. Is it wrong to welcome him? My only regret is that...

THE MINISTER OF AGRICULTURE (SHRI G. S. DHILLON): Sir...

SHRI PARVATHANENI UPENDRA: I am not referring to you. You are not concerned with this. You are also welcome...

MR. CHAIRMAN: Everybody is welcome to Andhra.

SHRI PARVATHANENI UPENDRA: Sir, these interruptions are taking any time...

MR. CHAIRMAN: I know.

SHRI PARVATHANENI UPEN-
 DRA: You complimented me for a
 dignified speech. Let them also
 respect me for that.

My only regret is that whenever
 Mr. Shiv Shanker comes to our State,
 he throws a brickbat at our Govern-
 ment and goes on entering into a
 running commentary on so many
 things. I do not want to go into the
 merits of those issues. They have
 been substantially answered by the
 Chief Minister and the State Govern-
 ment. I wonder why a man, who is
 so much respected, who is entrusted
 with bigger responsibilities, enters
 into controversies on petty things in
 Andhra Pradesh and goes on needling
 us for nothing. That is my question.
 And he has no particular responsi-
 bility also to salvage the Andhra
 Congress there because he represents
 Gujarat and he has no direct respon-
 sibility in Andhra Pradesh. I can
 understand if he has some direct
 responsibility. Anyway, I do not
 want to go any further on that. But
 I only wish in future at least, he will
 spare us and he will devote more
 time and energy to Sri Lanka, South
 Africa and the Commonwealth. If
 he wants to contest the next election
 from Andhra, one year before the
 election he can start these things to
 make his ground.

Then, about Mr. Janardhan Poojari
 I made a reference in this House and
 I need not go into the details of that
 now. He is a good man, a very hard
 working Minister, a simple man who
 does not stay in five-star hotels. Some-
 times he also goes off the track. He
 told the District Collector and other
 high officials from a mike in a public
 meeting near Visakhapatnam. "You
 are all Central Government officers;
 I will blacken your records; be care-
 ful", and all that. He warned NTR.
 There were banner headlines, "Jan-
 ardhhan Poojari warns NTR"... (In-
 terruptions).

MR. CHAIRMAN: Don't take it
 seriously.

SHRI PARVATHANENI UPEN-
 DRA: No, I don't take it seriously.

Similarly, Mrs. Ram Dulari Sinha
 comes and says things. I do not want
 to go into those details also. But
 these are the types of utterances we
 are faced with. I have placed the
 facts before this august House. Again
 I repeat, we are capable of dealing
 with you politically; we have dealt
 with you and we will deal with you,
 and any number of Tewaris and
 Janardhan Poojaris cannot change the
 course of history of Andhra Pradesh,
 and you cannot salvage the Congress
 Party for decades to come... (Inter-
 ruptions)

MR. CHAIRMAN: I would request
 Members on this side not to go on
 making a running commentary on his
 speech. He can say anything. I
 will give opportunity to you to say
 anything.

SHRI PARVATHANENI UPEN-
 DRA: Whatever they may say it will
 not change the mood of the people
 of Andhra Pradesh. In fact, these
 things would only help us; to be
 frank, they are helping us, they are
 rousing the people, people are com-
 ing in defence of us. But what is
 the net result? What is the effect on
 the Centre-State relations? That is
 my main worry today. That is why
 I have confined myself to the param-
 eters of the discussion and I have
 not gone beyond that and I have not
 said anything against the Central
 Government. I have not criticised
 the Central Government how the
 Central Government is treating our
 State, whether with partiality or with
 fairness. I am not going into any
 details. It is not within the bounds
 of today's discussion. I only plead
 at the end that there should be
 some propriety some code of con-
 duct, for the people in Government.

Politically, yes. Congressmen, Congress leaders, their General Secretaries, can talk anything. Our General Secretary also will criticise. But you are entrusted with a specific responsibility of ruling this country, running the administration of this country. You concentrate on that, not needle the State Governments, particularly those run by non-Congress parties. You should be more considerate towards them. Even if they make a mistake, you should point it out to the Chief Minister. Many senior Ministers are there. We have no complaints against them. They have had lunches with our C.M. and have discussed with him so many things. I have no complaint against senior Ministers. It is only these *chhota*, *chhota* people. I am excluding you, Mr. Shiv Shanker, from these *chhota*, *chhota* Ministers. I have requested the Prime Minister also a few minutes back, "Please come and listen; at least you give an assurance that you will call the political leaders and Chief Ministers to evolve a code conduct so that at least in future everything will be peaceful. This is my earnest request. I stand by that. Sir, I am grateful to you for having given me this opportunity. Thank you, Sir."

MR. CHAIRMAN: Now, Mr. Tewari.

THE MINISTER OF STATE IN THE DEPARTMENT OF PUBLIC ENTERPRISES (SHRI K. K. TEWARI): Mr. Chairman, Sir,....

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): Sir, before Mr. Tewari starts speaking, I must be allowed to make a point of personal explanation. Please permit me.

MR. CHAIRMAN: You send a chit.

SHRIMATI RENUKA CHOWDHURY: I have already sent it, Sir.

MR. CHAIRMAN: I will look into it.

SHRIMATI RENUKA CHOWDHURY: Sir, this personal explanation is relevant to this debate.

MR. CHAIRMAN: No, no. It will come later, after Mr. Tewari has spoken.

SHRIMATI RENUKA CHOWDHURY: It is with regard to Mr. Tewari only, Sir.

SHRI PARVATHANENI UPENDRA: Sir, let her finish her point of personal explanation and then he can start speaking.

SHRIMATI RENUKA CHOWDHURY: Kindly allow me, Sir.

MR. CHAIRMAN: Madam, let Mr. Tewari say what exactly he has said. Let us have something on record.

SHRIMATI RENUKA CHOWDHURY: I have something on record and I have some evidence.

MR. CHAIRMAN: I will give you an opportunity for your personal explanation after Mr. Tewari has spoken.

SHRI M. S. GURUPADASWAMY (Karnataka): Sir, kindly allow her now or allow me to speak.

MR. CHAIRMAN: Now, Mr. Upendra has spoken. It is like this: Mr. Upendra and Mr. Tewari; then Mr. Gurupadaswamy and Mr. Bhargwadaj. Thereafter, if there is anything left—I do not think that there will be any—and if you still want something, I will allow you.

SHRI NIRMAL CHATTERJEE (West Bengal): Sir, on a point of order.

MR. CHAIRMAN: Very good.

SHRI NIRMAL CHATTERJEE: Sir in a Short-Duration Discussion, the procedure followed is that it is al-

[Shri Nirmal Chatterjee]

ways party-wise. First, it is the initiator of the discussion and then it is party-wise only.

SHRI KALPNATH RAI (Uttar Pradesh): No, no.

SHRI NIRMAL CHATTERJEE: After the initiator, one from that side and one from this side. That is how we go about it. (*Interruptions*).

MR. CHAIRMAN: You see, this is a different matter. Here certain charges have been made against Mr. Tewari. Now, it is for Mr. Tewari to say what he said and what he did and so on. I follow the correct procedure. Yes, Mr. Tewari.

SHRI K. K. TEWARI: Mr. Chairman, Sir, I am very happy to hear Mr. Upendra who described me as a 'chhoti' man, a very very small fry. I am not feeling unduly perturbed by his description of a Member in the House, who is also a Minister, to whose utterances he has taken very strong objection and whom he has described in these terms.

Sir, for quite some time, after Mr. Upendra exploded on the horizon of Andhra politics, in all his splendour, as the spokesman of an equally newly exploded party in that State, I have been trying to figure out some of the missing links in his evolution from Rail Bhavan to the Rajya Sabha.

Sir, after I heard him speak, I am fully convinced that no person would have played the role of the famous character in literature, Sencho Panza, better than Mr. Upendra and, Sir, the House knows who his famous Don Quixote is. Therefore, I would not go into those broadsides after having mentioned this, but I will concentrate mainly on the theme of the discussion.

Sir, I went to Andhra Pradesh on the 20th June and, on the 21st, I was in Guntur and I inaugurated a

couple of official projects which had been completed under the 20-Point Programme. I made very brief speeches in which I did not refer to the Telugu Desam Government or to its great leader, the saviour, even once. After that, I went to the District Congress (I) Committee meeting and, in that meeting, of course, I gave my analysis of the political situation in Andhra and in the country as a whole. Sir, I also drew the attention of the Congressmen to the international situation and the danger that the country faces today. I exhorted them to remain loyal to the Congress tradition of patriotism, national unity and progressive policies of the Indian National Congress for socio-economic changes. After that, I went to Tirupathi because I was invited by the District Congress (I) Committee there. Sir, you are aware and Mr. Upendra and his friends on the opposition should also be aware that no such meeting is open to the press. I don't know if the Telugu Desam Government of Mr. Upendra had planted some spies...

SHRI PARVATHANENI UPENDRA: Three fourth of your party-men are our sympathisers.

SHRI K. K. TEWARI: ... to distort my speeches, to wrench them from the context and to get screaming headlines in a highly partisan local press after my speech in Tirupathi. I read these speeches of mine in which various constructions were put on my statements to my party people. I was just waiting to reach Hyderabad and then talk to my party people. In the meantime, the next day, the hon. Chief Minister N. T. Rama Rao Garu of Andhra and his captive faithfuls led by Upendra Garu...

SHRI PARVATHANENI UPENDRA: What is that? Will you allow that? I did not refer to their leader and whether they are slaves of their

leader or not. I did not refer to that. I could have said that.

MR. CHAIRMAN: No, this is not unparliamentary.

SHRI K. K. TEWARI: I did not say 'slave'. The captive faithfuls of the Telugu Desam Mafia launched on a Pavlovian reaction. It was a Pavlovian reflex, immediate and in a kind of paranoic fury. They used all kinds of invectives against me demanding my blood for having made certain statements to my party workers. That really came as a grievous shock to me because I was, as he himself had admitted, a guest of the State Government. I had not issued any public statement. I had not delivered a public speech. The State Government should have verified from me what statement, if at all, I had made if they were so worried after my speech at Tirupati. If they were so rattled to the bone, to the marrow, N. T. Rama Rao Garu and Upendra Garu could have called me...

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): What is 'Garu'?

MR. CHAIRMAN: It is an expression of respect.

SHRI K. K. TEWARI: ... to a cup of tea and sought my clarification. But they were not waiting for that because there was something else at the back of the mind. Now he is washing his hands off the conclave politics to the great embarrassment of Shri Atal Bihari Vajpayee and his other friends.

MR. CHAIRMAN: Why do you involve him?

SHRI ATAL BIHARI VAJPAYEE (Madhya Pradesh): Sir, I have been provoked.

SHRI K. K. TEWARI: It is after a long time that I am seeing you in this House. We missed you for

nearly two years. It is so good that you are here now.

MR. CHAIRMAN: Is it good for Mr. Atal Bihari Vajpayee or good for the House?

SHRI K. K. TEWARI: Sir, it is good for me at least.

SHRI DIPEN GHOSH: -It is good for Mr. Tewari also because Mr. Vajpayee has not gone over there.

SHRI K. K. TEWARI: Sir, next day what happened? When rave notices and screaming headlines appeared in the newspapers, Mr. NTR and his friends in the Telugu Desam, in fury they met you at the airport. Sir, you are the Vice-President of India. You were approached by Shri NTR and then a similar complaint was lodged to the Governor of Andhra Pradesh.

SHRI PARVATHANENI UPENDRA: Why is he bringing the Chair?

SHRI K. K. TEWARI: He does not cease to be the Vice-President,

MR. CHAIRMAN: He is giving me a respected place.

SHRI PARVATHANENI UPENDRA: He says that he made a complaint to you.

MR. CHAIRMAN: He said that he met me.

SHRI K. K. TEWARI: Then, Sir, the poor Governor has been villified day in and day out. Telugu Desam MLAs have come out with signed statements calling her a Congress spy. People who talk of norms should... (Interruptions).

SHRI PARVATHANENI UPENDRA: Sir, I am on a point of order. You have set some guidelines for the discussion. He is going off the track as usual. He got into trouble because of that and he is again doing that.

[Shri Parvathanani Upendra]

Why does he drag the Governor here? There is no relevance... (Interruptions).

MR. CHAIRMAN: I uphold the point of order. The Governor should not be brought into this debate.

SHRI POTTAPAGA RADHA-KRISHNNA (Andhra Pradesh): Let the words referring to the Governor be expunged.

MR. CHAIRMAN: You please sit down.

SHRI K. K. TEWARI: Mr. Chairman. Sir, Shri N. T. Ramarao garu then shot out a letter to the Prime Minister. And then I said, not again in a public meeting and I am not resisting from some of my statements to which I will come later, but with a great sense of fulfilment—And Mr. Upendra has quoted from the 'Deccan Chronicle'. I am quoting, Sir, from the 'Indian Express' and everybody knows that the Congress has never been a hot favourite with the 'Indian Express'.

SHRI SURESH KALMADI (Maharashtra): These days it is.
(Interruptions)

SHRI K. K. TEWARI: Sir, I quote: "Union Minister maintained..."—Sir, this refers to my press conference. Again I must clarify. I had not called that press conference to repeat what I had said there or what I had not said. This press conference was scheduled earlier because I had also to address the All-India Mining Congress and after that I was supposed to meet the press. And that was part of my original programme. So, there was no question of my holding the press conference reiterating what I had said and what had appeared or manipulated to appear in the press by Mr. Upendra and his

friends. (Interruptions). Mr. Chairman, Sir, I stick to my guns and I repeat in the House what I had said in my party meeting, and I have not resiled from that. Sir, I had said that the legitimate political activities, the entire range covered by the political activities as sanctioned by the Constitution of India, is to highlight the grievances of the people, and for that a mass mobilisation and involvement of the people at the grassroots is the necessary mechanism to expose the misdeeds and the wrong doings of any Government whether it is in Andhra Pradesh or anywhere. (Interruptions).

SHRI PARVATHANENI UPENDRA: No, no. You said "liberation struggle" and not mass movement.

SHRI K. K. TEWARI: If there is no sense of the English language, deliberate or otherwise, if there is no sense of the nuances and the subtleties, of the words which are sought to be put into somebody's mouth, I cannot help it. Mass mobilisation of people will never mean a call for liberation. I did say that the Telugu Desam Government is subverting the administrative and political norms in Andhra... norms and institutions which were built and nurtured by the Congress Party for 30 years in Andhra Pradesh.

SHRI PARVATHANENI UPENDRA: That is why the people rejected you thrice. (Interruptions).

SHRI K. K. TEWARI: Mr. Chairman, Sir...

MR. CHAIRMAN: Do not put on record any interruptions.

SHRI K. K. TEWARI: ... Mr. Upendra is very proud of Andhra heritage, he will not deny...

MR. CHAIRMAN: Mr. H. K. L. Bhagat, you have violated the rules

of the House. You have crossed the floor between the speaker and the Chair.

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND MINISTER
OF FOOD AND CIVIL SUPPLIES
(SHRI H. K. L. BHAGAT): I am
sorry, Sir. My apologies.

SHRI K. K. TEWARI: Sir, Mr.
Upendra will not deny that for 35
years the Congress party, the pro-
gressive and stable regime of the
Congress in Andhra, whether it is in
terms of industrial infrastructure or
whether it is in power, excess power,
or in industry or irrigation or com-
munications or... (Interruptions).

MR. CHAIRMAN: I told him not to
make a running commentary on your
speech. I now tell them not to
make a running commentary on his
speech.

SHRI K. K. TEWARI: Mr. Chair-
man, Sir, I said that all these achie-
vements of Andhra, they belong to
the Andhras. I have not contributed
anything. My State of Bihar or U.P.
or, for that matter, Maharashtra has
not contributed to the building up
of Andhra as it is today and it is the
legacy of the Congress and the conti-
nued stable regime of the Congress
and progressive stalwarts that it has.
(Interruptions). Your history is
very dubious. That is not my history.
Your history is dubious.

MR. CHAIRMAN: Address the
Chair.

SHRI K. K. TEWARI: Therefore,
Mr. Chairman, I said that the insti-
tutions built over the years, over
the decades in the Congress tradi-
tions, established by the Congress,
the Indian National Congress, they
are sought to be subverted and erod-
ed by a group of people who have
neither commitment to any known set
of ideological principles nor to any

political background. Their political
ancestry is unknown. I said, their
political ancestry is unknown. I said
this. (Interruptions).

SHRI PARVATHANENI UPEN-
DRA: Mr. Chairman, Sir, I am on a
point of order.

MR. CHAIRMAN: The House is in
good humour. Let us hear the point
of order.

SHRI NIRMAL CHATTERJEE:
Sir, I am also on a point of order.

MR. CHAIRMAN: You are on a
point of disorder. Please sit down.
(Interruptions). Yes, Mr. Upendra.

SHRI NIRMAL CHATTERJEE:
Sir...

MR. CHAIRMAN: No, no. He has
raised the point of order first. You
raised it later. Therefore, I will
give him the chance first and you
later.

SHRI PARVATHANENI UPEN-
DRA: Sir, while speaking I have
exercised utmost restraint. I did not
go into the history of the Congress
Party or their ancestry. (Interrup-
tions). One minute. What is this
Sir? What is this?

Sir, though I was also tempted to
make some remarks I did not refer
to their leader. I did not even men-
tion his name, though I had valid
grounds to do so, because the Prime
Minister replied to the Chief Minis-
ter, which was not helpful. I want-
ed to quote. But I did not want to
drag his name in this discussion. But
Mr. Tewari is continuously needling
us, passing disparaging remarks
against our party and our leader and
we will not tolerate it.

SHRI K. K. TEWARI: Mr. Chair-
man, Sir, I am deliberately very
restrained.

MR. CHAIRMAN: Yes, you are restrained.

SHRI K. K. TEWARI: Mr. Chairman, Sir,...

SHRI NIRMAL CHATTERJEE: Sir, I am on a point of order.

MR. CHAIRMAN: What is your point of order?

SHRI NIRMAL CHATTERJEE: Sir, a few minutes back Prof. Tewari was talking about nuances of English. Now, I just heard him mentioning to Dipen Ghosh: 'You have a dubious history'. Is it Parliamentary to refer to a Member of Parliament and telling him that he has a dubious history?

MR. CHAIRMAN: As I understood, he referred to the party and not to the person. If it is to the person, I will remove it from the record.

SHRI K. K. TEWARI: I referred to the dubious role of the party.

SHRI DIPEN GHOSH: Can it be attributed to a party also?

MR. CHAIRMAN: To the best of my knowledge—and I have been in Parliament for twenty years—anything said about a party saying that its record is all dubious etc., will not be a breach but if you say it about the person, it would be. Therefore, I will look into the record and if Mr. Tewari has said to the person, I will remove it from the record. If it is about the party, it will remain.

SHRI NIRMAL CHATTERJEE: Can he say scoundrel to a party?

MR. CHAIRMAN: Scoundrel is unparliamentary; dubious is Parliamentary.

SHRIMATI RENUKA CHOWDHURY: I am on a point of order. Mr. Tewari is a Professor of English and under the guise of a Professor of

English, he thinks he is a patent on English and, Sir, he referred to the expression Pavlovian reflexes about this side where there are laymen. They do not know what Pavlovian reflexes means; it can be derogatory ... (Interruptions). I request...

MR. CHAIRMAN: I do not remember; I will look into the records and decide.

SHRIMATI RENUKA CHOWDHURY: You can refer to it just now.

SHRI DIPEN GHOSH: As soon as a Member from this side stands up to speak, there have been Pavlovian reflexes from that side.

MR. CHAIRMAN: Now that compliment has been exchanged, you sit down.

SHRI K. K. TEWARI: I was referred to the letter. When the letter was sent to the Prime Minister, I had expected that when a debate of this nature explodes in the newspapers, N. T. Rama Rao Guru and his friends will join the debate and there will be a healthy expression of views because I found CPI party, and BJP both falling head over heels in organising demonstrations against rampant corruption under the regime of Telugu Desam Government. So, I thought, the atmosphere is already appropriate ... (Interruptions)

MR. CHAIRMAN: Interruptions will not go on record.

SHRI K. K. TEWARI: Mr. Chairman, when I found the Conclave collaborators of Mr. N. T. Rama Rao also raising these matters—Conclave collaborators like the BJP, Janata, CPI, CPI(M) and their friends—were agitating on certain matters of vital political interests in the State. I thought, Shri N. T. Rama Rao will have the guts, will have the courage, as he is rumoured to have, as he is alleged to have, courage and guts, he would join issue and that there will be a healthy debate...

5.00 P.M.

SHRI PARVATHANENI UPENDRA: With you?

SHRI K. K. TEWARI: ... through-out the State and the country. But Sir, why should he run to the shelter of the Prime Minister whom he was villifying in the dirtiest of terms and I use the expression which Shri N. T. Rama Rao had used... *(Interruptions)*

SHRI PARVATHANENI UPENDRA: Sir, on a point of order.

SHRI K. K. TEWARI: Let me use the word. *(Interruptions)*.

SHRI PARVATHANENI UPENDRA: Sir, he is trying to quote something against the Prime Minister or in favour of the Prime Minister, I do not know. We did not want to bring in the Prime Minister. But if he does so, you cannot restrain the subsequent speakers. This is what I wanted to say. If he brings in extraneous matters, he will have to face the same thing from this side.

MR. CHAIRMAN: Mr. Upendra, I was going to say, before you raised the point of order that just like you, Shri Tewari also made a dignified speech so far.

SHRI K. MOHANAN (Kerala): This is the joke of the century. I very much appreciate.

MR. CHAIRMAN: Please conclude now.

SHRI K. K. TEWARI: Mr. Chairman, Sir, coming back to...

MR. CHAIRMAN: You only refer to what they said about you.

SHRI K. K. TEWARI: I would like to quote the 'Indian Express': what came out in the 'Indian Express' after my press conference—I quote: "The

Union Minister maintained that he had called for an action programme of demonstrations, processions and going to jail, if necessary, as an exercise in political education of the people. He, however, denied asking the people to take to the streets to topple the State Government". This is what the Hyderabad edition of the 'Indian Express' said.

MR. CHAIRMAN: Apart from the Indian Express, you say it now. Everybody will be satisfied.

SHRI K. K. TEWARI: Sir, I gave a call to my partymen in the party meeting for mass mobilisations for exposing the misdeeds of Telugu Desam.

MR. CHAIRMAN: But the charge is that you said that they should rise in revolt. If you have not said it, this is your opportunity to say that you have not said so. You should say it now and close the chapter.

SHRI K. K. TEWARI: Sir, how do you believe....

MR. CHAIRMAN: I would not believe. *(Interruptions)*

SHRI NIRMAL CHATTERJEE: Sir, as a representative of the House, you have said that you would not believe him.

SHRI K. K. TEWARI: When making political speeches, we do not switch off our brains. Our brains are still on. When I make a political speech, do you believe or does anybody in this House including Shri Upendra, believe that while talking to my partymen, I will give a call like this? Will I borrow the phraseology of the Marxist Party *(Interruptions)*

SHRI DIPEN GHOSH: When I speak, you will get the reply. *(Interruptions)*

SHRI NIRMAL CHATTERJEE: You have a party also or you only belong to the Government?

29] Short Duration Discussion [RAJYA SABHA] against certain State Govts. 292
on reported statements of
some Union Ministers
and the judiciary during
their visits to those States

MR. CHAIRMAN: Mr. Chatterjee, you will not agree to admit him in your party. Please conclude now, Mr. Tewari.

SHRI K. K. TEWARI: Sir, I am proud to belong to the Indian National Congress....

SHRI ATAL BIHARI VAJPAYEE:
 (I)

SHRI K. K. TEWARI:.... with a rich heritage, rich history, history of heroic sacrifices, for winning freedom and consolidating that freedom and bringing about changes, which are now reflected in our strength and in our stability. I do not have to borrow these examples from the Opposition, much less from the Marxist Party, whether it is the CPI or the CPI(M). Therefore, Sir, what I said had no connection with these two expressions, particularly, 'call for strike'...

SHRI PARVATHANENI UPENDRA: 'Liberation'.

SHRI K. K. TEWARI: These were distortions deliberately put into 'Eenadu', the newspaper which is the mouthpiece of Telugu Desam.

SHRI PARVATHANENI UPENDRA: On a point of order. Sir, he is misquoting me. I read from Deccan Chronicle. I gave the date, the name of the paper, the owner of the paper and the editor of the paper. Now he says, 'Eenadu'. I never referred to 'Eenadu' in my speech.

MR. CHAIRMAN: Why should you say that he cannot refer to it?

SHRI K. K. TEWARI: Sir, as usual, as the whole State has been taken for a ride by Shri Upendra and his Telugu Desam friends, similarly this paper also might have been taken for a ride by them. What I said, I stick to that in Andhra political institutions, democratic institutions are under impeached assault. All norms are being

subverted. Therefore, the Congressmen, they have the responsibility, they owe to the people of Andhra to educate the masses and launch a mass movement to expose this Government. We will not topple them, they will be toppled by their own sins, by their own acts of omission and commission.

Then, Sir, coming to the last part, just now Upendra Garu was threatening me, holding out dire threats. See how he threatened me. Again from the Indian Express I am reading out what he said in a statement. He said:

"Mr. Upendra apprehended that such vituperative and irresponsible statements by visiting Union Ministers, if not checked, might lead to unhappy reactions among the people in general and the Telugu Desam party workers in particular"

He used the words 'unhappy reactions'. The threat was to violence:

SHRI PARVATHANENI UPENDRA: On a point of personal explanation

SHRI K. K. TEWARI: There is no point of order. What happened ultimately, you must have been told. I exercised my democratic right, duly sanctioned by the Constitution and conventions which have been accepted by all political parties in this country. I was returning on the last day. Sir, a crowd of bandicoots was collected.

SHRI PARVATHANENI UPENDRA: This is unparliamentary.

SHRIMATI RENUKA CHOWDHURY: This is an unparliamentary word. It should be expunged. (*Interruptions*). We want your ruling, Sir. (*Interruptions*). We want an apology. He is supposed to be the master of the language. He is deliberately using the word. (*Interruptions*).

SHRI K. K. TEWARI: All right, I withdraw the word, Sir. Let me put it like this. A crowd, a riotous mob, was collected at the airport and the purpose was to lynch me. Shri Upendraji referred to me as having fled away. That is not in my nature, Upendraji, to run away. I am not made of that stuff. Your Government came, your administration came, they touched my feet and they said, Sir, nothing will happen to N. T. Rama Rao but we will lose our jobs and you don't know the kind of people who have been collected there, you do not know the missiles and weapons they carry.

SHRI PARVATHANENI UPENDRA: On a point of personal explanation. It will be the last one (*Interruptions*). One minute, Tewariji. On a point of personal explanation.

SHRI K. K. TEWARI: You are wasting my time. (*Interruptions*). No, Mr. Chairman.

Therefore, I had to take a detour to go to the aircraft when I knew that Miss Chowdhury was leading the delegation.

SHRIMATI RENUKA CHOWDHURY: I am not 'Miss', I am 'Mrs.' for your information. You should not pass such dubious remarks. (*Interruptions*).

MR. CHAIRMAN: In Mr. Tewari's place I would have welcomed it.

SHRI K. K. TEWARI: Sir, when I was to'd in the aircraft that Miss Chowdhury.... I am sorry, Mrs. Chowdhury was leading the demonstration, then I regretted that I had taken a detour. (*Interruptions*)

SHRI PARVATHANENI UPENDRA: Sir, you are not allowing me, but you are allowing him to go on.

SHRI K. K. TEWARI: My last point, Sir...

MR. CHAIRMAN: You lack sense of honour. You are saying things which you should not. You have done a good job. Don't spoil it. Please sit down.

SHRI K. K. TEWARI: Sir, I had to rebut the charges of Upendraji. When he said that conclaves were all that innocuous....

MR. CHAIRMAN: You want to mention that. All right.

SHRI K. K. TEWARI: The facts are otherwise.

MR. CHAIRMAN: You will get only five minutes.

SHRI K. K. TEWARI: Mr. Chairman, when you read the newspapers in which the reports were published about the goings on in the conclave meetings, the list spans the entire spectrum from the CPM to B.P. Congress (J) and so on and Bahuguna's outfit also. Everybody was present. This gives a total, complete picture of political demonology in India. What they said, what NTR said.

SHRI VISHVJIT PRITHVIJIT SINGH (Maharashtra): Highly objecting.

SHRI K. K. TEWARI: That is figurative use of language. That is not the literal meaning of the word; it is figurative. Sir, the entire thrust was, this is what NTR said, the Centre is a myth. Will Mr. Vajpayee deny, will my CPM friends deny whether it is a fact or not that NTR described the Centre as a myth, the Centre which has led India together and that Centre was described as a myth? Then, Sir, came the 1984 parliamentary elections.

SHRIMATI RENUKA CHOWDHURY: This is all irrelevant to the issue.

SHRI K. K. TEWARI: He said, Sir, our constitution—this is what NTR is saying—speaks of a federal government. One party rule does not benefit any one.

SHRI PARVATHANENI UPENDRA: Sir, if he goes into details of all those things, there is no limit.

MR. CHAIRMAN: Look here, I am very carefully following. You said that Rama Rao has not said, the Chief Minister has not said....

SHRI PARVATHANENI UPENDRA: In one sentence I said it.

SHRI K. K. TEWARI: I am quoting him. In the press conference what he said, I do not question his patriotism. No, Sir, far from it; I am not questioning that. (Interruptions). What I am saying is that political exigencies and compulsions ultimately lead to such degeneration as you find in Punjab. Let us not play with fire and let us not allow short-term political interests to cloud our vision of the larger interests of the country. (Interruptions).

MR. CHAIRMAN: No interruption will be recorded.

SHRI K. K. TEWARI: "There must be a federal Government at the Centre. One party rule does not benefit any one. This has been proved again and again". This he said after the 1984 parliamentary elections when our Government was in absolute majority. With unprecedented majority we have won. That is the background.

MR. CHAIRMAN: Please conclude.

SHRI K. K. TEWARI: If there is to be national unity, then what is quoted of Mr. N. T. Rama Rao as championing the cause of the States and other things, are they in favour of the country? When there is an elected Government representing the people of India, he says we should have a federal Government meaning thereby... (Interruptions).

PROF. C. LAKSHMANNA (Andhra Pradesh): I am on a point of order. ... (Interruptions)...

SHRI K. K. TEWARI: How can a federal Government be there when there is a majority Government at the Centre?

MR. CHAIRMAN: Mr Tewari... (Interruptions) ...

... (Interruptions) ...

MR. CHAIRMAN: Nothing will go on record. I am on my legs.

SHRI DIPEN GHOSH: **... (Interruptions) ...

MR. CHAIRMAN: The Chair is on its legs. Everybody in a democracy has got a right to say that the other Government should go but only, they should do it in a proper, dignified language. That is all. The only complaint against Mr. Tewari was that he said that it should be set aside by revolt and agitation or that kind of thing. You have answered it very well. So, you can conclude your speech now.

... (Interruptions) ...

SHRI K. K. TEWARI: Sir, if you permit me, I will take two minutes only.

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): Sir, I have

**Not recorded.

a point of order. My point of order is that the agenda paper says that during this Short Duration Discussion, so and so are to raise a discussion on the reported statements of some Union Ministers against certain State Governments and the Judiciary during their visits to those States. Therefore, Sir, Mr. Tewari cannot refer to Mr. Rama Rao's speech in 1984... (Interruptions)...

MR CHARIMAN: No point of order; I do not agree with the contention, Mr. Tewari will now conclude in one minute.

SHRI K. K. TEWARI: Therefore, they organised conclaves, which never happened before in any civilized political order. In West Bengal, a Government, claiming to be popularly elected, itself gives a call for a *bandh* of the State against the so-called wrong policies of the Central Government... (Interruptions)... These are things which cause strain in the Centre-State relations. When you take a political decision, you must be prepared to face healthy political criticism. This intolerance does not speak well of your political commitments and your political stability in the States. Thank you, Sir.

SHRI PARVATHANENI UPEND-RA: Sir, I am on a point of personal explanation.

(Interruptions) ..

SHRI NIRMAL CHATTERJEE: Why don't you spare the word "civilization"?

MR. CHAIRMAN: Personal explanation only.

SHRI PARVATHANENI UPEND-RA: Yes, Sir. Mr. Tewari read out an extract from a newspaper saying that I had threatened him. It is not a

fact. What he read out itself shows that if such things go on, there will be adverse reactions unnecessarily and that should be avoided.

(Interruptions)

SHRI K. K. TEWARI: It is organized violence. This is something very vital to the debate. Here also he referred to that. That is the criticism. Then, in the Congress-I ruled States where these leaders go every day, if for that criticism—though the Congressmen hate doing it—it means that if the thesis that he is propounding is accepted, then if anybody does it he will be subjected to violence and he will be subjected to murderous, riotous mobs organized by political parties.

MR. CHAIRMAN: Violence was not there.

SHRI PARVATHANENI UPEND-RA: Let me complete, Sir. There was no threat. We were very much worried about his safety... (Interruptions)... That is why the Chief Minister himself gave special instructions... (Interruption)...

MR. CHAIRMAN: You are eroding into the time of Mr. Gurupadaswamy.

SHRI PARVATHANENI UPEND-RA: In one minute I will finish, Sir. He issued personal instructions to escort him and conduct him safely. What he is objecting to is demonstrations. He himself pleased that in democracy everybody has a right to demonstrate and organize processions but, at the same time, he is objecting to demonstrations. That is unfair... (Interruptions)...

SHRI K. MOHANAN: At least occasionally he can visit West Bengal and Tripura also.... (Interruptions)...

MR. CHAIRMAN: Mr. Gurupadaswamy. After that, Mr. Bhardwaj will reply and end the debate.

SHRI M. S. GURUPADASWAMY:
Mr. Chairman, Sir, it is not in my nature to indulge in much raking or in sterile confrontation. I am a co-sponsor of this debate, and there is no malicious intention to attack any friend, any individual, any Member of this House. The purpose is to see that some standards, decency, propriety and honour are observed in public life, especially by those who hold responsible positions both in the Government and in the Opposition.

Sir, I am not here to defend Mr. Ramakrishna Hegde, the Chief Minister of Karnataka. He is strong enough to defend himself. I am not also here to attack my friend, Shri Bhardwaj, for the purpose of villifying him.

Sir, before I deal with the main issue, will you permit me to make a few preliminary remarks regarding the political set-up within which we are functioning? Sir, you are aware, we have a written Constitution, we have a federal set-up, and in this system the legal sovereignty resides in the Constitution, not in any wing of the Government. The political sovereignty resides in the people, and Parliament represents that political sovereignty. This basic axiom has got to be understood by all of us.

In a federal system one has got to be very careful in running the affairs of the nation, particularly when different political parties run the Governments in different States. There was a time when a single political party was almost ruling the entire country. That situation has gone now, perhaps, for ever. And that environment, we cannot get back. The statesmanship, the genius, the sagacity lies in taking all the State Governments along with us in running the affairs of the nation. And here the most important principle is co-existence, not confrontation. I believe in politics of reconciliation,

friendship and goodwill. When we are having an array of different governments functioning at different levels, I expect this norm to be observed by all the political parties and their leaders and especially those who are in Government. Sir, I do not want to dilate upon what the constraints, the parameters within which the political leaders and especially the Ministers have to function or should be.

In a federal set up where different political parties are poised against each other a lot of restraints are necessary from each. That has got to be on the basis of reciprocity and mutuality. Otherwise this great country of ours will fall to pieces. Our democracy will be eroded and will not be successfully carried forward. Therefore, Sir, I would like the Ministers at the Centre, the Ministers at the State level, the leaders of political parties within certain parameters, within limits and within restraints.

Now, Sir, I am raising a very vital question. It is not a question which has cropped up in a verbal duel between the Chief Minister of Karnataka and my friend Mr. Bhardwaj at the Bar Association Conference. It is not that. The real fact is we should go behind this verbal exchange and find out the truth. After finding out the truth we should evolve guidelines for ourselves.

On 27th June, at Bangalore, the All India Bar Association held its Conference. In that Conference were eminent lawyers from all parts of India, Judges of the High Courts, Judges of the Supreme Court, the Chief Justice himself and also the retired Judges. It was a conference where legal luminaries participated. It was a very important conference which we always have from time to time. In that Conference, the Chief Minister of Karnataka, Mr. Ramakrishna Hegde, was asked to speak on a sub-

ject, and an option was given to him. He chose to speak on the following subject: "Judiciary today, disturbing trends and suggestions for reforms". While speaking, he made a fervent plea that the independence and freedom of the judiciary is increasingly being vitiated and eroded. He quoted instances to show to prove his thesis. The whole thrust of his speech was that in a set up like ours there has got to be separation of powers. The Executive, the Judiciary and the Legislature have got to function in a manner without transgressing the jurisdictions of the others. And there has got to be a healthy inter-action of all these three wings. There has got to be a health equilibrium. That was the main thrust of the speech. While doing so, he said the judiciary has been impaired in this country. There have been frequent assaults on the independence of the judiciary, the freedom of the judiciary by the Executive. There has been an increasing Executive influence and interference from appointments of the Judges to transfers of the judges. He pointed out with instances to prove his point. And while doing so, he referred naturally to the case of Karnataka, the delay in appointing Judges to the High Court and what he had said there I quote from his speech:

"My own experience since I became Chief Minister of Karnataka has been no different. Proposal for increasing the strength of the High Court was sent to the Government of India in June, 1983 shortly after I became Chief Minister."

"...shortly after I became the Chief Minister in May, 1984, the Government of India has agreed to increase the strength by four permanent Judges, and two Additional Judges. Accordingly in November, 1985 names of appointees to these posts were sent to the Government of India. Let me add that these

names were unanimously approved by the Governor, the Chief Justice of the High Court and by myself. To this day, those appointments have not been made."

This is what he said. He went on elaborating his point further in subsequent paras. After he delivered the speech, my friend, Mr. H. R. Bhardwaj, who is a Law Minister and lawyer himself delivered his speech after touching many aspects, he came to the speech of my friend, Ramakrishna Hegde. Sir, I just quote two or three sentences for the persual of the House. I quote from the 'Hindu' dated 28-6-1986:

"Some of the Chief Ministers had indulged in favouritism on grounds of caste or creed in the appointment of High Court Judges. About appointments to the Karnataka High Court, Mr. Bhardwaj alleged that they were held back as some of the persons whose names had been recommended were related to the Ministers of the State."

Then he went on to add:

"It was well-known that the Karnataka High Court had become the monopoly of a certain caste. Mr. Bhardwaj told Mr. Hegde that he would resign if any one could prove that the Centre was wrong in not appointing the type of persons being recommended for the appointment to the High Courts."

Sir, he also said about Mr. Ramakrishna Hegde's hospitality to the Conference and added it was wrong on the part of Hegde having hosted the Conference he indulged in misusing the Conference for his selfish ends. After these reports, Ramakrishna Hegde was naturally moved. He wanted to clarify his position. So what he did do? He wrote a letter to the Prime Minister on July 7, 1986. I do not want to read the entire letter, but I quote only one or two sentences.

SHRI H. R. BHARDWAJ: Every-body knows that this letter was released to the press by Mr. Ramakrishna Hegde.

SHRI M. S. GURUPADASWAMY: I am quoting a sentence for my own benefit.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): It is not a new thing.

SHRI M. S. GURUPADASWAMY: For my own benefit, Mr. Bhardwaj. Is it all right?

Sir, I quote:

"Immediately after I spoke, Shri Bhardwaj, the Minister of State in the Ministry of Law and Justice held series of charges at me and stated that the main reason for the inordinate delay in appointment of Judges to the Karnataka High Court was the fact that the State Government had recommended close relatives of some of the Ministers. He further challenged that he was prepared to resign on this issue if he was proved wrong and challenged me to do so likewise in case he has proved to be right."

Sir, he says the actual position. He says in the letter, I have again made enquiries about whether the persons recommended are related to Ministers. I would like to reiterate that none of the persons, who have been recommended for the appointment as judges are related to any of the Ministers in Karnataka. I am enclosing herewith a copy of the letter of the Chief Justice wherein he has given details about their competence and suitability for this high appointment. I have a feeling that Shri Bhardwaj choose to make these wild allegations only to save face as he had no other reason to offer for the inordinate delay on the part of the Union Government in appointing judges to the

Karnataka High Court. Sir, he wrote another letter to Mr. Asoke K. Sen, a senior Minister in the Ministry. There he has said and it refers to Mr. Bhardwaj: "He has stated that delay in appointing the judges is due to the reasons that the persons recommended were related to the Ministers. He further added that by hosting a dinner to the delegates of the Conference, I was trying to woo the judiciary in my favour." Having attended the dinner which you also have attended you deny against Mr. R. K. Hegde at the conference. I leave it to the House whether these utterances of my friend, Mr. Bhardwaj will enhance his name, prestige or will lower down his prestige. He is not merely Mr. Bhardwaj but he is the Law Minister of India. That is why we are concerned. Sir, I would like you to ponder over this. You have been a lawyer for a long time. Do you approve of this kind of recklessness indulged in by the Law Minister? I do not think whether any Law Minister has indulged in such reckless exercise before an audience which was the cream of legal profession, the cream of the judiciary. Sir, if his allegations had been correct, valid, as Mr. R. K. Hegde said in his speech, the matter could have been discussed by him orally with Mr. R. K. Hegde. If these persons had been relatives of Ministers, you could have discussed the matter. Why did you delay the appointment of the judges to the High Court? I fail to understand this. There is such a thing as communication. We are in a modern world. Why couldn't you talk to Mr. Hegde? Mr. Hegde in his speech said that he never changed any names. As suggested by the Chief Justice of the High Court, he concurred. There is no instance where he differed from the Chief Justice of the High Court and this has been seen and approved by the Chief Justice of the Supreme Court also. Then, why, has this delay occurred and he has said. I have quoted that sentence, "The Kar-

nataka court has become a monopoly of certain cases". It is a very serious allegation. This country does not belong to any caste or community, less the judiciary. I would like my friend, Mr. Bhardwaj, if he is honest, let him publish a list of all the judges appointed since independence and their castes background and their relationships. Let us know who is related to which judge and in which court, and the caste. I would like to have the caste composition of all the judges, the class background of all the judges. Let him come out if he has the courage. In Karnataka there are 21 judges in the High Court. How many of them are of one caste? The majority? Even one-third? Let him contradict. There is a good balance in Karnataka as in some of the other High Courts. I repudiate this false allegation that has been made.

MR. CHAIRMAN: Don't say false: say 'the incorrect allegation that has been made'.

SHRI M. S. GURUPADASWAMY: All right. I stand corrected—incorrect allegation. And who appointed these judges? Sir, the conference of Chief Ministers and judges was held in the month of August, 1984, and there also there have been observations about the judiciary. And there has been a study of the Estimates Committee on this. It has made very profound observations about the composition and the character of the judges required. I think my friend is aware of these things. Sir, I would like to know—really this House will be benefited to know—who are the judges who were appointed in these 30 to 35 years by the Central Government in consultation with the others. What is their caste basis? I want to know whether the sons of politicians or relatives of politicians, leaders, have not been appointed, whether relatives of Chief Ministers have not been appointed, whether relatives of Central Ministers have not

been appointed. Mr. Hegde has quoted two instances. It is a public document. I do not want to go into the case of others. He has quoted the cases of*....

SHRI P. SHIV SHANKER: May I request that the hon. Member may not please refer to the names of these judges?

SHRI M. S. GURUPADASWAMY: All right. I said, it is a public document.

SHRI H. R. BHARDWAJ: You have printed it.

SHRI M. S. GURUPADASWAMY: If it hurts you, I do not want to do it.

MR. CHAIRMAN: It is not proper. If you are making a point...

SHRI MURLIDHAR CHANDRAKANT BHANDARE: No judge should be named here.

MR. CHAIRMAN: He has accepted it.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Even in that meeting, no judge should be named.

MR. CHAIRMAN: The names and all that will not form part of the record.

SHRI M. S. GURUPADASWAMY: That is why in my preliminary remarks, I said I did not want to have a sterile confrontation...

MR. CHAIRMAN: Your speech has been unexceptionable. Go ahead.

SHRI M. S. GURUPADASWAMY: Coming to the last point—it was raised by my colleague earlier and it was ably put by you from the Chair to begin with—we do not have a code

*Expunged as ordered by the Chair.

[Shri M. S. Gurupadaswamy]

of conduct for the Ministers. It was all right when a single party was ruling the entire country in the past. Today there are a multiplicity of parties controlling different Governments. In this atmosphere, I do not want any recrimination to go on. Particularly I do not want any denigration of the judiciary in any manner. Sir, an independent and free judiciary is a bulwark of democracy. I do not want any executive interference or influence in the name of this or in the name of that. I refer to one thing lastly and that is whether it is not time to look into the Constitutional provisions of appointment of judges. I am one with Mr. Ramakrishna Hegde that the provisions in the Constitution are not enough, are not adequate. The process of consultation that has been visualised in the Constitution is too fragile, weak and not effective. In the name of consultations, the Central Government is imposing its will in the appointment and transfer of judges. I would like a new mechanism to be evolved for this purpose.

The Constitution has got to be looked into again. The provisions have got to be made very clear. If you all agree, I would suggest a collegium or a committee which has been suggested by the Chief Justice in one of the conferences may be thought of for appointment and transfer of judges. Today transfer has become a punitive exercise. Transfer is no longer a simple transfer. I know judiciary should reflect all classes, judiciary should reflect the entire country. It should not be parochial. But to achieve this when we are appointing judges to the High Courts, you should appoint judges in such a manner that one third of the judges of those High Courts come from elsewhere, not from the State. Transfer can be resorted to only when public interest demands. It should never be punitive. But

today judges in the High Courts are afraid of you because—I tell you, they are afraid of you; they talk to me and they say—if they rub you on the wrong side, you may transfer them. Like you, they also have families. (Time-bell rings). Therefore, I obey your direction, Mr. Chairman, and I conclude by only saying that there should be a different mechanism, a foolproof mechanism, by which judges are appointed and transferred, not by the will of the executive but by a separate machinery which ensures impartiality and justice. Thank you.

MR. CHAIRMAN: I would request the House to give me forty minutes leave of absence as I have to go to some other place. I will come back. Meanwhile, I hope that you maintain that wonderful cordiality which is prevailing, in my absence also...

SHRI NIRMAL CHATTERJEE: We see that nothing is transacted in those forty minutes.

MR. CHAIRMAN: Now I call Mr. H. R. Bhardwaj. (Interruptions)

[Mr. Deputy Chairman in the Chair]

SHRI H. R. BHARDWAJ: Sir, you will find me more innocent than Mr. Hegde. I am grateful to Shri Gurupadaswamy who made a very beautiful speech giving various aspects of the Constitution and making a very nice defence of his friend, Mr. Hegde. But since he was not present in the meeting, he has been nicely duped by his own friend. I want to put the record straight. We lawyers have one principle, that facts admitted need not be proved. There is no dispute that like Mr. Hegde I was also invited to the Bar Association Meeting on 27th June and I do not dispute that it was in the Secretariat of Mr. Hegde that the Bar Association Meeting took place, and after the meeting we had a dinner in the compound of the Con-

vention Hall. But what were the events? I complained to Mr. Gurupadaswamy the next day in the hotel when I met him, that Mr. Hegde behaved in a most untraditional-like manner being a Karnataka Chief Minister. He invited us; he played host to us; he played host to the Bar Association. My own Attorney-General was the chairman and allowed that it should happen in Karnataka State, in Bangalore, which is known for its hospitality. But what happened was really tragic and Gurupadaswamyji must know it. I would also like Atal Bihari Vajpayeeji and other senior Members know what exactly happened. Perhaps impelled by the arrack bottling case Mr. Hegde lost his sense and that is why he launched an attack on me. I want to quote everything from his speech...

SHRI D. B. CHANDRA GOWDA (Karnataka): On a point of order. The Minister while referring to this particular issue has sought to make out a case that this dinner diplomacy has been brought in only to influence the judiciary, and he is trying to make out... (Interruptions)

SOME HON. MEMBERS: What is the point of order? Nothing.

SHRI D. B. CHANDRA GOWDA: My point of order is this. Let not the honourable Minister try to denigrate... (Interruption) Let him not try to denigrate the judiciary. (Interruptions). He is trying to denigrate the judiciary, the dignity of the judiciary, (Interruptions). This is my point of order.

MR. DEPUTY CHAIRMAN: There is no point of order. Kindly sit down.

SHRI H. R. BHARDWAJ: I am very happy, Sir. Let us see who has denigrated the judiciary. You kindly have patience. I will not read out—I promise—anything outside the speeches of Mr. Hegde. I

promised this in the House. If I read out anything outside the speeches of Mr. Hegde, you just interrupt my speech. I will read every inch from his speech and I know what I have to say before the House.

Sir, I know it because today we are discussing a very important issue. Sir, it is in our culture, in our tradition, that when you invite people, you must behave properly. Now, we were sitting there. This is the printed speech of Mr. Hegde. It was read out by the honourable Member on the opposite side and it was printed much before we assembled in Bangalore. I will exactly point out to you everything. It must have been printed at least a fortnight before the Conference started. I had never contemplated that he would be armed with such a speech when we went to the Convention Hall. Kindly see whether it is a fact or not. The first point that I will put to the honourable Member is this: Kindly see whether it is a fact or not, whether all these documents which I am referring to now were distributed to the honourable Judges and the lawyers by Mr. Hegde himself on the dais or not. You controvert it and I will resign. These are the documents. (Interruptions)

SHRI D. B. CHANDRA GOWDA: What is wrong?

SHRI H. R. BHARDWAJ: I will point out to you what is wrong. Kindly see. (Interruptions). Kindly listen. You will know what is wrong. This is the Janata Party literature, your symbol... (Interruptions)... your symbol and that was essentially not a Janata Party meeting, but it was the Bar Association Meeting. (Interruptions).

MR. DEPUTY CHAIRMAN: You kindly proceed.

SHRI K. K. TEWARI: Why should you resign? Mr. Hegde should resign. (Interruption)

SHRI H. R. BHARDWAJ: He would never resign. He resigned once and then made a drama of it. (Interruptions). Kindly see what happened. He had brought a truck-load of the Janata Party literature. And, Sir, I am presently asking Vajpayeeji to be the referee and to decide the case, and see whether there was propriety in the Chief Minister behaving like that.

Kindly see. I will pick up his speech. I will not take up any part of my speech or from my own information. I will reply to the point about the quality of the Judges that he wanted in Karnataka. (Interruptions). Kindly do not interrupt me. I beg of you all not to interrupt me. (Interruptions). I beg of you: Kindly talk to me when I am doing something wrong. I am referring to this document which is a printed speech at the cost of the Government of Karnataka and what Mr. Hegde says about the judiciary.

SHRI D. B. CHANDRA GOWDA:
What is your objection?

SHRI H. R. BHARDWAJ:
I am only briefly pointing out those things to bring home at least to those Members who are practising lawyers and who will know what the import of his speech is. Mr. Hegde denigrated the former Chief Justice of India. Shri Chandrachud and Mr. Hegde denigrated the present Chief Justice of India. Shri Bhagwati, and Mr. Hegde denigrated the Supreme Court Judges and hundreds of Judges who were appointed by saying certain things. I will read out and you will appreciate. Kindly see what he says. This is at page 13 of Mr. Hegde's speech. If necessary I will lay this document later on the Table of the House. This is what he said:

"In a famous speech, Mr. Justice Tulzapurkar, who was still a Judge of the Supreme Court, mentioned

some disturbing facts. Thereupon Shri Virendra Singh filed a petition challenging the policy of the Government of India on transfer. It came up for hearing in the Supreme Court on April 26, 1985, before a Bench consisting of Justices D. A. Desai, V. D. Tulzapurkar and A. P. Sen. On that occasion, Mr. Justice Sen pointed out that a junior Judge of the Rajasthan High Court has been transferred to Sikkim on purely political grounds. In the Madhya Pradesh High Court, the former Chief Justice, Mr. G. P. Singh, declined to accept a list of ten Judges proposed by the Government because he did not consider them fit. His successor, Mr. Sen added, was kept as Acting Chief Justice so that he could clear all the ten names recommended for appointment. Some of them had never appeared in the High Court. A similar result was achieved through the Acting Chief Justice of the Allahabad High Court. Justice Desai "gave other examples from Madras, Kerala and Gujarat High Court. In the Allahabad High Court, while one of the judges, Justice M. N. Shukla, was made Chief Justice of that very court, two others were sent as Chief Justices to the Calcutta and Gauhati High Courts. Even in the matter of appointment of the Supreme Court, Mr. Justice B. C. Ray of the Calcutta High Court..."—Sir, Mr. Ray is a Harijan—"...was appointed Judge of the Supreme Court last year. A few months later, Mr. Justice M. M. Datta, of the same High Court, who was senior to Mr. Justice Ray was appointed the Judge of the Supreme Court."

(Interruptions)

Kindly let me elaborate. No Judge has been appointed unless the Chief Justice of India approved. Forget

about the High Court Judges. They have their own problems and that is why we transfer them. No Judge in India has ever been appointed—I maintain it today and I maintained it in the conference—unless he has expressly been cleared by the Chief Justice. Does it not cast a reflection on Justice Chandrachud, who appointed him? Does it not cast an aspersion on Justice Bhagwati who was sitting on the dais? Does it not cast a reflection on the 10 Judges who had been appointed at their recommendations? Does it not cast a reflection on

SHRI M. S. GURUPADASWAMY: It casts a reflection on the Government of India. (*Interruptions*)

SHRI H. R. BHARDWAJ: I know that it is just because one Harijan was appointed and he was not tolerated by you. (*Interruptions*) Just listen to me. Point by point I will show that Mr. Hegde made the Bar Council of India a Janata Party meeting. I will read the second paragraph and show what was the mentality and intent behind attacking me.

SHRIMATI RENUKA CHOWDHURY: On a point of order, Sir. Can a Minister accuse the people in the Parliament that they are being partisan and against a certain community? He said that we were not able to tolerate because a Harijan was appointed. For your kind information, it is the Southern States which brought about the B.T. Bill giving benefits to the backward classes. How can we tolerate a statement like that?

MR. DEPUTY CHAIRMAN: The Minister is well within his right.

SHRI H. R. BHARDWAJ: Mrs. Chowdhury should know that I have

20 judgements against her Government. I am not touching them. Kindly see. Now, there was a personal grievance. (*Interruptions*) Mr. Gurupadaswamy must know that if somebody attacks me. I don't think he will deny me the right of self-defence, or whatever it is. I will read page 14. Mr. Hegde is now being depicted as a noble saint. Kindly see whether he did not launch a very very personal attack on me. Kindly see. I will read page 14. "Since then the situation has deeply deteriorated. We have recently witnessed no less than the Union State Minister of Law and Justice denigrating the Supreme Court. This is the Supreme Court judgement in the 'Indian Express' case and the Minister of Environment fulminated against the Judges of Supreme Court." Now, I was attacked by Mr. Hegde. What I did in the 'Indian Express' case in the Lok Sabha was taken up as a ruse to attack me. Prof. Madhu Dandavata, the Mover of the Motion, congratulated me for what I spoke in the Lok Sabha and that we carried the debate in a very nice manner. I don't think Mr. Hegde is required to be a referee in the debate in the Lok Sabha. And then he casts aspersions on the Speaker or the Chairman. Kindly see what he has said about it. "It is unfortunate that neither the Prime Minister pulled him up. As his colleague he ought to have done that. Sadly enough, the Speaker did not pull up the Minister." Kindly see that Mr. Hegde says that the Speaker is wrong, the Prime Minister is wrong and the Chief Justice is wrong. (*Interruptions*) Who is right? Now see who is right. I will give you another speech of Mr. Hegde. This is his so-called Convention of 15th February, 1986, which was supplied to the Judges. I will make out my point later on as to what was the intention of this conference, his speech, his document and his attack on me. This is another publication

SHRI H. R. BHARDWAJ: Let me satisfy you. I am a lawyer. The relevance is this that this was given by Mr. Hegde. And I am telling what a gift he has given to me* I

am only placing it before the House. That was what agitated my mind as a lawyer. It has agitated several lawyers. It has agitated the minds of the Judges. And today also your Chief Minister is sending this by mail to all the Judges. And yesterday I got two packets from the Judges saying that you tell the Chief Minister that we are not going to read it. You kindly see this. He said, "The Public Accounts Committee recommended that a judicial enquiry should be held in regard to Begur Navak tunnel of the Hemavathy Project which was immediately accepted by my Government." Thereafter he says, "There was an allegation that my son was involved for securing a medical seat...." and an enquiry was instituted. Then he says, "The recent judgement of the Karnataka High Court in the bottling of arrack case created ripples, if only for the vehemence and virulence with which certain vested interests have chosen to twist and distort facts. Hence a word or two for the purpose of setting the record straight for the benefit of the distinguished participants of this Convention is appropriate. It was alleged...." Now, he is giving this literature to the Judges who had passed judgement against him to put the record straight. Now, see this. Can it be done? You must understand, my friend, that it is not permissible. Once the Supreme Court has indicated him, he should have the courage... (Interruptions)

SHRI D. B. CHANDRA GOWDA: Sir, on a point of order... (Interruptions)

SHRI H. R. BHARDWAJ: He should have the courage. (Interruptions) I again give you a challenge (Interruptions) If it is not done, I am prepared to resign. About the Lokayukt, I will tell you what you are doing if you listen to me, if you will give me the freedom to tell and on every

assertion my resignation letter is with you. Otherwise, you tell your Chief Minister to come to the public platform. I will again speak and he will have no answers and I spoke right in his secretariat.

Now, you see here is another document. It was supplied to the hon. Judges in the so-called very hospitable atmosphere, Arrack Case Appeal Lost, Government Indicated, Hegde Exonerated. And he is telling the same judges, look we are quashing your judgement. Now, kindly see my objection was that if you have no respect for judges, if you have no respect for the lawyers, have respect for the participants, please do not bring in personal politics, you may be personally aggrieved against me for various reasons, which I will not disclose in this House. He has a personal grievance, I know, he knows it. Therefore, he now distributes this literature the moment we assemble there, and then, Sir, his printed speech, I have read out, and the third one is Needless Agitation, and the fourth is The Dawn of a New Era, my son is involved in a commission of inquiry, my cousin is involved in a commission of enquiry, I am involved in a commission of inquiry, my Government is corrupt and this is the dawn of a new era. (Interruptions). What is a dawn of new era in Karnataka. I tell you, Sir, I am really able to say. Kindly see. I am not able to judge. I admire...

SHRI P. BABUL REDDY (Andhra Pradesh): You should be ashamed of your people making such unfounded allegations.

SHRI H. R. BHARDWAJ: Sir, he is my very senior friend. I have tremendous regard for our senior colleague on the other side and that is why I am making a point to show the relevance of my speech which I made there and if you are not convinced then I feel I am not convinced. I will convince you by my arguments that Mr. Hegde,

[Shri H. R. Bhardwaj]

somehow or the other, I have tremendous respect for him, he was our hon. colleague in this House, has not done a right thing. I never expected, I never believed that it is the same Mr. Hegde who was the hon. Member of Rajya Sabha, who is attacking me. He was my companion in the Rajya Sabha and should not have used these words against me that I am denigrating the judiciary. The judiciary is independent in the country, will remain independent and that is why Mr. Hedge was indicated by the High Court of Karnataka and by the Supreme Court. Now, because it is independent, perhaps this was not to his liking.

Now, Sir, I have shown the history of new era in Karnataka and the propriety of his using this published materials before the Bar Association and every Judge was thinking that there must be some specimens of art and craft of Karnataka in what was passed on to them, which was in defence of the Arrack bottling case and nothing else. Sir, this is one aspect of the matter which is agitating my mind. I may have committed some wrong but certainly I thought that Karnataka is known for its tradition of hospitality. We had expected that the moment we reach there he will welcome Chief Justice of India and the participants to the conference. He does not say a word of welcome and it is wrong my dear hon. friend to say that he was given no topic to say on. This is complete distortion. He was asked to speak after Chief Justice Bhagwati inaugurated the conference. He delivered his inaugural address. After that he was asked as the host Chief Minister to welcome the guests. And he says there was no topic given to him. The Attorney-General and Mr. Mathur were there. Mr. Hedge had chosen his friends and told them you have to attack the Central Government, you have to attack the Minister right be-

fore the judiciary and the Bar so that his image, sagging image, tarnished image in arrack bottling case is whitewashed. Therefore, after the distribution of these sets to us he launched an attack on me telling me that I have denigrated the judiciary.

I have a very short tenure as a Minister, perhaps a year and a half. And in my humble way I have always considered myself as one of the officers of the court and a servant of the people. I am not a 30-year old politician like Mr. Hedge, with three decades in politics, a very matured politician. I am a practising lawyer with the courts and with the grace of my Prime Minister I happen to be here as M.P. and then my party gave me this opportunity... (*Interruptions*). I am not that matured a politician, but he acted like a matured politician.

And I draw your kind attention to what happened subsequently. Thereafter, Sir, he attacked me and he said that I am denigrating the judiciary because, I made a speech in the Indian Express case. Well, I do not say whether the speech was good or bad, but whatever was said in this House was listened to by the entire House and the hon. Speaker was there and they never objected to it. How Mr. Hedge, sitting in Karnataka, could know whether my speech was good or bad? It is because these elements were feeding him, these elements were using him and these elements were fighting...

SHRI M. S. GURUPADASWAMY:
Which elements?

SHRI H. R. BHARDWAJ: The tendency to bring the casteism in the judiciary which erodes it. And we must fight it. And this is the principle on which the Supreme Court accepted by a majority judgement; there was a 4/3 majority. Essentially there were three who were not with that judgement, about the appointment of judges.

I am putting a question. Is there any district in the country where you have six judges of the same community, of the same district in one High Court? Answer this question. You wanted three. I am giving you a challenge.

SHRI M. S. GURUPADASWAMY: Just give me the opportunity. You have asked me... (Interruptions).

SHRI H. R. BHARDWAJ: Six from one district and one community.

SHRI M. S. GURUPADASWAMY: I have got the figures here. There are 21 judges in the Karnataka High Court, as on today. There are four Brahmins...

SHRI P. SHIV SHANKER: Just a minute.

SHRI M. S. GURUPADASWAMY: No. I do not yield; let me read out. He has invited the trouble for himself. Sir, there are four judges....

SHRI PARAVATHANENI UPENDRA: Why is he interrupting?

SHRI N. K. P. SALVE (Maharashtra): I am on point of order.

SHRI M. S. GURUPADASWAMY: Only after hearing me you can raise a point of order... (Interruptions).

MR. DEPUTY CHAIRMAN: Mr Gurupadaswamy, are you on a point of order?

SHRI M. S. GURUPADASWAMY: Yes, I have not even started, what the point of order is about.

SHRI H. R. BHARDWAJ: Judgement of the Supreme Court about transfer of judges was not given by me. Chief Justice... (Interruptions) If you are serious to listen to me, please let me finish. I never interrupted you. I am telling you. The judgement was based... (Interruptions)

859 RS—11

ions). I never asked you to interfere in my speech. (Interruptions).

SHRI M. S. GURUPADASWAMY: You said about six judges.

SHRI H. R. BHARDWAJ: I have not quoted any court or High Court. I told you, I am giving you the basis on which judgement was given; this 4/3 majority judgement was given.

SHRI M. S. GURUPADASWAMY: You referred to six judges in one High Court. Are you not referring to Karnataka?

SHRI H. R. BHARDWAJ: No, I never mentioned Karnataka. I said the judgement was given by the High Court. I am not referring to Karnataka. No, not at all.

SHRI N. K. P. SALVE: Sir, about the caste of judges, nothing should go on record... (Interruptions).

SHRI M. S. GURUPADASWAMY: He said it. He has gone on record that there were six judges... (Interruptions). My friend, please look into the record. You said, 'six judges' of any High Court, not Karnataka.

(Interruptions)

'Six judges belonging to one caste and one district'.

SHRI H. R. BHARDWAJ: I have not mentioned about your High Court. You are unnecessarily reading too much into this. (Interruptions)

SHRI A. G. KULKARNI: Sir, on a point of order. (Interruptions)

SHRI MURLIDHAR CHANDRAKANT BHANDART: Sir, on a point of order.

SHRI A. G. KULKARNI: He called me.

MR. DEPUTY CHAIRMAN: Mr. Kulkarni first and then Mr. Bhandare.

SHRI H. R. BHARDWAJ: Sir, I have not completed my speech. I would request you to allow me to

[Shri H. R. Bhardwaj]

complete my speech. Otherwise, they will go on raising points of order and things will go out of context.

SHRI A. G. KULKARNI: Sir, I would like to draw your attention. My point of order stands only on one point. I am not entering the fray. The only point I am making out is, Sir, you in your judgement, asked him to speak. I am listening to him. I am interested. Sir, I would have stood on a point of order, but I did not stand, when, earlier, matters were referred to, names were mentioned, which, as per the rules and conventions of the House, are not to go on record. But you have allowed. This is really a permission for us next time to take names. It is very easy now. It is now a part of the proceedings. (Interruption) Mr. Bhardwaj why are you worried? You do not get worried, Sir, I would like to draw your attention. You allowed him to say many things, about Hegde, that he is corrupt, his son, his grandson or bhatija or whatever it is—I am not interested—

AN HON. MEMBER: Read into the record.

SHRI A. G. KULKARNI: I am only quoting the record. You do not know.

SHRI H. R. BHARDWAJ: I am quoting Hegde's record.

SHRI A. G. KULKARNI: Sir, he mentioned all these things. Really, it should not have gone on record. But it has gone on record. It is really helpful to us. The fight is not going to and today itself. We are here, they are also here. We will take it up at the appropriate occasion. My point of order is, Mr. Bhardwaj was quoting about Karnataka. He quoted about Karnataka and he said, in one district, six judges of the same caste...

SHRI H. R. BHARDWAJ: No. Never. I spoke about the Supreme Court judgement.

SHRI T. CHANDRASEKHAR REDDY (Andhra Pradesh): He did not refer to Karnataka.

SHRI A. G. KULKARNI: He mentioned about Karnataka. Mr. Reddy, why are you so much afraid of Karnataka? He said, Supreme Court judges or whatever judges are appointed by the Chief Justice of India. I am not a lawyer. They are lawyers. (Interruption) Mr. Bhardwaj, I am making a point of order. Why are you so impatient?

MR. DEPUTY CHAIRMAN: Mr. Kulkarni, if you are really making your point of order, please make your point of order. You are elaborating.

SHRI A. G. KULKARNI: Sir, I am raising a point of order on two issues. One is, he said 'from one district, six judges of the same caste'. Secondly, he said, the Chief Justice of India appoints the Supreme Court judges and the Government of India has nothing to do with it. (Interruptions) I am making point of order. (Interruptions) Sir, you should not be guided by him. Do not look to him. You are not obliged to him, Sir, you should protect us. Do not look to him. Look to me. He said, the Chief Justice appoints. This was his second point. Sir, to my knowledge,—if I am not wrong—Mr. Bhardwaj also was a High Court judge or...

SHRI H. R. BHARDWAJ: I never was.

SHRI A. G. KULKARNI: . . . Advocate-General or whatever it is, I do not know. I have not gone into his bio-data. To my knowledge the Supreme Court makes its recommendations and afterwards, appointments are made by the Government of India in the Ministry of Law. This much is in my knowledge. So, my point of order now stands.

MR. DEPUTY CHAIRMAN: Yes, Mr. Bhandare.

SHRI A. G. KULKARNI: Now I am coming to the point of order.

MR. DEPUTY CHAIRMAN: No, Mr. Kulkarni.

SHRI A. G. KULKARNI: You are not appreciating what I am saying.

MR. DEPUTY CHAIRMAN: You are a very experienced parliamentarian. In a point of order you have almost given an explanation on the subject. (Interruptions)

SHRI H. R. BHARDWAJ: I would like to clarify these two points which he has made. (Interruptions). I am speaking and you are interfering.

SHRI A. G. KULKARNI: Mr. Bhardwaj, do not get irritated. Sit down.

MR. DEPUTY CHAIRMAN: Mr. Bhardwaj, you will get further time.

SHRI H. R. BHARDWAJ: I am not yielding on this.

SHRI A. G. KULKARNI: When both the matters were quoted, on that Mr. Gurupadaswamy was allowed by you to read the names. Everybody in this House on this side, not on that side, thought that he was narrating the history and chronology of Mr. Hegde's orders or whatever it is. We thought that.... (Interruptions).

MR. DEPUTY CHAIRMAN: Please. Mr. Kulkarni, take your seat, I am on my legs. (Interruptions). Please cooperate. Yes, Mr. Bhandare.

SHRI A. G. KULKARNI: Unless you sit down I cannot make my point. Perhaps you are not following what I am saying. (Interruptions).

MR. DEPUTY CHAIRMAN: There is no rule like that. Yes, Mr. Bhandare.

SHRI A. G. KULKARNI: I want to conclude. What Mr. Gurupadaswamy...

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I have been called and I am not yielding.

MR. DEPUTY CHAIRMAN: I will listen to the next point of order.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Mr. Deputy Chairman, Sir, it is with all sincerity and seriousness that I want to say what I have every reason to say.

SHRI DIPEN GHOSH: Are you going to make a speech?

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I think every one in this House will agree with me that the High Court and the Supreme Court Judges are the custodians of justice in our country and it is unthinkable that they should be referred to in terms of caste. I think and I am proud to say that the appointment of Judges is made because they are men of character, they are men of integrity, they are men of ability, they are men of independence, they are men of great industry and it is not because of a lable of a task or anything else that they are appointed. I would request you to see that the Members did not refer to a Judge by his caste because a Judge by the very nature of his duties is above all these considerations.

SHRI H. R. BHARDWAJ: I would like to put the record straight. (Interruptions).

SHRI MURLIDHAR CHANDRAKANT BHANDARE: He started with a caste. He named the caste.

SHRI M. S. GURUPADASWAMY: You better read the speech.

SHRI H. R. BHARDWAJ: I want to put the record straight. I never

[Shri H. R. Bhardwaj]

meant anything about Karnataka while referring, and I never meant anything that Chief Justice appoints. We say, we never appoint unless the Chief Justice of India recommends the names.

SHRI LAL K. ADVANI (Madhya Pradesh): Sir, on a point of order. I did not have the privilege of listening to the Law Minister's speech at Bangalore but I have been closely following what he has been saying here. I notice that at one point of time when he became very agitated, very exuberant, he went to the extent of saying that we have to fight against casteism in the judiciary. I regard this as a reflection...

SHRI H. R. BHARDWAJ: No, no, absolutely not. I never said that.

SHRI V. GOPALSAMY: It is on record.

SHRI LAL K. ADVANI: My submission simply is that if this has been said it should be expunged.

SHRI H. R. BHARDWAJ: I say that I never said it. If it is there it must be expunged. Not, not at all. We should not allow casteism to enter judiciary. This is what I said.

SHRI DIPEN GHOSH: Mr. Bhardwaj, we were not present at Bangalore.... just listen. We are inclined to believe what you are saying here and if you change so quickly, then we are inclined to conclude what you said at Bangalore and what you are saying here...

MR. DEPUTY CHAIRMAN: If that mention is there on record, it should be expunged.

SHRI H. R. BHARDWAJ: We should not allow casteism in the judiciary and I maintain it. If there is a tendency for the same, I will not allow

it. Judiciary must be independent, must be committed to the Constitution of India and only the Chief Justice of India will have the final say in the appointment of Supreme Court Judges. We have never appointed a Judge of the Supreme Court unless he has been specifically recommended by the Chief Justice of India. This is what I said at Bangalore and this I am saying today. Secondly, no judge has been transferred from one court to another unless he has been specifically recommended by the Chief Justice of India under the Constitution. These are the few things which I said at Bangalore, but there is a habit to accuse me. I welcome it if something has valid reasons, but if you think that I should not be allowed to make my point, that is really unfortunate.

What I was submitting is this. It is not I who gave this opportunity to the Chief Minister of Karnataka to attack. I never started any attack. I mixed with him. We talked to him before we assembled for the meeting for half an hour. He could very well have told me: "why are you delaying our appointments?" Shri Asoke Sen was there, Justice Bhagwati was there. Why he particularly chose me? I know why he chose me only and attacked me. Therefore I said, "this is not the method to attack when you have invited me at Bangalore to this meeting. Therefore I am aggrieved and my grievance is genuine. If you don't feel that it is genuine, then I am very sorry for it. If I come to your house and you are offering me meals at 8 O'clock and then at 7.30 you start attacking me, do you think it is a very congenial atmosphere?" This is what I was submitting and this is what I expect. We never raised the controversy. I had a prepared speech. You can look into it. It contains various points which were according to the tradition of the occasion and we had to make it. But when the audience said "you

must reply to Hegde's attack"—you read the *Hindu* or other papers—I only replied to whatever he said. And I said four points which I have repeated: that no judge was ever transferred without the specific recommendation of the Chief Justice of India, no judge was ever appointed unless he was specifically recommended by the Chief Justice of India, whether it was 'A' Judge or 'B' Judge. Therefore there is no reason to have any controversy. I still promise that no judge will ever be appointed unless he has been specifically recommended by the Chief Justice of India because we think that he is the leader of judiciary and we must respect his recommendation. So therefore there are a few things which are constitutionally valid under the present scheme of the onstitution. In Karnataka there is a delay, but I can assure you that it was not only in Karnataka. In our own State of U P., there are 15 vacancies and the six judges perhaps were not from Karnataka; it may be from somewhere else. I will tell you outside what I meant. But it was certainly not Karnataka. The State of Karnataka has very high tradition. It was certainly not it what you say. I will tell you what I meant.

SHRI DIPEN GHOSH: You invite him to a dinner.

SHRI H. R. BHARDWAJ: On that very day I went to his hotel and complained to him that this was what his friend had done to us.

So, Sir, judges are appointed under a constitutional scheme which is regularly being followed for decades and in these appointments also in the Supreme Court, the same constitutional provisions were followed. So, there was no reason to say that the Judiciary was being denigrated. It was an attack which was not expected by me, not at least at Bangalore. So, I replied to him. Those insinuations, or whatever you may call

them, were exactly started by him. A man who has been for thirty years in politics should not have done it. I at least did not expect it from him. You can talk to every Judge, you can talk to every senior advocate. They felt very much shocked about it and the next day they condemned this. They ocn demned me as well as Mr. Hegde that this politics should not have been introduced. But I have pointed out that this entire literature was thrown at our face and we had to read it. The Judges also felt it very much embarrassing.

DR. (SHRIMATI) SAROJINI MAHISHI (Karnataka): I am on a point of order. The honourable Minister has tried to read so much from the literature, written and unwritten also. Should we interpret this as an outburst of an aggrieved party or what?

SHRI H. R. BHARDWAJ: Your are aggrieved, I am not aggrieved.

MR. DEPUTY CHAIRMAN: There is no point of order ... (Interruptions)...

SHRI PARVATHANENI UPENDRA: Please conclude.

* SHRI H. R. BHARDWAJ: I am concluding, but let me complet my point. The difficulty is that when you get attacked and you keep silent, that means you accept the allegation. Therefore, it was an attack launched by him and an effort was made to misuse the conference. That is the view of everybody. You may not accept it. But you can talk to anybody in the Bar, in the Bench and also the participants. It was your homeground I was all alone there and I got the applause of the entire house. It was not as in the case of the other State as he mentioned. The next day I was invited to the Law College. I was invited to another meeting. They actually loved our discussion and I don't think the Chief Minister should have felt so seriously aggrieved over

[Shri H. R. Bhardwaj]

what I had said. He is a very much esteemed friend of ours. We were in the Congress together before 1969. I know him for a long time and I have high regard for him. But he should have reciprocal regard for his own friends, and that is what we expect. That is what I expect from Mr. Upendra also. Whenever we treat them as friends, they should also treat us as their friends.

SHRI PARVATHANENI UPEND-
 RA: Yes, Yes.

SHRI H. R. BHARDWAJ: That is the best ethics in common life and this is our culture.

SHRI D. B. CHANDRA GOWDA:
 What about the Judges?

SHRI H. R. BHARDWAJ: I will point out one more thing. No Judge was aggrieved on this, I can tell you very frankly. This Karnataka episode has been blown out of all proportion, only because I never liked that meeting of a Bar Association where everybody was prepared... We would have listened to the debate, what the lawyers wanted, what the Judges wanted, what improvements they wanted in the Judiciary. We had gone there to listen to them. Next day Mr. Asoke Sen and I packed up and came back because the discussion was not really for those very issues. Therefore, Sir, this debate which has come up today must evolve some sort of a method by which reciprocal affection, love and mutual discussion should be there in a sweet atmosphere which is congenial. But that was vitiated by the other side, not by me. From whatever I have stated today, Sir, it is clear that Mr. Hegde was wholly unjustified. Then he gave it to the press. He sent one of his Ministers saying that this is a letter he had written against Mr. Bhardwaj that he should be sacked from the Council of Ministers. And he gave it press publicity. I never ask-

ed Mr. Chandra Shekhar, the President of the Janata Party, to sack his Chief Minister who was an undeserving Chief Minister. I had never written to him. He should face criticism, he should face valid criticism.

So, on all these issues there was delay not only in the case of Karnataka. There was delay also in the case of U.P. and Punjab. All these delays have been there. They have been sorted out and all the Judges will be appointed very soon and with the recommendation of the Chief Justice of India. So, Sir, it is really unfortunate that it was taken in the spirit just now exhibited. It was a very very spontaneous attack on me and I had to reply to it. I have shown what were the causes of the action and, therefore, all these issues we could not really point out to Mr. Hegde. He could have talked to me. If he did not like to talk to me, he could have talked to Mr. Asoke Sen. But he did not choose to do so because he had other intentions, and political issues were dragged into this discussion. So, I submit, if at all they are serious about respect for each other, they must show respect to others also. Thank you, Sir.

SHRI K. MOHANAN: Sir, a point of clarification. I can understand, my dear friend, Mr. Bhardwaj, was agitated at that time. But the point is that the charge levelled against Mr. Hegde was that the names recommended by the Chief Minister with the consent of the Governor and the Chief Justice—that was the point raised by Mr. Gurupadaswamy also—were connected with the Ministers of the Karnataka State. On that point you have never answered in your speech.

SHRI H. R. BHARDWAJ: I have said that, and I maintain. I am not disowning the statement.

SHRI M. S. GURUPADASWAMY: But it is not correct. He said, Sir, some of the Judges' names which were recommended, were related to Ministers, which was denied, and he has not established it.

SHRI H. R. BHARDWAJ: I have never denied that statement.

SHRI M. S. GURUPADASWAMY: You have not denied it. But it is a wrong statement.

SHRI H. R. BHARDWAJ: That only investigation will prove. We are getting it investigated.

SHRI K. MOHANAN: Without any investigation you have levelled the charge.

SHRI H. R. BHARDWAJ: I have sufficient proof. I will give the proof to the investigating agency.

SHRI DIPEN GHOSH: Mr Deputy Chairman, Sir, I feel some difficulty.

AN HON. MEMBER: What difficulty?

SHRI DIPEN GHOSH: You listen, and then you will understand what difficulty I have.

The difficulty I have is that I have nothing to trade in charges and counter-charges in connection with the statements made either by Mr. Tiwari or by Mr. Bhardwaj. I would have been happy if Mr. Tiwari would have been present because I do not know what happened to Mr. Tiwari. Perhaps, it is his habit to hurl something and get away and then come back and say that he did not say or he did not do that.

SHRI NIRMAL CHATTERJEE: He has gone for liberation movement.

SHRI DIPEN GHOSH: Mr. Deputy Chairman, Sir, we were told Mr. Tewari, prior to his joining the Union Cabinet, used to teach English in a

Bihar college. So, he seems to be at home with the English literature and English drama. We know that in a drama, some relief characters are necessary for the construction of a drama. And in the Union Cabinet at the moment we find two or three such relief characters. One is Mr. K. K. Tewari, the second is Mr. Bhardwaj and the third one is Mr. Ghani Khan Choudhury. And we had one also during the earlier regime, some time in the late 70s who is now trying to find some job in the film-industry of Bombay.

The point is, Mr. Tiwari has also referred to some Pavlovian reflexes. Sir, while landing in the non-Congress (I) ruled States, some of the Union Ministers are affected by the Pavlovian reflexes. And having landed in those States, it is well known, under the influence of the Pavlovian reflexes they start making certain sounds which are akin to the sound of some animals below the level of human beings.

Mr. Deputy Chairman, Sir, Mr. K. K. Tiwari had taken recourse to, and started believing in, what was published in the "INDIAN EXPRESS".

I do not know why. Mr. P. Upendra was citing one newspaper owned by a Congress(I) M.P. sitting on the other side till today and Mr. Tiwari was very fond of the Indian Express. I do not know why. Maybe because of their of late infatuation with the owners of the Indian Express. So, I am quoting from the Indian Express. I do not know where is Mr. Tiwari now. Sir, this is from the Indian Express of New Delhi edition dated 23rd June, 1986. It is captioned "SAVE ANDHRA FROM NTR". This news is also catered by the Express News Service and not by the Eenaadu man or something like that. So, I am quoting the Indian Express. It says:

"The Union Minister of State for public Enterprises, Mr. K. K. Ti-

[Shri Dipen Ghosh]

wari, addressing a meeting of Congress workers here on Sunday called upon Andhra Pradesh Congressmen to launch a massive 'liberation struggle' to throw out Mr. N. T. Rama Rao's Telugu Desam Government which, he charged, had done nothing but duped the people."

The words 'liberation struggle' have been published here within quotes in the Indian Express, not in the Deccan Chronicle owned by Mr. Chandrashekhar Reddy, my learned colleague

SHRI NIRMAL CHATTERJEE: He must have meant liberation of MLAs as they have done it.

SHRI DIPEN GHOSH: So, here I want to put a question. Mr. Shiv Shankar is here. He is a legal luminary and a very senior Member of the Union Cabinet.

SHRI NIRMAL CHATTERJEE: He is number two in the Cabinet.

SHRI DIPEN GHOSH: I do not want to say number two or number three. That I am not going to say.

SHRI NIRMAL CHATTERJEE: Number two is a risky position.

SHRI DIPEN GHOSH: I thought I would get then opportunity of having the presence of the Union Home Minister because he was always making rounds here. Yesterday we were benefited with a statement coming from the Union Home Minister, on Gorkhaland issue almost at this time. One sentence he used and I quote:

"Any attempt to go beyond the norms established by law and the Constitution will undermine the democratic set up of the country."

This is from the Union Home Minister. It was made in this House yesterday evening. And another Union Minister urged upon the Congressmen to join the liberation struggle to throw out Mr. N. T. Ramarao's Telugu Desam Government! I have no love for the N. T. Ramarao's Telugu Desam Government as such,

but my point is this. I am depending upon the Indian Express because I had thought the Indian Express is the best document to be depended upon, as Mr. K. K. Tewari himself quoted from the Indian Express.

(Mr. Chairman in the Chair)

Whether Mr. P. Shiv Shankar is to reply or Mr. Salve, the Deputy Leader is to reply, I would like to know whether the calling by a Union Minister upon the Congressmen to join 'liberation struggle' runs counter to this particular sentence used by the Union Home Minister in his statement. I would like to know whether this particular statement by Mr. Tewari, one Union Minister, amounts to an attempt to go beyond the norms established by law and the Constitution and thereby amounts to undermining the democratic set up of the country? The whole question was on this point. But not what Mr. Tewari had stated not what Mr. Upendra had said. The point is we are living in a democratic set up of the country. We are having a Constitution. Whether it is NTR Government or Jyoti Basu Government or MGR Government or Hegde Government or Prafulla Kumar Mahanta Government or Rajiv Gandhi Government—they have come to rule the Centre or a particular State through an election democratically held under the Constitution. Every party for that matter, every leader and for that matter, a Union Minister or a State Minister has got the privilege or the right to call upon his party men to throw out a Government or to fight for replacement of a Government. But through what means? That is the most important thing. It must be the democratic means. This is what the Union Home Minister has stated in this House yesterday through a statement.

NTR Government may be bad. Hegde Government may be worse. But the fact is that bad Government or worse Government have come to rule

Andhra Pradesh or Karnataka through the verdict of the people of these States. They have not been elected by the grace of any other member or the leader of the party or the Minister whosoever he may be. So the question is, when you accuse the NTR Government, don't you think that you are trying to disregard the peoples' opinion expressed through democratic process. Mr. Tewari might not have been the Union Minister at that time, but Mr. Shiv Shankar was, you had the test of the result of a Government in Andhra Pradesh being thrown out without going by the Constitutional norms. You had the test in Karnataka too. You had the test in West Bengal also. I know that we have come across a Union Minister who is very fond of ocean or the Bay of Bengal. He was inclined to throw the Chief Minister of West Bengal physically to the Bay of Bengal.

I can quote a few statements from the newspaper, but the other day we were told by a Union Minister not to read newspapers much. If we do not read newspapers what is the source of news? Have we to listen to A.I.R. news or Doordarshan news? What will we see on Doordarshan or what we will get from A.I.R.? Please tell us.

SHRI NIRMAL CHATTERJEE: Rajiv Gandhi's face, but don't read between them.

SHRI DIPEN GHOSH: But the point is, I don't mind any Union Minister in love for water or in love for Bay of Bengal desiring to throw a Chief Minister who has been democratically elected, for that matter, his Government into the Bay of Bengal because the more he will be throwing that Government into the Bay of Bengal the more the Congress Party will go beyond the reach from the shore, in West Bengal. We know that. But during Municipal Elections, he had sta-

ted, "had I not been Congressite, I would have murdered Marxists." "Had I not been GANDHITE, I would have murdered the Marxists," and he called upon the Congress (I) youths for the blood of the Marxists in West Bengal. We are told that now the correspondence course is going on in the Congress (I) in West Bengal and accordingly every leader is taking recourse to correspondence either writing to the Prime Minister or writing to someone else and in that course some leaders of West Bengal Congress (I) have compiled the excerpts of the speeches of Mr. Ghani Khan Chowdhury, rendered into English, making a booklet with the title "THUS SPAKE GHANI KHAN CHOWDHURY" and that booklet has been handed over to the Prime Minister, the President of the AICC. I could have brought that book "THUS SPAKE GHANI KHAN CHOWDHURY". But I am not going into that. In fact, I would have enjoyed it but for it that it had not disastrous consequence on the Centre-State relationships which is under examination by a Judicial Commission—the Sarkaria Commission I do not mind Mr. Tewari making certain statements here and there. I know Mr. Tewari. I know what Mr. Tewari is. I know what Mr. Ghani Khan Chowdhury is. What portfolios they have been asked to preside over, we know. Programme Implementation Minister. No programme no job, no implementation. So, he must be moving around the country and making such irresponsible statements. What else he can do? I know Mr. Tewari has been given the charge of Public Enterprises and he is a very enterprising person. I do not say enterprising Minister but I say a very enterprising person. But the point is that there are so many public enterprises and almost all the Union Ministers have got the controlling right or the controlling authority of one public enterprise or the other and BPE being under the Ministry of Finance, I do not know, which

[Shri Dipen Ghosh]

of the public enterprise the Ministry of Public Enterprises is to look after. I do not know.

MR. CHAIRMAN: You put a question.

SHRI DIPEN GHOSH: Naturally. Mr. Tewari, just listen. You have had your turn.

SHRI K. K. TEWARI: Could I listen to what you are saying?

SHRI DIPEN GHOSH: That is the whole habit of yours. (Interruption). Mr. Tewari, before you become Union Minister, I know...

SHRI K. K. TEWARI: What did you know. I know much more about West Bengal. (Interruptions).

SHRI DIPEN GHOSH: I know that.

SHRI K. K. TEWARI: If you are provoking me, then Mr. Chairman, Sir, allow me to speak about what Marxists have done. (Interruptions)

SHRI NIRMAL CHATTERJEE: We test your ignorance and knowledge both. We accept the challenge. (Interruptions).

MR. CHAIRMAN: Nothing will go on record. Mr. Dipen Ghosh and Mr. Tewari, both of you sit down. I am on my legs. Nothing will go on record. You can go on quarrelling.

SHRI K. K. TEWARI: *

SHRI NIRMAL CHATTERJEE: *

SHRI K. MOHANAN: *

MR. CHAIRMAN: No, no, please sit down. There is nothing which provokes this kind of a quarrel. After all, what Mr. Dipen Ghosh said is, "I do not know what he is in charge of." What is wrong in that? I said, "You should put a question and you will know what he is in charge

*Not recorded.

of." That is the end of the matter. Therefore, there is nothing.

SHRI GURUDAS DAS GUPTA (West Bengal): Sir, on a point of order. Is the use of the word "treachery" parliamentary when it is used against a political party? Treachery is treason which is a serious crime. Can a political party be accused of treachery and treason? I want a ruling from you.

MR. CHAIRMAN: I do not know whether "treachery" is parliamentary or not, but I know "treason" is unparliamentary. I will look into all the precedents and then if I find that "treachery" is unparliamentary, I will remove it.

SHRI DIPEN GHOSH: Mr. Chairman, Sir, I had stated, I do not mind what Mr. Tewari says here and there because I know who Mr. Tewari is and what he is. I know that after becoming a Union Minister, he has lost his job of making noises at the "zero hour" in the Lok Sabha. So he has to make noises elsewhere, outside the Lok Sabha, whether it is in Andhra Pradesh or Karnataka or somewhere else. He must have some job. What else can he do?

MR. CHAIRMAN: Pass on to the subject, please.

SHRI DIPTN GHOSH: Naturally, Sir, I do not mind. Now, I am not a teacher, that way, not even a primary teacher, when he is a college teacher. But really I am shocked because only one person in the world can claim unlimited knowledge, and that person is the ignorant person. Excepting the ignorant person, none can claim unlimited knowledge. At least my education is like that. However, we have got a test of his knowledge—knowledge of geography, knowledge of history, knowledge of political science.

MR. CHAIRMAN: Come back to Centre-State relations.

SHRI DIPEN GHOSH: His knowledge of geography we found when he said that Andhra Pradesh was an obscure corner...

SHRI K. K. TEWARI: I did not say that, Sir. That has been clarified. I did not say that Andhra Pradesh was an obscure place. I said: Mr. N. T. Rama Rao was an obscure person politically and he utilised non-political issues and suddenly grabbed power. I talked about a gentleman. That was distorted. I have clarified that. Don't misquote me.

MR. CHAIRMAN: The Minister states in the House that he had not done it. You must accept it. That is parliamentary practice.

SHRI K. K. TEWARI: I did not call Andhra Pradesh an obscure place.

MR. CHAIRMAN: I have told them.

SHRI DIPEN GHOSH: Mr. Chairman, Sir, we accept it. When you were not in the Chair, when the Deputy Chairman was in the Chair, when Mr. Tiwari was not present in the House, I quoted from the *Indian Express*, not from the *Deccan Chronicle* because he believed in the *Indian Express*. He has, of late, an infatuation for that... (Interruptions)

SHRI K. K. TEWARI: Even Mr. Upendra quoted it and I had clarified it.

SHRI DIPEN GHOSH: I am now quoting Mr. K. K. Tewari that he did not say that. Is it all right?

SHRI K. K. TEWARI: Yes.

MR. CHAIRMAN: Mr. Tewari, please allow me to help you. Now I have already said that once a minister states that he did not make the

statement, you cannot controvert it; you must accept it.

SHRI NIRMAL CHATTERJEE: Unless a privilege motion is moved.

MR. CHAIRMAN: Mr. Ghosh, now you go ahead.

SHRI PUTTAPAGA RADHAKRISHNNA: Sir, on a point of order. You have ruled that when the Minister has stated that he has not said that Andhra Pradesh is an obscure corner of India, it must be accepted. At the same time what does he say about his liberation movement? Has he admitted it or not?

MR. CHAIRMAN: He has already said that he did not say that.

SHRI DIPEN GHOSH: I think, of only he had denied it outside by writing a letter to NTR or Upendra, at least you and I, all of us, would have been saved from staying back in the House at this late hour. Until he was summoned to this House in connection with this Short Duration Discussion he did not say what he had said or had not said. I accept what he has said here now...

SHRI K. K. TEWARI: It was published in every newspaper of India. When you don't read newspapers, how can I help you?

SHRI DIPEN GHOSH: In the *Indian Express* it has quoted what you said about the liberation struggle...

SHRI K. K. TEWARI: It was published in every newspaper.

SHRI NIRMAL CHATTERJEE: But you did not certify that the news was not distorted.

SHRI DIPEN GHOSH: I accept that all newspapers of our country misquoted you. I accept. Do you agree?

SHRI K. K. TEWARI: What do I agree? (*Interruptions*)

MR. CHAIRMAN: I think you have travelled far away from the subject of the discussion.

SHRI K. K. TEWARI:*

SHRI PARVATHANENI UPENDRA:*

MR. CHAIRMAN: No, no; all this sort of things will not go on record. This is personal bout. Nothing of it will be on record. Mr. Dipen Ghosh, please, continue with your questions.

SHRI DIPEN GHOSH: I accept the amendment put forth by Mr. Tewari to his statement made in Tirupati. However, I revert to the subject before us. Are you satisfied, Mr. Tewari? Had you made this amendment before this Discussion, I would have accepted you. I have already stated that I would have enjoyed all these statements but for the disastrous consequences of the Centre-State relationship. We have seen, we have experienced, the intolerance shown by Centre to the non-Congress-I ruled States in our country, not now, when Mr. Tewari was perhaps learning English, not teaching...*

MR. CHAIRMAN: No, no; you are again putting into record what I said will not go on record.

SHRI DIPEN GHOSH: As far back as 1957, I do not know where he was at that time....

AN HON. MEMBER: Where were you?

SHRI DIPEN GHOSH: I was there, not in his position; but I am older than him. So I can claim to know. We faced a liberation movement, a liberation struggle in Kerala, and we knew what happened after that so-called liberation movement. Mr. Chairman, Sir, you also know that. And who gave the call of that liberation struggle

*Not recorded.

in Kerala? And what happened thereafter? At that time, of course, there was no Congress (I).

MR. CHAIRMAN: Your thirty minutes are over.

SHRI DIPEN GHOSH: All right. but thirty minutes minus the time taken by interruptions.

Naturally, Sir, what I am going to say is that all these statements are the product of that intolerance of the Central Government ruled by the Congress or the Congress (I) whatever may be the name, towards the non-Congress (I)-ruled States and this intolerance we have experienced since the dawn of our Independence. We saw it in the then Madras at that time; we saw it in Kerala; we saw it in Andhra Pradesh; we saw it in PEPSU; we saw it in Haryana; we saw it in Andhra Pradesh; we saw it U. P.; and we saw it in many other States. Therefore, this intolerance grows out of continued power and that is the danger. If we go by the history of the post-Independence era of our country, we will see that there has been a continuous process of acquiring more and more powers by Centre and of denying the rightful privileges, benefits and rights to the States. We have seen it in the economic field and also in the political field. That we have seen in Jammu and Kashmir also where the Government led by Dr. Farooq Abdullah was dethroned. We also saw how the NTR Government was dethroned. Sir, it is not Madhya Pradesh and it is not Rajasthan and it is not Maharashtra also nor is it Bihar nor is it U.P. where any Chief Minister holds office at the wish of...

MR. CHAIRMAN: I will not allow this kind of a thing. No.

SOME HON MEMBERS: It is out of context.

MR. CHAIRMAN: You see, that will give rise to another debate. I do not want that.

SHRI DIPEN GHOSH: All right. I will amend myself.

MR. CHAIRMAN: I think you must conclude now.

SHRI DIPEN GHOSH: I am going to conclude now.

SHRI NIRMAL CHATTERJEE: Then I will begin, Sir, if you permit me.

MR. CHAIRMAN: I only want to defuse the situation.

SHRI DIPEN GHOSH: Sir, I want to conclude now.

I say that these statements are the product of the growing intolerance of the powers that be at Centre. This intolerance grows out of the continued power at Centre and this is the outcome of the authoritarianism of the Central Government and the Ministers belonging to that Central Government.

MR. CHAIRMAN: Why do you again say all these things?

SHRI DIPEN GHOSH: It is not simply the product of some crazy persons. (Interruptions). Otherwise, how can we explain any Union Minister say... (Interruptions).

SHRI PAWAN KUMAR BANSAL (Punjab): Sir, let him explain what he means by using that word (Interruptions).

SHRI K. K. TEWARI:*

SHRI K. MOHANAN:*

SHRI DIPEN GHOSH:*

MR. CHAIRMAN: No personal references to be made. What Mr. Tewari said and what Mr. Ghosh said need not go on record. It is not proper. This is the House of Elders and there must be some dignity. Everybody is here by virtue of his being elected to

this House. Therefore, don't level any charges against each other. Now, Mr. Dipen Ghosh, you will have to finish.

SHRI DIPEN GHOSH: The very attitude betrayed by the other side is indicative of authoritarianism. They are even reluctant to listen to us. They cannot even listen to us. (Time Bell rings) I am going to conclude. Whatever dealing are there, whether it is Planning Commission or financial matters, or the constitutional matters or the framing of the plan or the inter-state councils, all these show growing authoritarianism in the Centre. Outburst of that authoritarianism found way in certain statements being made by certain Ministers in certain places of our country.

Sir, I am quite in tune with your advice. If any discussion has to take place here on the issue coming out of these statements made by either Mr. Tewari, or Mr. Bhardwaj or Mr. Ghani Khan Choudhury or someone else, the issue involved is Centre-State relationship. What is at stake is not the personal prestige of Mr. Tewari or Mr. Bhardwaj or Mr. N. T. Rama Rao or Mr. Hegde. What is at stake is the Centre-State relationship and the democratic set-up of our country. The question of judiciary has come up. The independence of judiciary has come up. We are for the independence of the judiciary, as Mr. Bhardwaj is or as Mr. Shiv Shankar is. But what about the quality of the judiciary? He referred to caste. I don't refer to caste. I refer to the class, the class of judiciary. Which class does the judiciary represent? Whose interest does it serve? If a particular person is the cousin or son of someone, that cannot be a disqualification. To be a cousin of the Chief Minister cannot be a disqualification for becoming a Judge if he is otherwise qualified. Well, to be the cousin or to be the son of Mr. Shiv

*Deleted as ordered by the Chair

[Shri Dipen Ghosh]

Shankar is not a disqualification for becoming a Judge if he is otherwise qualified. Is it a disqualification. Can it be a disqualification? No. The question is that the class of judiciary...

SHRI N. K. P. SALVE: Is that alone a qualification?

SHRI DIPEN GHOSH: This has to be decided and discussed. (Time bell rings). I am finishing I am concluding on the subject. Was it proper to divulge the names suggested by the Chief Justice of Karnataka High Court or the Government of Karnataka in consultation with the Chief Justice of Karnataka to the State party of Congress (I) and getting the bio-data or background material of all those persons and to take a decision thereafter. Mr. Bhardwaj has said something. Mr. Salve will be saying something other. Mr. Baharul Islam will be saying still something other. I think it is improper to send the list to the Karnataka State Committee of the PCC (I) and to get the background material of those people whose names were suggested and to tell it in the public meeting. It was not proper from Mr. Bhardwaj. It was not correct.

SHRI H. R. BHARDWAJ: Sir, on a point of personal explanation. This is entirely baseless. No list was sent to P.C.C. (I). No names were discussed. Even in the discussion, neither Mr. Hegde nor I mentioned any names. I agree that this relationship alone should not debar a man to be a High Court Judge. The other merit should also be considered. And that is a wrong charge. I do not know from where he got this.

SHRI DIPEN GHOSH: You said.

SHRI H. R. BHARDWAJ: No-where I said that. This is all a figment of imagination.

SHRI DIPEN GHOSH: All right. I accept whatever he says here.

SHRI H. R. BHARDWAJ: I do not know from where you got it.

SHRI DIPEN GHOSH: I am not running after what you say there. I accept what you say here.

SHRI H. R. BHARDWAJ: You should not say which you do not know. I respect you as an Opposition leader. But this is the veracity of yours.

SHRI DIPEN GHOSH: But you said that in the list there was a cousin of Mr. Ramakrishna Hegde. You said it here.

SHRI H. R. BHARDWAJ: No, no. I do not know from where you are briefed.

SHRI DIPEN GHOSH: All right. You see in the legal parlance there is a word called 'pettyfogery' or 'pettyfoger'. I do not want to attribute it to you.

SHRI H. R. BHARDWAJ: You know the legal parlance. We have not said whatever you are saying. You say something which you genuinely feel. These issues which you are raising were never said. Even it is not the charge of Mr. Ramakrishna Hegde.

SHRI DIPEN GHOSH: I do not want to attribute that word to him. But he himself has invited it. I am helpless. But, however, I am sorry, Sir, because Mr. Bhardwaj is a good friend of mine. But what I was saying is that really the issue which we need to discuss is the composition of the judiciary, the class outlook, the class composition of the judiciary without naming any particular Judge, without naming a particular class or cast because that is in the interest of the country. And that should be discussed here. That is why, Sir, in concluding this thing, I would like to

say that let there be a full-fledged debate on the issue of Centre-State relationship and to what extent the activities or the statements made by certain Union Ministers while visiting certain States impair the Centre-State relationship, because otherwise whenever any Union Minister visiting any non-Congress (I)-ruled State may indulge in making certain statements impairing that relationship. When the Gorkhaland issue was there in Bengal, one Union Minister of State made a public statement that because the Left Front Government could not pay much heed to the economic development of the Gorkha people, the GNLFP people are raising their heads. Was it a responsible statement? But it was in the newspaper. And I was present there... (Interruptions) Naturally, Sir, will any Union Minister visiting a non-Congress (I)-ruled State take recourse to quoting certain wrong statistics to put across certain points of view before them? One person we know who was very fond of giving or catering wrong statistics while visiting Bengal, and now he himself is languishing outside of that Party, of the Cabinet. I do not know what will happen to others. Naturally, Sir, as Mr. Upendra has said, we have talked to the Prime Minister when we met him or when he met us in connection with another subject matter today that let it be discussed and let there be a code of conduct of the Union Ministers visiting the States, particularly the non-Congress (I)-ruled States in the matter of making statements in relation to activities and performance of such non-Congress (I)-ruled States. Thank you, sir.

SHRIMATI RENUKA CHOWDHURY: Sir, please give me a chance to speak on a matter of personal explanation. (Interruptions).

MR CHAIRMAN: Chance to speak on personal explanation is given only when some allegation is made against that person. I do not think anything

was said against her. No personal explanation.

SHRIMATI RENUKA CHOWDHURY: I am entitled to personal explanation.

SHRI PARVATHANENI UPENDRA: She was called a bandicoot. (Interruptions).

SHRI V. GOPALSAMY: Let her be given an opportunity.

MR. CHAIRMAN: You are breaking all rules. If some allegation is made against a person then only a chance is given. But he did not make any allegations against you. (Interruptions).

SHRIMATI RENUKA CHOWDHURY: You must give me the opportunity.

MR. CHAIRMAN: I will give you that opportunity next time after seeing the record. I will give you the opportunity if you deserve it. Fes, Mr. Salve.

SHRIMATI RENUKA CHOWDHURY: How can you not allow me to speak?

SHRI N.K.P. SALVE: Mr. Chairman, Sir, I am one of those who devoutly believe that the extremely sacrosanct federalism to whatever extent it exists in the Constitution must be preserved by every one who pledges himself to the loyalty of the Constitution. And, therefore, Sir, an extremely delicate balance that exists between the Centre and the States must be worked out in a spirit of give and take and in the spirit of highest tolerance and in that spirit, Sir, I would have been very happy if this debate or these issues had been never raised because any mention bringing in any matter which involves the demeanour of either the chief Minister or the Ministers of States

[Shri N. K. P. Salve] ...
or the functioning of a State Gov-
ernment even vis-a-vis the Union
Home Minister should never have
been discussed on the floor of the
House.

Sir, in this debate we have seen
how much of revelation has been
made. It has been virtually a no con-
fidence motion against the Chief Mi-
nister and his Government.

SHRI PARVATHANENI UPEN-
DRA: No it was against your Minis-
ters.

SHRI N. K. P. SALVE: There-
fore, the debate has been virtually
against the misdemeanour of the
Chief Minister on the one side and
the good demeanour of the Chief
Minister on the other side. They were
defending as if it was a no confidence
motion.

SHRI PARVATHANENI UPEN-
DRA: Sir, I am on a point of order.

SHRI N. K. P. SALVE: The mo-
tion clearly says we are discussing the
statements of some Union Ministers
against the State Government in the
behaviour of the Chief Ministers.

SHRI PARVATHANENI UPEN-
DRA: Sir, he is misrepresenting the
facts.

SHRI N. K. P. SALVE: That could
not be discussed in vacuum.

MR. CHAIRMAN: A Member is
entitled to hold his view. There is
freedom of speech. (Interruptions).

SHRI N. K. P. SALVE: I have
been in Parliament for some time.
I can assure him one thing, Sir, that
these discussions never take place
in the air, in the vacuum. It was
inevitable in what they had asked
for. All that they got is the pain
in their neck. (Interruptions). If you
think nothing has been given in your

neck, I am very happy. You are
very tolerant people.

Before I say what Mr. R. K. Hegde
and Mr. N. T. Rama Rao have done
or not done, vis-a-vis the statement
of Mr. Tewari or of Mr.
Bhardwaj, I want to say one thing
about Mr. Dipen Ghosh. He is the
Leader of the Opposition. You had
said in the beginning that there has
to be at least dignity in whatever
you are speaking. One may agree
or disagree. I may express views
which may not be acceptable to Mr.
Upendra, and Advaniji. Their views
may not be acceptable to me. But
I must put them in a language which
does not belittle the dignity of the
House. At the initial stages Mr. Dipen
Ghosh said one thing I am sure he
will regret it in his quieter moments
that the Union Minister went and
made some noises in Karnataka and
in Andhra Pradesh, which is made by
animals and not human beings.

AN. HON. MEMBER: He was ref-
erring to... (Interruptions)

MR. CHAIRMAN: Please address
the Chair.

SHRI N. K. P. SALVE: She is a
fledgeling in Parliament, the way I
see her speak. I see for her great
future there is only one thing that
I want to tell her, never shout.

SHRIMATI RENUKA CHOWDHU-
RY: I am not shouting. I am speak-
ing to the Chair.

SHRI N. K. P. SALVE: So far as
Mr. Dipen Ghosh is concerned, he
has accused us of intolerance. Quot-
ing scriptures, he is accusing us of in-
tolerance. Way back in 1957, who
was the Prime Minister? Pandit Ja-
waharlal Nehru; all over the world
he is known as the greatest...

SHRI DIPEN GHOSH: He over-
threw Government of Kerala on the
advice of his daughter. History says

that. Don't forget it. You need not provoke me.

SHRI N. K. P. SALVE: Sir, look at this. Is it fair? Did I interrupt him? What he said was rubbish and I did not interrupt him. This is tolerance on his part. What an example of tolerance!

Sir, Pandit Jawaharlal Nehru was the Prime Minister of this country and all over the world, he was acknowledged as one who was the greatest democrat with some cardinal principles of democracy, including tolerance. It was not mainly a question of administrative policy or expediency; it was an article of faith with that great man. And who is telling us? Mr. Jyoti Basu and those who are his stooges, for this reason that way back in 1967 in the Bengal Government itself when the Communist (Marxist) party was ruling, they would not tolerate opposition in their own State. There were large-scale murders, assassinations, killings, violence against those who were opposing them. As a result they were kicked out lock, stock and barrel, in 1971... (*Interruptions*). You have come to teach us tolerance! Tolerance to be taught to Jawaharlal Nehru by Marxists by unleashing violence is, if not comical, is entirely grotesque... (*Interruptions*). This is his tolerance again. This allegation of authoritarianism is not only totally ill-founded and malicious, but it is utterly absurd and ridiculous of the highest order. If at all there is any party in India which can be accused of authoritarianism, which subscribes to a view, to a philosophy and ethos of authoritarianism, it is his blessed party. And it does not lie in his mouth to teach tolerance to any one of us.

I will come to Mr. Hegde immediately. Sir, Mr. R. K. Hegde is a very dear friend of mine. Recently he was in Delhi; he was ill. I had a long talk with him on several mat-

ters. He was a colleague of mine here; earlier he was in Congress. I have great respect for the man. There are three grievous improprieties he has committed. I would request Gurupadaswamiji to listen to what I say with some degree of objectivity. Firstly, when the Supreme Court had indicted him, came out with scathing indictment, he had to tender his resignation as a result of that, and the findings of the Supreme Court did impinge on the question of accusing him as having indulged in an act which they described as malafide in legal parlance, malafide involves dishonesty, improper, illegal intent. If that is so...

SHRI M. S. GURUPADASWAMY: May I correct you? Court has not condemned him for malafide.

SHRI N.K.P. SALVE: They have struck down the rules... (*Interruptions*).

SHRI PARAVATHANENI UPE-NDRA: It is a wrong statement.

SHRI M. S. GURUPADASWAMY: You are making a very wrong statement; you have not seen the judgement at all.

SHRI N. K. P. SALVE: At any rate, on the indictment of Supreme Court he resigned. He wanted value-based politics... (*Interruptions*). If they did not use that word 'malafide', I am wrong. But that is what my memory goes. Mr. Gurupadaswamy, I do not want to find fault with R. K. Hegde where he does not exist. I am thinking on the right lines because he resigned, because he thought there were findings against him by the Supreme Court and that is why, to carry on what he called value-based politics, he thought it was necessary. High Court had said that it was malafide... (*Interruptions*)

SHRI M. S. GURUPADASWAMY: Both of them are misleading. It is a very serious matter.

SHRI H. R. BHARDWAJ: I have the judgement with me. There were on allegations of mala fide as such. The order in the arrack bottling case was quashed by the High Court under article 14. Then, Mr. Hegde resigned on whatever grounds he mentioned at that time. Thereafter, the judgement of the High Court was confirmed by the Supreme Court and it was maintained that since the Excise Commissioner had said that the Excise Minister had consulted the Chief Minister, the indictment is there.

SHRI N. K. P. SALVE: I accept the position. I stand corrected. Sir, in view of this indictment, was it proper on Shri R. K. Hegde's part, was it proper of him, to sit in judgement to improve the judiciary of the country? Could he not have acted with greater restraint? He is a man of restraint. He is a man of dignity. This is what I believe, unless he has changed after he has gone there as the Chief Minister of Karnataka. Was it proper, was it fair, for anyone where a person himself feels 'I have been indicted, scathingly indicted by the Supreme Court and, therefore, I should resign the Chief Ministership of the State to which I have been elected by the people',—the ink had hardly dried on the judgement—to sit in judgement to improve the judiciary? It came as a surprise to me, when the Law Minister said that he was not given a subject...

SHRI H. R. BHARDWAJ: Not at all.

SHRI N. K. P. SALVE: If he was not given a subject—this is his second impropriety—was it proper for him to have written 'Disturbing trends and suggestions for reform'? was it proper for him, at that stage, where he was the host where he spent a lot of money in arranging this sort

of meeting of the Bar Association of India, where he was only supposed to thank, to choose a subject on which he was not at all asked to speak? This is grievous impropriety number two. Last but not the least, what Mr. Bhardwaj has read in paragraphs 13 and 14 of his speech. It beats me completely. I did not expect that of R. K., unless he has changed completely. I did not expect of him mentioning the names of judges. Sir, is it ever done? Is it ever done that you mention the names of judges, Supreme Court judges, you mention that the judge appointed was junior and that another one was senior? If you are wanting to condemn the system, I can understand. But in front of the two Chief Justices, one a retired Chief Justice and another sitting Chief Justice, you wanted to tell them 'all of you have been donkeys or you have been indulging in corruption, nepotism, favouritism etc. by appointing somebody junior ahead of somebody senior' Sir, on the merits, I have nothing to say. I am only on the question of propriety. These are the three grievous improprieties committed.

Then, he referred to the speech of the Law Minister made on the floor of the House. Sir, the law is far too well established that a person cannot be condemned for what he has said on the floor of the House. It is a well-established norm and form of democracy for the simple reason that if I am not to enjoy total immunity from any action and criticism for what I say here, freedom of speech will become a big joke. Was it fair on his part to condemn what the Law Minister said on the floor of the House? This is unmitigated breach of privilege of the House in which the statement was made.

SHRI M. S. GURUPADASWAMY: Mr. Salve, do you mean to say that speeches made here cannot be quoted outside?

SHRI N. K. P. SALVE: Mr. Gurupadaswamy, you have been in Parliament for long. You know, you cannot be criticised, I cannot be criticised for what we say here.

SHRI H.R. BHARDWAJ: He has not quoted any speech. He simply attacked.

SHRI N. K. P. SALVE: A speech can be quoted. But it cannot be criticised. It is a clear case of breach of privilege of the House. (*Interruptions*) That is how I read May's Parliamentary Practice. That is how I read it.

(*Interruptions*)

MR. CHAIRMAN: I told the hon. Member that a person can speak both right and wrong. You are entitled to your opinion. You can say that what he says is wrong. He can say that what you say is wrong.

SHRI N.K. P. SALVE: Sir, all that I want to subject it...

SHRI ATAL BIHARI VAJPAYEE: Do you mean to say, a wrong cannot be criticised?

MR. CHAIRMAN: It is my duty to preserve the right of speech. What you speak is your concern.

SHRI N. K. P. SALVE: Atalji should realise that speaking something wrong is not his prerogative alone.

Sir, I will now come to what Mr. K. K. Tewari has said. I missed his subsequent explanations. But what he has explained today, what he has stated today, is hundred per cent true and correct. He is not a person who will go back on what he says. He is not built like that. I know of him. Is there anything, have you found any fault with anything that he has said? I would have come here to apologise to the House a

hundred times if he had said that it was an obscure State or obscure people. We cannot disrespect the people of Andhra Pradesh. They have produced great leaders, patriots, poets, men who have acquired the highest position in art, science and literature. They are the people....

SHRI V. GOPALSAMY: Then why did you overthrow the NTR's Government.

SHRI N. K. P. SALVE: That was a total mistake and we have paid the penalty for that. If it was not for that mistake, perhaps Mr. Uppendra might not have been sitting here or the distinguished lady might not have been sitting here.

SHRIMATI RENUKA CHOWDHURAI: But I came before that (*Inter-* Thank you for accepting your mistake.

SHRI PARVATHANENI UPENDRA: But I came before that (*Interruptions*).

SHRI N. K. P. SALVE: In view of what Mr. Tewari has stated today, what I want to submit, had the matter been discussed and thrashed out properly, there would have been nothing left to make such a hullabaloo about it. If there is any objection they are wanting to raise, I want to submit, what he is alleged to have stated is an extremely charitable description of the rule because here I have a few judgments with me and some of which I am going to refer to. Here is the judgement which describes and not I the rule of the NTR's Government as a misrule. I will show you. It describes it as mis-administration, mal-administration. It describes it as full of favouritism and nepotism.

SHRI ATAL BIHARI VAJPAYEE: Who has described it?

SHRI N. K. P. SALVE: Here is the judgement. It is not described in one judgement alone.

SHRI PARVATHANENI UPEND-RA: On a point of order. We are discussing a particular issue within certain parameters. You are a lawyer. The statements have been made by Mr. Tewari, Mr. Bhardwaj and others and relating to that you can say something. If you quote the court judgements, then we can also do the same thing. We can also cite certain judgments which have been passed against Central Government, against Shri Arjun Singh. (Interruptions). Sir, you give us a ruling on this. If you allow them to say anything, we should also have the right to reply. If they go beyond the parameters, we have the right to reply. (Interruptions). He cannot go into the High Court or the Supreme Court judgements. There are other judgements also which we want to quote. Are you prepared for that? (Interruptions).

MR. CHAIRMAN: I will request you, Mr. Salve, not to go into this because we are now practically concluding. Mr. Tewari has explained and I think the House has accepted everything.

SHRI N. K. P. SALVE: Mr. Tewari has certainly explained but because the courts have been saying all this... (Interruptions)

MR. CHAIRMAN: Let us end with happy note.

SHRI N. K. P. SALVE: All right. I will not refer to them, but let it be clear that they accept all that has been mentioned in these judgements. If they do not challenge, I will not refer to the judgements (Interruptions). I am not happy with this motion itself. I am not the one who will bring it ever. A total political

naivety has been shown by bringing this motion.

SHRI PARVATHANENI UPEND-RA: You wanted it. (Interruptions). I wanted to finish by just making a special mention in two minutes but you wanted a substantive motion. (Interruptions). You wanted to bring it in the form of a motion.

SHRI N. K. P. SALVE: On this the position must be clarified. I am not at all in favour of this matter being mentioned in this House. I have said it in the beginning itself. When it does not suit them, they do not want it and to the extent it suits them they want it.

SHRI DIPEN GHOSH: It was your suggestion, Mr. Salve.

SHRI N. K. P. SALVE: Mr. Dipen Ghosh, I said, if this matter has to be mentioned, it must come by way of a substantive motion because then we have the right to show all this the mis-rule, the mal-administration, the dishonest, the corrupt, the unscrupulous, the unprincipled. Do you doubt this? Then I will quote it.

SHRI K. K. TEWARI: These are High Court judgments which he is quoting.

MR. CHAIRMAN: At the very beginning I said, you please observe certain norms, let us keep this debate above any rancour and bitterness. Let us direct all our attention towards having a kind of code or conduct or some kind of norms set for the Central Ministers and State Ministers. I did not say only Central Ministers; I said Central Ministers and State Ministers. That is the thing. Now we seem to be practically agreed on this. Mr. Salve, I don't think you should now go back into that.

SHRI N. K. P. SALVE: I will not go back but permit me, Sir, to read only two or three lines.

SHRI PARVATHANENI UPENDRA: No, no. If he persists, he will not be allowed to speak.

PROF. C. LAKSHMANNA: Sir, I am on a point of order.

SHRI K. K. TEWARI: It will never suit them.

SHRI ANAND SHARMA (Himachal Pradesh): Sir, I want to raise a point of order.

MR. CHAIRMAN: Prof. Lakshmanna.

PROF. C. LAKSHMANNA: Mr. Chairman, Sir, this discussion is directed towards discussing points arising out of utterances.....

SHRI K. K. TEWARI: About corruption.

MR. CHAIRMAN: I do not accept that interpretation. I am requesting Mr. Salve not to go into all this.

SHRI ANAND SHARMA: Sir, I am on a point of order. Mr. Upendra has very rightly pointed out what we are discussing here and we all have to be clear on what the House is discussing—the statements of the two Union Ministers during their visits to Andhra and Karnataka. Without entering into the subject matter, Sir, after listening to the statements made by the two Ministers here—Mr. Bhardwaj and Mr. Tewari—it is clear that they have not resiled from their statements. The House is discussing their statements. What Mr. Salve is referring to are the contents of the statements which the Ministers have made about the Government or the Chief Ministers there. (Interruptions). Yes, Sir.

MR. CHAIRMAN: We have almost come to the end of the debate and

an explanation has been given by Mr. Tewari and some people have accepted it. Then Mr. Bhardwaj explained the circumstances...

SHRI H. R. BHARDWAJ: I have explained my grievance.

MR. CHAIRMAN: I don't think we should again go back...

SHRI K. K. TEWARI: I only gave clarification about the call for civil strife or liberation movement. I do not resile from my charge of rampant corruption, maladministration, attempts to subvert the democratic institutions.

MR. CHAIRMAN: Now I tell you...

SHRI DIPEN GHOSH: We accept Mr. Tewari's suggestion. Let us discuss the cases of corruption indulged in by certain Union Ministers and State Ministers. Let us discuss.

SHRI PARVATHANENI UPENDRA: Including the Chief Ministers.

MR. CHAIRMAN: It is not for Mr. Tewari or any of you to decide what I should do.

SHRI DIPEN GHOSH: We challenge. Let us discuss it.

MR. CHAIRMAN: I am not allowing a discussion.

SHRI DIPEN GHOSH: We are not afraid of discussing corruption cases.

SHRI K. K. TEWARI: Then listen to what Mr. Salve has to say.

SHRI DIPEN GHOSH: Union Ministers and Chief Ministers. The Prime Minister said that corruption is a global phenomenon. We are not afraid of discussing corruption. Let us discuss it. Fix up a date. We accept your suggestion.

SHRI K. K. TEWARI: Why you want a separate discussion? You listen to what Mr. Salve has to say about these judgements.

SHRI DIPEN GHOSH: Any corruption under the sun and on earth, let us discuss.

SHRI K. K. TEWARI: Let these judgements be placed on the Table.

SHRI GHULAM RASOOL MATTO: Sir, you have already given a ruling that Mr. Upendra has made some remarks and Ministers have replied and the debate is coming to a conclusion. If there are some more speakers, let them speak for three or four minutes each and finish up the debate. Why should we go back now?

MR. CHAIRMAN: Actually, now all the side remarks are creating confusion. As the main question has been discussed and it has been settled in this way... (Interruptions)... You may say "No", but I say, yes. Therefore, you simply accept what I say... (Interruptions)...

SHRI N. K. P. SALVE: I will not go, Sir.

MR. CHAIRMAN: One minute. Here the question is about two Ministers' statements. They have explained and that is the end of the matter. Hereafterwards you should not rake up all the old things. I will give five five minutes for each of the Members hereafter and no more discussion. There is a dinner for some Members and they will miss it if we don't conclude the discussion.

SHRI V. GOPALSAMY: Sir, just now you said that you are championing freedom of speech, but you are trying to silence other Members and other groups. It is not fair, Sir.

MR. CHAIRMAN: As the Chairman I have the right to curtail the debate.

SHRI V. GOPALSAMY: For some Members you have given 25 to 30 minutes and for others you are giving only five minutes. This is not fair.

MR. CHAIRMAN: You are not going to be called. Now, Mr. Salve... (Interruptions)...

SHRI V. GOPALSAMY: Why, Sir?

MR. CHAIRMAN: Because you are violating all the rules and getting up and talking out of turn. It is my privilege to say whether you should speak or not.

SHRI N. K. P. SALVE: Sir, I bow down to your ruling, your wishes. However relevant it may be, I want to conclude my speech now.

Sir, the judgment surprised me beyond any reasonable limit. I realized that such things could go on in a State and people here still feel that the people of the State could not be liberated from such a Government. One of the worst things that happened is where the CPI workers... (Interruptions)...

SHRI PARVATHANENI UPENDRA: Sir, again he is going on. I object... (Interruptions)... It has nothing to do with this thing. He is violating your ruling... (Interruptions)... No, Sir. He should not be permitted. He should abide by your ruling.

MR. CHAIRMAN: I want him to conclude the debate.

SHRI N. K. P. SALVE: I am concluding, Sir. People guilty of murder... (Interruptions)...

SHRI PARVATHANENI UPENDRA: This is unfair, Sir. You should not allow him.

MR. CHAIRMAN: You are raking up new issues... (Interruptions)...

SHRI N. K. P. SALVE: Half a minute, Sir. I am finishing. I will not go beyond what you say. Sir, let them realize how tolerantly the CPI-M Members behave. Political murders are committed. Just because they are supporting Telugu Desam, against all law, against all rules, parole was given to one after another... (Interruptions)...

श्री सत्य प्रकाश मातडीय : क्लेन हाईजेकर को भी टिपट दिया गया है.... (व्यवधान)

SHRI N. K. P. SALVE: Then, Sir, a writ was filed and the High Court has come out with such scathing indictment of the interference of the Chief Minister. Sir, only one more point. I will make it and I have done.

Sir, liberation is talked of. If you go there during election time and see... (Interruptions)...

SHRI ATAL BIHARI VAJPAYEE: That statement has been denied.

SHRI PARVATHANENI UPENDRA: He denied it. Why are you raking it up?... (Interruptions)...

SHRI N. K. P. SALVE: I want to rake up that only for one reason. The people of Andhra Pradesh have to be brought to reason and rational thinking... (Interruptions)...

SHRI PARVATHANENI UPENDRA: You have tried thrice. How many times will you try?

MR. CHAIRMAN: There is nothing wrong in his saying that. So long as a Member does not say, so long as a Minister does not say, that you should overthrow it by violence or agitation

or that kind of thing, in every democracy it is all right... (Interruptions)...

SHRI PARVATHANENI UPENDRA: Sir, we have to respect the Prime Minister; we have to go at eight o'clock for a dinner with him... (Interruptions)...

SHRI N. K. P. SALVE: Sir, half a minute and I have finished. The image of the Chief Minister is as one who has come as a Messiah, a celluloid god considered as a real god of the unsuspecting and extremely simple people of Andhra Pradesh. They can be deceived and they can be subjected to fraud very easily.

SHRI ATAL BIHARI VAJPAYEE: People cannot be deceived. How can he say it, Sir?

SHRI PARVATHANENI UPENDRA: Then can we say people have been deceived by Rajiv Gandhi? I say people have been deceived by Rajiv Gandhi because of the death of his mother... (Interruptions).... I make that charge. He was elected because of the sympathy for Mrs. Gandhi... (Interruptions)...

SHRI B. SATYANARAYAN REDDY (Andhra Pradesh): Whatever Mr Salve has said should be expunged from the record... (Interruptions)...

MR. CHAIRMAN: In an election meeting... (Interruptions)...

SHRI PARVATHANENI UPENDRA: It is not an election meeting.

SHRI N. K. P. SALVE: In the end, Sir, I will say it is only through fraud and deception that the Government is there in authority and the people of Andhra Pradesh have to be brought to reason and rationality. Then only it will be thrown out. Thank you, Sir.

DR. G. VIJAYA MOHAN REDDY
 (Andhra Pradesh): This cannot be
 allowed, Sir.

MR. CHAIRMAN: Now, five five
 minutes. Mr. Kailash Pati Mishra.
 Fives minutes only.

श्री कैलाश पति मिश्र (बिहार) :

समाप्ति महोदय, लगभग 3.45 घंटे से
 बहस चल रही है। प्रोसीडिंग्स में दोनों
 ओर से जो बातें कही गई हैं भारत की
 जनता, सम्पूर्ण भारत में फैली हुई जनता
 के कानों में इसका एक-एक शब्द जायेगा और
 वह इसको पढेगी। इसलिए आसानी से
 समझा जा सकता है कि इस बहस की प्रति-
 क्रिया पूरे भारत में क्या होने वाली है और
 लोकतंत्र के ऊपर उसका क्या प्रभाव होने
 वाला है। महोदय, एक बात साफ
 है कि केन्द्र और राज्यों के संबंध, सेक्टर
 स्टेट रिलेशंस के ऊपर एक बार फिर से
 विचार करने की आवश्यकता है और उसके
 लिये एक आचारसंहिता बनाना आवश्यक
 है। महोदय, इतने गंभीर विषय पर
 यहां बहस चल रही है और अगर
 आचार-संहिता बनाने की आवश्यकता पड़ी
 तो सत्ताधारी दल की ओर से कौन इतना
 सहम दिखाई देता है जो इस काम का
 बोझ अपने ऊपर ले सके। महोदय, मुझे
 बहुत कष्ट है कि इतनी महत्वपूर्ण बहस
 चल रही है और इस बहस को सुनने के
 लिये, सुनने की भावनाओं को समझने के
 लिये, यह समझने के लिये कि पूरे भारत
 में कौन सी भावना व्याप्त है, इसके लिये
 प्रधानमंत्री महोदय यहां पर मौजूद नहीं
 हैं। भारत के प्रधानमंत्री श्री राजीव
 गांधी को इस बहस में उपस्थित होना
 चाहिए था और देखना चाहिए था कि देश
 के अंदर लोकतंत्र के ऊपर कितने गंभीर
 खतरे के बादल मंडरा रहे हैं और यह
 लोकतंत्र आगे कैसे जीवित रहेगा कैसे
 इसकी रक्षा हो सकेगी। महोदय, मैं एक
 बात की ओर ध्यान दिलाना चाहता हूं
 कि लगता है कि कांग्रेस के मित्र चाहे वे
 इस सदन के सदस्य हों या केन्द्रीय सरकार
 में मंत्री हों या राज्य मंत्री हों वे इस बात
 को भूल रहे हैं कि भारत की जनता जहां
 कांग्रेस शासित राज्य हैं, वे समझते हैं कि
 वहां पर भी यह चल रही है और जहां पर

गैर कांग्रेसी शासित राज्य दिखाई दे रहे हैं
 वहां नहीं रहे रही है। आप क्या यह
 स्वीकार करने के लिए तैयार नहीं हैं कि
 यह स्थिति आयेगी जिसमें एक राज्य के
 अंदर कांग्रेस की सरकार हो सकती है
 और दूसरे राज्य के अंदर गैर-कांग्रेसी
 सरकार हो सकती है। केन्द्र में एक दल की
 सरकार हो सकती है और राज्य के अंदर
 किसी और दल की सरकार हो सकती है।
 क्या जरा इस तबसे को आपने अपनी आंखों से
 देखा है कि तब देश के अंदर लोकतंत्र कैसे
 चलेगा? इस पर आप विचार करें। महोदय,
 तिवारी जी उहां से आते हैं, मैं भी वहीं
 से आता हूं। दोनों एक ही स्थान से
 आते हैं। आधे अंदर इतना ही है कि
 मेरा घर गंगा के तट पर पड़ता है और
 तिवारी जी का घर कर्मनाशा के नजदीक
 है।

श्री अटल बिहारी वाजपेयी : कर्मनाशा।

श्री कैलाश पति मिश्र : आपने
 इतिहास में अगर कर्मनाशा के बारे में
 पढ़ा हो तो आप इसको अच्छी तरह से
 जान सकते हैं। अगर मुझको पूछा जाता
 तो मैं तिवारी जी के शब्दों को बतली
 गंभीरता से लेने के लिये तैयार नहीं होता
 क्योंकि मैं तिवारी जी को पहले से जानता
 हूं। वे मेरे मित्र हैं। मैं आक्षेप करने
 के लिये नहीं कह रहा हूं, मैं उनको कोई
 चोट नहीं लगाना चाहता लेकिन मैं एक
 बात दोहराना चाहता हूं कि उन्होंने, जो-
 जो बिन्दु उठाये हैं जैसे उन्होंने उसको
 अस्वीकार कर दिया है, इसके लिये मैं
 जनको बधाई देता हूं। लेकिन कांग्रेस
 (आई) के जनरल सेक्रेटरी मिस्टर अंजैया
 का और उसके पूर्व उसी 'इंडियन एसोसिएशन'
 में जो उनका वक्तव्य छपा है उसका हम
 क्या करें? क्या हम यह स्वीकार करके
 चलें कि अंजैया ने तिवारी जी की रक्षा
 करने के लिये, उनको संरक्षण देने के लिये
 वक्तव्य दिया और वह उसी 'इंडियन
 एसोसिएशन' में छपा हुआ है।

यहां तिवारी जी जिस को अस्वीकार कर
 रहे हैं अंजैया जो कहते हैं कि तिवारी जी
 सरकार के मंत्री हो सकते हैं लेकिन कांग्रेस के
 भी आदमी हैं इसलिए आन्ध्र बचाओं का अगर
 नारा दिया है तो इस में तिवारी जी ने गले

नहीं किया है। यह इसी इच्छा एवम् प्रेस के अन्तर छपा हुआ है। यह देश कहा जा रहा है जिस पद पर बैठ कर कहते हैं उस पद का गरिमा क्या है। क्या यह अनुभव नहीं हो रहा है सरकार के अन्दर रहने वाले व्यक्ति और दल के अन्दर रहने वाले व्यक्ति सरकार और दल के बीच में रेखा होगी या नहीं होगी इसलिए मैं फिरोदोहराना चाहता हूँ कि आचार संहिता बनाने की नितात आवश्यकता है। मैं फिर इस बात की दोहराना चाहता हूँ कि प्रधान मंत्री जी आज इस बहस के अन्दर नहीं हैं यह उचित नहीं है इसके लिए मुझे दुःख है। यह बात उन तक भी जानो चाहिये आपने मुझे बोलने का अवसर दिया इसके लिए मैं आपका धन्यवाद करता हूँ।

श्री सत्य प्रकाश मालवीय : सभापति महोदय, हमारे संविधान के पार्ट-बन में आर्टिकल

under 'The Union and its Territory' on 'Name and territory of the Union' in Article 1, it has been said:

"India, that is Bharat, shall be a Union of States."

263 में कोमोडिनेशन बिटवीन स्टेट्स की चर्चा की गई है इसी आर्टिकल के तहत अभी कुछ दिन पहले एक न्यायिक आयोग सरकारिया आयोग बंठाया गया है और वह अपने आपसी सम्बन्धों के बारे में अपनी राय सरकार के पास भेजेगा। जब प्रधान मंत्री जी ने अपना पद ग्रहण किया तो उन्होंने सारे देश में इस बात को कहा कि पोलिटिक्स आफ कॉन्फिडेंस यानी ठकराव की राजनीति का जमाना अब समाप्त हो गया है और पोलिटिक्स आफ कोमोडिनेशन यानी सहयोग की राजनीति शुरू हो गई है और सारे देश को विशेषकर जो हम विपक्ष के लोग हैं बड़ी प्रसन्नता हुई लेकिन दुःख का विषय है कि प्रधान मंत्री जी ने कुछ महीने पूर्व कर्नाटक में एक सार्वजनिक सभा में हिन्दुस्तान की एक निर्वाचित सरकार के इस्तीफे की मांग की ज्ञायक आज यही वजह है

कि हिन्दुस्तान की जो केन्द्रीय मन्त्रिपरिषद् है उसके अनेक मन्त्री जब किसी प्रदेश में जाते हैं तो वहाँ की जो चुनौती हुई सरकार है उसको हटाने की मांग करते हैं। कोई मन्त्री कहता है कि इस सरकार को हम बेआफ बंगाल में फेंक देंगे और कोई मन्त्री किसी अन्य बात की चर्चा करते हैं। आज तिवारी जी ने इस बात से इन्कार किया है कि जो कुछ भी मेरे लिए कहा जा रहा है उन जो जी को मैंने नहीं कहा था (व्यवधान) तिवारी जी ने इस बात से इन्कार किया है कि निशेधन की बात मैंने नहीं कही या आन्ध्र प्रदेश को रामाराव से बचाओ मैंने नहीं कहा। (व्यवधान) मैं उस बात को स्वीकार करता हूँ। लेकिन श्री एन० टी० रामाराव ने प्रधान मंत्री जी को एक पत्र लिखा था 24-25 जून 1986 को उस में उन्होंने इन सारी बातों की चर्चा की थी और यह लिखा था

"I shall be happy if you can advise your colleagues, particularly the Ministers of the Central Cabinet, whenever they visit the State, to restrain in their public utterances."

लेकिन मुझे दुःख है यह कहते हुए आज मैंने जानकारी प्राप्त की आज एक महीने के करीब हो चुका है लेकिन आन्ध्र प्रदेश के मुख्य मन्त्री के पत्र का कोई उत्तर इस देश के प्रधान मंत्री ने नहीं दिया है (व्यवधान) अच्छा आज आया है जब ज़िबेट हो गई तब आया है। (व्यवधान) मैं इस बात का निवेदन कर रहा था कि हमारे देश की जो संवैधानिक व्यवस्था है उसका पालन केन्द्र के मन्त्रियों को करना चाहिये और राज्यों के मन्त्रियों को भी करना चाहिये जैसे आज से 20 वर्ष पहले जब उत्तर प्रदेश में संविद की सरकार बनी थी वहाँ के शासक दल के दो मन्त्री ये प्रभुनारायण सिंह और रामस्वरूप वर्मा जो इन दोनों ने दिल्ली आ कर के धारा 144 को तोड़ा था और तिहाड़ जेल में इनको भर्ती किया गया था आज से 20-

[श्री सत्य प्रकाश मालवीय]

22 वर्ष पहले जब हम संयुक्त सोशलिस्ट पार्टी में थे तो हम जानते थे इन लोगों ने ठीक किया था... (अवधान) मैं यह कह रहा हूँ कि इस तरह के से जो मन्त्रियों का आचरण है वह उचित नहीं है, ठीक नहीं है और इसलिए मैं यह कहना चाहता हूँ कि इस सिलसिले में मैं चार संहिता निश्चित रूप

8.00 P.M. में बनना चाहिगा कोड आफ कंडक्ट

बनना चाहिए और उसका पालन केन्द्र के मंत्री जो करें और प्रदेश के मंत्री भी करें। इसलिए मैं जो रामकृष्ण हेगड़े के भाषण को जो उन्होंने बंगलोर में 5 अगस्त, 1983 को सेमिनार आफ सेंटर स्टेट रिलेशन में दिया था, पढ़ना चाहता हूँ और मैं समझता हूँ कि उनके भाषण के जो अंश हैं उनसे जरूर लाभ मिलेगा तथा उसके बाद एक आचार संहिता बनाई से हम सबको लाभ मिलेगा।

"The ultimate objective being the same, the Union and the States must function on mutually complementary and cooperative basis. They are and they should feel that they are equal partners in the great adventure of national reconstruction and development. This naturally requires the recognition of equal importance of both the functions, mutual respect and honour. A super power attitude and show of superiority on the part of the Union, which is the natural consequence of the concentration of powers and resources, has been responsible for generating a feeling of frustration and sense of injustice and discrimination and helplessness on the part of the States which in turn produces the dangerous forces of regionalism. The concentration of power has also distorted the scheme of the Constitution and led to the devaluation of important institutions like the Planning Commission and the Reserve Bank which have become the extended departments of the Executive. Even the Governor has become a glorified servant of the Union. An omnipotent and omnipresent Union that the present Central Government has

grown into and withering States are the very negation of the democratic polity."

तो मान्यवर मैं अपनी बात समाप्त करता हूँ सुबह आपने कहा था कि 15 मिनट बोलने का मौका देगे लेकिन जब आपने 5 मिनट कर दिया है इस लिए मैं आपके आदेश का आदर करता हूँ और अंत में पुनः निवेदन करता हूँ कि यह एक गम्भीर विषय है। हमारे संविधान में व्यवस्था है कि केन्द्र में दूसरी पार्टी का सरकार हो सकता है, किसी प्रदेश में दूसरी पार्टी की सरकार हो सकता है जो उधर बैठे हैं कभी इधर बैठ सकते हैं और इधर बैठने वाले उधर बैठ सकते हैं इसलिए एक आचार संहिता बना दी जाये और उसका हम सब लोग मिलकर पालन करें।

MR. CHAIRMAN: Mr Shiv Shanker.

SHRI CHITTA BASU (West Bengal): He should also be given only five minutes.

SHRI P. SHIV SHANKER: I am called upon to explain my conduct.

MR. CHAIRMAN: There are some references to him. Therefore, he wanted to speak.

SHRI P. SHIV SHANKER: Mr. Chairman, Sir, I rise with a very heavy heart to speak on an occasion like this. I am thinking that this is one of the saddest moments of my life in Parliament that I should be called upon to speak on a charge of criticising the State Government in an indecent manner. While I was sitting here, I was contemplating that this would be the blackest day so far as I am concerned. On my part it is true that I have been making the speeches in the State of Andhra Pradesh. I am also constrained because this debate should never have come into this House at all. I personally feel that whoever may be the hon. Members who have thought it fit that this matter should be discussed in the House, in my submission, have not done service to the political life in this country. Once you start discussing, the way it gets degenerated is a matter which we have seen. I am only sorry that the

two Chief Ministers who were unfortunately not present here about whom we spoke a lot and the hon. Members who have raised this discussion should have realised the consequences flowing from the debate. This is a matter, in my view, perhaps privately the Chairman could have called us. We could have sat down. I would have prepared to sit down with any one and could have discussed the matter. If there is anything wrong with my conduct, I would like straightway make the submission that the hon. Members sitting on the other side can show me a single unparliamentary word, or a single indecent word or a single improper word that I have uttered. For that I am prepared to make all the Leaders of the Opposition or any of them to be arbitrators to decide if I have uttered a word.

SHRI PARVATHANENI UPENDRA:
I did not say that.

SHRI P. SHIV SHANKER: Then, I am sorry. I would not mind even submitting the resignation itself, if it comes to that. But why is it that my name has come? That is a question to which I have got no answer. That is why, when I am saying, I keep it open that the hon. Members who are sitting there, the leaders of Opposition, all of them, they may go through all the newspapers and tell me if at any point of time, I have spoken one word indecent or improper, I am prepared to submit myself to the punishment of this House in whatever form it may be. But I have certainly said, what did I say, I quoted the Comptroller and Auditor General's Report as to what it contains. I have quoted from the figures that have been submitted by the State to the Planning Commission and the different departments. I have tried to explain to the people as to what is the contribution of the Central Government in the various schemes that are operated in the State. I have tried to say as to what is the participation of the Central Government in allocating the amounts from the Centre in the State Plan itself. Certainly, I have

said that. But if I have criticised the State Government in any official function whatsoever, I may be charged of being indecent. At no point of time, did I utter a word in any official meeting. Certainly in the party meetings, public meetings, as a politician, I have got to say something. I have got to say what the administration is. If that is supposed to be indecent, if that is supposed to be criticism, if my voice has got to be stifled merely because I am saying certain things which a politician should say, I am only sorry, we are burrying the democracy itself. Why I say this that everytime I make a statement, I am not going into the details. The opener of the debate has given certain figures. I join the issue of those figures, on the basis of the figures that have been supplied by the State Government to the Planning Commission but I would not like to go into the details at this stage because that is not the debate. The fact of the matter is: it is true as one of the hon. Members, perhaps, Sir, the Member from the Bharatiya Janata Party has very rightly said.—we have not acquitted ourselves creditably in this debate. What is it that we are doing? Is it the way that we debate in the House? Is it the way that the "personality" should be discussed in the manner in which we have done and if they think they are raising the standard of the House in this manner, then I am only sorry we shall not be fit for a democratic life in this country. I would like to say this, that when I find a day in and day out the higher authority of the State Government, every time, going on saying about the Centre that I am a limb of the Centre, naturally I have to speak out. But I never uttered a word. I would even go to the extent of saying if any of the hon. Members can show that I have taken the name of N. T. Rama Rao in my speeches. At no point of time, did I take his name in my speeches. After all, there is some decency that has got to be maintained. Now, if we are so touchy about those matters, it is true, in fact, I have said,

[SHRI P. SHIV SHANKER]

this, if this is the Ram Bhajan which is carried on by the State Government, naturally we have also to say something on the basis of the facts which have been supplied by the State Government. One could even wildly speak but I have spoken on the basis of figures. Every time, I speak, every time it comes in the newspapers. Second day, I find a tornado against me: a tornado that this man does not belong to Andhra Pradesh, that this man comes from Gujarat and that Mr. P. V. Narasimha Rao comes from Maharashtra; and what right have they got to say this? Now this type of thing is really unfair. I never expect the leaders of a mature party to speak in this fashion. But I am not finding fault with this. They have a right to say this. I am saying this because I do feel that my name has been dragged in today. Now I have the various speeches that have been made. I was debating within my mind whether I should read the highly indecent, highly objectionable, highly unparliamentary words. I will not quote, but I will give the pages. I will give only the pages, Mr. Chairman, for this reason that I have respect for the man who is not present in the House. If he were to be present here, I would have certainly read out everything to show what type of speeches he makes. And what is more, the public speeches that you make, you publish at the cost of the Government. Here is one, which has been read out by Mr. Upendra also—it is in Hindi:

कमिश्नर, म्चना एवं जन संपर्क विभाग,

आन्ध्रप्रदेश सरकार, हैदराबाद।

And what is it? It is all public speeches which have been made during the elections in Assam, during the elections at other places. Is it fair? What is it that we are doing? Is it proper use of the public exchequer?

SHRI PARVATHANENI UPENDRA: Why not? The Prime Minister's speeches have been published in hundreds of pamphlets.

SHRI P. SHIV SHANKER: Not public speeches at election meetings. Official things I am not objecting to.

SHRI PARVATHANENI UPENDRA: That was on national unity.

SHRI P. SHIV SHANKER: Mr. Upendra, let me say what I want to say. If you would like, I would read out what has been said. It is your choice. I will leave it to you. The position that I am taking is that I would only quote the pages for sheer respect of the gentleman who is not present here, because he will not have the opportunity to answer it. If he were to have an opportunity to answer, it is different. What is it that we are doing? It is said that we are dead against Mr. Hegde. We are talking about Mr. Jyoti Basu; we are talking about Mr. N. T. Rama Rao. Is this the precedent that we are establishing in this House? I thought that there was a precedent, a convention in this House that if a gentleman is not present, we do not tirade against him. But then those who have raised this whole discussion should have known that the consequences were obvious because people who would like to defend would certainly do it. The position that I am taking is, I said that I have been speaking on the performance of the State. I had been speaking on the performance of the State because in every speech, the leaders of the ruling party in Andhra Pradesh had been accusing the Government at the Centre in very indecent language. Naturally I, as a Member of the Central Cabinet, have got to defend the Government and I tried to defend it in the most decent language. I am glad. I am very grateful that Mr. Upendra said that it is not my habit to take names. But since I am complimenting him, I am taking it. He has said himself that I do not say anything or I do not criticise in any indecent manner.

SHRI PARVATHANENI UPENDRA: I did not say anything against you. I only said that it is unnecessary for you to take up minor things.

SHRI P. SHIV SHANKER: Sir, the question is, how should the Central Government defend itself? True, it is a matter of Centre-State relations. I would like to say one more thing. It has been suggested that there should be a code of conduct for the Ministers. I am sorry to say that I am dead against it. If I am not fit to know as to how I should conduct myself, I am not fit to be appointed as a Minister. Code of conduct is a matter that must be left to one's good sense in a democracy. We have got to leave it to those who are in power as to how they should behave. And the more powerful a man is, the more restrained he should be. I mean, there is no licence for me to talk anything.

SHRI PARVATHANENI UPENDRA: You should tell Mr. Tewari.

SHRI P. SHIV SHANKER: Well, I would ignore your intervention because I am not yielding to that. Sir, in this book I will only make references of the pages. I would not like to go into what he has said. Why I say is this, it is my earnest request that the hon. Members sitting on the other side who belong to this particular party may be pleased to take it up with their leader...

DR. G. VIJAYA MOHAN REDDY: Your five minutes' time is over.

MR. CHAIRMAN: Don't interrupt. You also go on talking. Please sit down. Mr. Shiv Shankar, you go on.

SHRI P. SHIV SHANKER: ... It shall be a matter of gratification not only for me but for all of us that this type of expressions are not used. This is a Publication, "Speeches of Shri N. T. R."...

SHRI PARVATHANENI UPENDRA: a point of order. When I referred to Mr. Shiv Shanker's name, I did not make any specific allegations. I did not refer to any of his specific speeches. I only said a senior Minister like him, who has got so many other responsibilities, should not waste his time in all minor matters and

enter into regular controversies. The rest of what I said was all praise for him -- a great son of Andhra etc., there is nothing against him. If he wants to quote, I can also quote from so many of his speeches...

SHRI P. SHIV SHANKER: Yes, yes, I would like you to quote me and show one indecent word, one improper word.

SHRI PARVATHANENI UPENDRA: I respect him; he never used any bad language. What I said is also on record. I said he is unnecessarily entering into controversies. But if he wants to enter into and quote from the book, then I should also be permitted to quote and go into his utterances also.

MR. CHAIRMAN: The point is he says when the State Government criticises the Centre, the Centre has to defend itself and there he is only quoting figures...

SHRI PARVATHANENI UPENDRA: Why does he want to refer to the speeches? That is the point. If he can quote, then I can also quote...

SHRI P. SHIV SHANKER: I am not reading the speech but I will only give the page numbers. I will not quote Mr. Rama Rao's speeches because he is not present. He is entitled to quote my speeches and I welcome him. Let the House find out whether I have said anything indecent, improper, anything wrong, and I am prepared...

SHRI PARVATHANENI UPENDRA: He is challenging. Can I give him one example, just one example?

SHRI P. SHIV SHANKER: Yes, yes I would like you to quote me; I would like the House to judge whether I have behaved in an indecent manner...

MR. CHAIRMAN: At this rate, I am going to conclude the debate; no more reading. I want to conclude on a good note. Therefore, I do not want any further controversy.

SHRI P. SHIV SHANKER: What I was saying, was, I was only referring to the pages, I am not going to read the words. There is a lot to be read but it is only for your kind information. This is my very earnest request; you kindly take note of it. Kindly convey to your leader that this type of expressions may not be used hereafter. It is in this spirit that I am trying to quote the pages; nothing more; only pages. This is Volume 3 of his speeches in English. It has been printed at page 270...

SHRI PARVATHANENI UPENDRA: Why don't you tell him? You are on good terms with him.

SHRI P. SHIV SHANKER: Mr. Upendra, I will tell you, this is exactly what I said. Since you said, we are taught that we are the Harijans, I would request you...

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): I object to this expression.

SHRI P. SHIV SHANKER: Please wait a moment.

I would request you to let me know whether I have ever been invited. Do I not belong to Andhra Pradesh? That is where I said in a Public meeting. Yes, I said. I would make an earnest request to this Chief Minister to at least learn something from the way in which Mr. Ramakrishna Hegde conducts himself in inviting MPs and discussing with them. I have said this. If that is wrong, I am prepared to accept...

SHRI PARVATHANENI UPENDRA: One clarification. The MPs were invited the Chief Minister twice and they refused to attend. None of the Congress-I MPs attended the dinners hosted by Chief Minister Rama Rao either here or in Hyderabad.

SHRI P. SHIV SHANKER: Sir, may I submit one thing? (*Interruptions*). Sir, may I submit. One thing? I did not want to say many a thing which I could say. Because he himself raised the question, and asked me, "Why don't you speak?", I said this thing. That is why I said that. If you were not to say this, I would never have said this. Many a thing I would not like to say and it is not fair also to say because this is not the place where we can say all and anything. Sir, I only quote the page numbers. Excuse me for doing this. (*Interruptions*). The honourable Members will be doing a little service to me. (*Interruptions*). Sir, I only quote the page numbers, Sir, it is Volume 3—and this is from June 1985 to April 1986—of his speeches and it is page 270.

SHRI PARVATHANENI UPENDRA: Sir, on a point of order. Will it go on record?

SHRI P. SHIV SHANKER: Yes, it will go on record. (*Interruptions*).

SHRI PARVATHANENI UPENDRA: Then I should be permitted to quote, Sir. (*Interruptions*).

SHRI P. SHIV SHANKER: All right. Sir, I am not afraid of his quoting. (*Interruptions*). He has read out from the speeches. (*Interruptions*). He has read out from the speeches. Sir, this is the Hindi speech... (*Interruptions*).

DR. G. VIJAYA MOHAN REDDY: Sir, after all, it is our leader's speech. Our leader always speaks correctly and we have confidence in what he has spoken. So, you please read it. It is not going to jeopardise our position. (*Interruptions*).

MR. CHAIRMAN: It is not for you to say whether he should read it out or not.

SHRI P. SHIV SHANKER: I will just read out. (*Interruptions*).

MR. CHAIRMAN: Mr. Shiv Shanker, just because they ask you to read out, you need not read it out.

SHRI P. SHIV SHANKER: I would never do that just because they ask me to do it. (*Interruptions*). I am not prepared to quote just because they want me to quote. I am only making a request, rather I am helping them. I am trying to help them. (*Interruptions*).

SHRI ATAL BIHARI VAJPAYEE: They will find out the pages. You don't have to help them.

SHRI P. SHIV SHANKER: I don't have confidence in them to think that they will find out the pages. That is why I am giving the page numbers.

SHRI DIPEN GHOSH: You are simply referring to the pages. How can it enlighten us?

SHRI P. SHIV SHANKER: You need not read it. (*Interruptions*). You need not read it. I do not want you to read it.

MR. CHAIRMAN: Mr. Ghosh, why do you worry about it? He is only mentioning some pages.

SHRI P. SHIV SHANKER: This is the third volume of his Hindi speeches. (*Interruptions*).

SHRI B. SATYANARAYAN REDDY: Sir, we know everything and we understand everything. Why should he quote the pages now? (*Interruptions*).

MR. CHAIRMAN: I am going to conclude the debate now.

SHRI DIPEN GHOSH: Nobody knows what is there in that. So, why are you referring to the pages?

SHRI P. SHIV SHANKER: Otherwise nobody will read it. Pages only I am quoting. It is Vol. 3 of his Hindi speeches and I will quote the page numbers only. Page 2— (*Interruptions*).

PROF. C. LAKSHMANNA: Sir, what is the use of his quoting these page numbers? He cannot quote them unless it is laid on the Table of the House. We do not know what it is. (*Interruptions*).

SHRI P. SHIV SHANKER: Page 11, Page 15, page 16... (*Interruptions*).

SHRI PARVATHANENI UPENDRA: Sir, it is against the rules. Either the document has to be laid on the Table of the House or he should not quote. (*Interruptions*).

MR. CHAIRMAN: I am not allowing everybody to speak. Only one person.

SHRI PARVATHANENI UPENDRA: Sir, he must lay it on the Table of the House. Then only he can quote from it. (*Interruptions*).

SHRI P. SHIV SHANKER: I have no objection. If he wants it, Sir, I will lay it on the Table of the House. (*Interruptions*).

SHRI PARVATHANENI UPENDRA: In that case I will also read. (*Interruptions*).

SHRI P. SHIV SHANKER: Certainly I will lay it on the Table of the House. It is my right. (*Interruptions*).

SHRI PARVATHANENI UPENDRA: Sir, I am trying to avoid acrimony. I respect him and I still request him not to proceed with it. (*Interruptions*).

SHRI P. SHIV SHANKER: You respecting me has no meaning. You have already done enough damage. (*Interruptions*).

MR. CHAIRMAN: Mr. Shiv Shanker, I think we had better close it.

SHRI P. SHIV SHANKER: I am only quoting the page numbers. But, since they wanted it, I am placing it on the Table of the House. (*Interruptions*).

SHRI DIPEN GHOSH: What is the use of quoting the page numbers when you are not allowing us to quote?

SHRI P. SHIV SHANKER: Pages I cannot quote? (*Interruptions*).

SHRI ATAL BIHARI VAJPAYEE: Quoting the pages will not serve any purpose.

SHRI PUTTAPAGA RADHAKRISHNA: Sir, what is that document? (*Interruptions*).

SHRI P. SHIV SHANKER: I wanted to quote the page numbers. Just a minute. (*Interruptions*). I quote only for the benefit of the honourable Members. If they do not want it, it is all right.

SHRI DIPEN GHOSH: Mr. Shiv Shanker, they know it because they have produced it. They know what is expected and what that book contains because they have produced that. What is the use of quoting the pages?

SHRI P. SHIV SHANKER: I doubt whether they know it. (*Interruptions*)

PROF. C. LAKSHMANNA: We do not have any significance of those pages.

SHRI V. GOPALSAMY: Quoting the page numbers without making any reference to the matter is very unusual.

SHRI P. SHIV SHANKER: It is my prerogative and I am doing that. But out of sheer deference to the hon. Members...

SHRI DIPEN GHOSH: You are wasting so much time of the House.

SHRI PARVATHANENI UPENDRA: Either you quote the text or you don't quote the pages.

SHRI P. SHIV SHANKER: You cannot dictate me. I have a right to say what I want to say.

SHRI ATAL BIHARI VAJPAYEE: The hon. Minister is quoting the pages. We do not know what those pages contain. Are we not entitled to know it? Either the text of the pages should be quoted or even the page numbers should not be quoted.

SHRI K. K. TEWARI: It is an official publication. It is not banned.

SHRI P. SHIV SHANKER: I never thought that the hon. Members will get worked up on this issue. I wanted to read them, but out of sheer deference to the hon. Members coming from that party, I would not like to quote even the page numbers. I have not lost my decency in life. Sir, I would certainly want one thing. I would like to quote something which the hon. Member himself has spoken because I cannot avoid it. He is a Member of this House. On 15th of July, various questions were put to him and one of the questions was, "You are saying that you will take up all these matters. Supposing the Central Government does not agree. What would you do?" His answer is: I am reading. He says that an "andolan" will have to be undertaken.

SHRI PARVATHANENI UPENDRA: The word is 'agitation'.

SHRI P. SHIV SHANKER: Mr. Tewari said that we must fight for the preservation of Congress tradition. He talked of Congress tradition and spoke of preserving, protecting and safeguarding it. This is how he explained. If this is harmful—Some hon. Members think it to be harmful—then I do not see how the expression that has been used in the newspaper is not harmful.

SHRI PARVATHANENI UPENDRA: Is there no difference between a liberation struggle and an agitation? He should know it. He is an eminent lawyer.

SHRI P. SHIV SHANKER: On the basis of what has been explained by Mr. Tewari, we need not unduly get touchy

385 *Short Duration Dis-* [29 JULY 1986] *against certain State* 386
cussion on reported
statements of some
Union Ministers
Govt. and the judiciary
during their visits to
those States

about everything merely because somebody comes and speaks. This is what is happening here. I am sorry that we have debated the whole thing in such a fashion. It does credit neither to the House nor to the hon. Members. I apologise if I have used some expressions which have hurt someone.

MR. CHAIRMAN: I am satisfied that there has been a sufficient debate on the subject.

The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at thirty-one minutes past eight of the clock till eleven of the clock on Wednesday, the 30th July, 1986.