

[Dr. (Shrimati) Sathiavani Muthu]

Nehru's assurance should be incorporated in the Constitution.

MR. CHAIRMAN: Now the House stands adjourned and it will reassemble at 2 P.M.

The House then adjourned for lunch at¹ two minutes past one of the clock.

The House reassembled, after lunch, at two minutes past two of the clock, Mr. Deputy Chairman in the Chair.

MOTION RE. APPOINTMENT OF TWO SEPARATE COMMISSIONS OF INQUIRY TO INQUIRE INTO ALLEGATIONS OF CORRUPTION AGAINST MEMBERS OF FAMILIES OF THE PRIME MINISTER AND THE FORMER HOME MINISTER

श्री रबी राय (उड़ीसा) : उपसभापति जी, मेरा एक पॉइंट आफ आर्डर है ।

श्री अनन्त प्रसाद शर्मा (बिहार) : सदन के सामने ऐसा कुछ है ही नहीं तो पॉइंट आफ आर्डर कैसा है ।

श्री रबी राय : सल्वे साहब के बोलने से पहले मेरा पॉइंट आफ आर्डर मुन लीजिए । आप क्यों इतना डरते हैं । (Interruptions) उपसभापति जी, मैं आपकी खिदमत में सदन की खिदमत में कुछ प्रक्रिया के बारे में कहना चाहता हूँ । हमारे चेयरमैन साहब ने सल्वे साहब के प्रस्ताव पर बहस करने की अनुमति दी है इस बारे में मैं कुछ कहना चाहता हूँ । यह प्रस्ताव नानअडमिनिबल है । आप देख लीजिए रूलस आफ प्रोसिजर एंड कंडक्ट आफ विजनैस

(Interruptions)

SrIRI BHISHMA NARAIN SINGH (Bihar): This is only for killing the time. Sir, you have already admitted the Motion and if is going to be moved.

श्री रबी राय : उनका पत्र कमजोर है इसीलिये डर रहे हैं (Interruptions)

SHRI ANANT PRASAD SHARMA: The Motion has been admitted and it cannot be questioned now.

श्री रबी राय : मेरा पॉइंट आफ आर्डर है ।

श्री उपसभापति : कृपया संक्षेप में कहिये ।

श्री रबी राय : आप खुद राजस्थान विधान सभा के अध्यक्ष रह चुके हैं । मैंने आपने संसदी जीवन में ऐसा कभी नहीं देखा । मैं बहुत अदब से कहना चाहता हूँ आपकी खिदमत में और सदन की खिदमत में कि यह प्रस्ताव नानअडमिनिबल है ।

मैं यह निवेदन करना चाहता हूँ कि रूलस आफ प्रोसिजर एंड कंडक्ट आफ विजनैस जो राज्य सभा का है इसकी 169 धारा में जो कंडीशंस आफ अडमिनिबिलिटी आफ ए मोशन है, इसमें लिखा है :

"In order that a motion may be admissible, it shall satisfy the following conditions, namely—

—It shall raise substantially one

उपसभापति जी, जब सदस्यों को वोट देने के लिए कहा जाता है तो पहला मुद्दा यह उठता है कि क्या इस प्रस्ताव के दरमियान श्री सल्वे ने कोई सबस्टेंशियल इसू उठाया है ? मैं आपसे यह बात कहना चाहता हूँ कि आप इस बात को देखिये कि आप पहले ही इस बात को रूल आउट कर चुके हैं कि प्रधान मंत्री और भूतपूर्व गृह मंत्री के बीच में जो खतोकिताबत हुई है उसको सदन के पटल पर नहीं रखा जाएगा । कुछ नेताओं ने उन खतों को देखा है । ऐसी हालत में जब आप एक चीज को रूल आउट कर चुके हैं तो सवाल यह उठता है कि जो अखबारों में सुनने को मिला उसके आधार पर क्या इस प्रकार का प्रस्ताव यहाँ पर लाया जा सकता है ?

definite issue...".

That this House is of opinion that the allegations of corruption made by the former Home Minister, Shri Charan Singh, against the family members of the Prime Minister...

श्रीमन्, प्रधान मंत्री देश के नेता भी होते हैं। उनके फेमिली मेम्बर्स के बारे में अखबारों के द्वारा जो जानकारी मिली है, उनके लड़के के बारे में जो कुछ एलेज्ड किया जाता है उसको भ्रष्टाचार में कैसे मान लिया जाता है, यह मेरी समझ में नहीं आता है। आप जानते हैं कि भूतपूर्व होम मिनिस्टर ने बकायदा अखबारों के जरिए कहा है और जिसको सारा देश जानता है कि चौधरी साहब ने कहा है कि मैं कोई एलीमिनेशन नहीं लगा रहा हूँ। ऐसी हालत में चेयरमैन साहब ने इस प्रस्ताव को उपस्थित करने की इजाजत कैसे दे दी, और कैसे यह फेक्चुल मिसटेल हो गई, यह मेरी समझ में नहीं आता है। हमें इस पार्लियामेंट की गरिमा को रखना है। भ्रष्टाचार के खिलाफ दो तीन कमीशन आफ इन्क्वायरी स्थापित किये जा चुके हैं। एक इस प्रकार का कमीशन श्री छागला की अध्यक्षता में श्री टी० टी० कृष्णमाचरी के खिलाफ स्थापित किया गया था। 17 जनवरी, 1958 को लोक सभा में बहस के दौरान डाकुमेन्टरी एविडेन्स के साथ प्रस्ताव दिया गया था और राष्ट्रपति को भी एक मेमोरेन्डम दिया गया था। सदन में बकायदा ठोस जानकारी के साथ इल्जाम लगाये गये थे। मैं सम्मानित सदस्यों के दिमाग में घुसाना चाहता हूँ कि इसी प्रकार से एक दास कमीशन श्री केरो के खिलाफ बनाया गया था। 13-9-63 को राष्ट्रपति को बकायदा एक मेमोरेन्डम दिया गया था ...

(Interruptions)

श्री उपसभापति : मैं माननीय सदस्य से यह निवेदन करूंगा कि वे अपनी बात संक्षेप में बताने की कोशिश करें। कृपया आप संक्षेप में यह बताइये कि आप किस धारा के अनुसार अपनी बात उठा रहे हैं ?

श्री रबी राय : श्रीमन्, मैं यह कह रहा हूँ कि इस प्रस्ताव के दरमियान मुद्दा यह होना चाहिए था —

It shall raise substantially one definite issue.

लेकिन हमारे सामने कोई इसू नहीं है और न ही कोई चार्जज लगाये गये हैं। *(Interruptions)* श्रीमान् आप जानते हैं कि मैं कभी भी किसी बेवुनियाद चीज पर तर्क नहीं करता हूँ इसलिए मैं अदब के साथ यह कह रहा हूँ कि कोई सर्वरेशियल इसू इस प्रस्ताव के दरमियान नहीं उठाया गया है। इस पार्लियामेंट की गरिमा क्या है, इसको अच्छी तरह से हम लोगों को समझना है। श्री के० डी० मालवीय के खिलाफ जो कमीशन आफ इन्क्वायरी बैठाई गई थी उसको सदन की मेज में नहीं रखा गया था। श्री केरो के खिलाफ जो कमीशन आफ इन्क्वायरी बैठाई गई थी उसके लिए श्री तारा सिंह और मौजूदा हरियाणा के मुख्य मंत्री श्री देवी लाल ने राष्ट्रपति को एक मेमोरेन्डम दिया था और वह मेमोरेन्डम डाकुमेन्टरी एविडेन्स के साथ पेश किया गया था। कमीशन आफ इन्क्वायरी ऐक्ट की धारा 52 के तहत यह काम किया गया था। मैं आपकी खिदमत में कहना चाहता हूँ कि कमीशन आफ इन्क्वायरी ऐक्ट 1952 हमारे हक में है।

"The Commissions shall have the powers of a Civil Court while trying cases under the Code of Civil Procedure in respect of the following matters for summoning evidence and examining them on oath..."

SHRI ARVIND GANESH KULKARNI (Maharashtra): Sir, on a point of order.

(Interruptions)

SHRI DEVENDRA NATH DWIVEDI (Uttar Pradesh): Sir, on a point of order.

(Interruptions)

SHRI ARVIND GANESH KULKARNI: Sir, I have a submission to make.

(Interruptions)

SHRI DEVENDRA NATH DWIVEDI: Sir, I have a point of order to make. *(Interruptions)*. It should not be allowed.

SHRI NATHI SINGH (Rajasthan): Sir, on a point of order.

(Interruptions)

MR. DEPUTY CHAIRMAN: Order, please.

SHRI ARVIND GANESH KULKARNI: Sir, I am on a point of order. (Interruptions)

MR. DEPUTY CHAIRMAN: There is no point of order when one is already being taken up.

SHRI ARVIND GANESH KULKARNI: He is not making any point of order under Rule 178. He is not making any point of order at all.

(Interruptions)

MR. DEPUTY CHAIRMAN: Let the honourable Member have his say and then we will decide.

श्री रबी राय : महोदय, मैं कह रहा था कि 1952 के इन्क्वायरी ऐक्ट के तहत इस प्रस्ताव को मानने के लिये कोई महत्वपूर्ण एवीडेन्स नहीं है, कोई इल्जाम नहीं लगाया गया है, कोई अल्लीगेशन नहीं है। मैं मान लेता अगर कोई एवीडेन्स रखा जाता कि इसके लिये हम अमुख डाकुमेन्ट्स दे रहे हैं और मोरारजी भाई के खिलाफ कोई मिस यूज आफ पावर होता। परन्तु इसमें मिस यूज आफ पावर का कोई एवीडेन्स नहीं दिया गया है। मैं यह आपको खिदमत में इसलिये कह रहा हूँ कि यह जो प्रस्ताव है इसमें कोई सवस्टेणियल इश्यू नहीं उठाया गया है। इसलिये मैं कह रहा हूँ कि यह जो चीज यहां लाई जा रही है, हमको लगता है कि यह राज्य सभा की गरिमा के अनुकूल नहीं है। मैं आपको बताना चाहता हूँ और विशेषकर कांग्रेस के सदस्यों को कहना चाहता हूँ कि मेरे हाथ में संथानम कमेटी की रिपोर्ट है। मैं पूछना चाहता हूँ कि क्या मोरारजी भाई के खिलाफ मिस यूज आफ पावर का कोई मामला है? संथानम कमेटी ने कहा है कि :

“Specific allegations of corruption on the part of a Minister at the

Centre or a State should be promptly investigated by an agency whose findings will command respect...”

(Interruptions)

सभापति महोदय .

(Interruptions)

श्री नत्थी सिंह : प्वाइंट आफ आर्डर

SHRI DEVENDRA NATH DWIVEDI: Sir, on a point of order... (Interruptions)

SHRIMATI KUMUDBEN MANI-SHANKER JOSHI (Gujarat): Sir, what is his point of order? (Interruptions). What is his point of order?

SHRIMATI SAROJ KHAPARDE (Maharashtra): What is the point of order, Sir?

(Interruptions)

MR. DEPUTY CHAIRMAN: Grckr, please. (Interruptions). Order, please. Let the honourable Member have his say. He will surely finish it now

SHRI ARVIND GANESH KULKARNI: Let him say what he wants to say. But I have got a submission, to make.

(Interruptions) MR, DEPUTY CHAIRMAN: Order, pi ease.

SHRI ARVIND GANESH KULKARNI: Let me make a submission., Sir.

MR. DEPUTY CHAIRMAN; Pltase resume your seat. I would request the honourable Members to please listen to the honourable Member, listen to what he is saying. (Interruptions).

SHRI ARVIND GANESH KULKARNI; For how long?

SHRI RABI RAY: You are not the Chairman.

(Interruptions)

MR. DEPUTY CHAIRMAN.- Leave that to me.

SHRI ANANT PRASAD SHARMA; Sir, he is arguing against the-Motion which has been admitted.

MR. DEPUTY CHAIRMAN: Whatever he may be arguing, a Member has a right to raise a matter of procedure about the admissibility or otherwise of a Motion. (*Interruptions*). The matter before us is really important and we will give plenty of Lime to everybody to have his say. Please don't do anything which inhibits the discussion.

SHRI ARVIND GANESH KULKARNI:
The point is . . .

MR. DEPUTY CHAIRMAN; No more remarks now.

श्री रवी राय : उपसभापति महोदय, मैं कह रहा था कि यदि इनके पास कोई इस तरह के इल्जाम लगाने के ठोस प्रमाण होते तो ये 30 साल से राजनीति में हैं तो क्या संथानम कमेटी की रिपोर्ट के अनुसार 10 सदस्य मेमोरेन्डम नहीं दे सकते थे। इसमें है

"Specific allegations of corruption on the part of a Minister at the Centre or a State should be promptly investigated by an agency whose findings will command respect. We recognise that irresponsible allegations of corruption cannot be taken serious note of. We, therefore, suggest that if a formal allegation is made by any ten Members of Parliament or of a Legislature in writing addressed to the Prime Minister or the Chief Minister, the Speaker and the Chairman and the Prime Minister or the Chief Minister should consider himself obliged by convention to refer the allegations to a committee of investigation as has been suggested in this section..."

सदर साहब, मैं आपके जरिये से माननीय सदस्यों से पूछना चाहता हूँ जो कि इस प्रस्ताव को लाये हैं श्री साल्वे साहब, वे बड़े कानून-वेत्ता हैं, क्या उन्होंने इस बारे में राष्ट्रपति को कोई मेमोरेन्डम दिया है। कोई भी 10 संसद् सदस्य किसी भी ठोस प्रमाण के साथ, प्रधानमंत्री मोरारजी देसाई के खिलाफ मिस यूज आफ पावर का कोई भी इल्जाम नहीं लाये है और उन्होंने इस बारे में कोई ठोस

प्रमाण नहीं दिया है। उनके पास कोई प्रमाण नहीं है, सारी बेबुनियाद तस्वीर बना रहे हैं। इसलिए सदर साहब मैं आपसे प्रार्थना करना चाहता हूँ कि यह जो प्रस्ताव एडमिट किया गया है, यह बहुत गलत ढंग से ड्राफ्ट किया गया है। कोई ठोस इल्जाम नहीं है, कोई मेमोरेन्डम पहले आपको नहीं दिया गया क्योंकि संथानम कमेटी की रिपोर्ट के अनुसार आपको देना चाहिए था। मैं आपसे अनुरोध करूँगा कि आपने जिस तरीके से फैसला किया है, एडमिट किया है, इसके ऊपर पुनर्विचार करें। मैंने जो यह तर्क प्रस्तुत किया है कि यह एडमिट नहीं हो सकता, इसको आप एडमिट न कीजिए आप अपनी रुलिंग पर पुनर्विचार करें। मुझे आपके सामने इतना ही कहना था।

(*Interruptions*)

SHRI K. B. ASTHANA (Uttar Pradesh) : I am also raising a point of order.

MR. DEPUTY CHAIRMAN: Let us dispose of that first...

(*Interruptions*)

SHRI SUNDER SINGH BHANDARI, (Uttar Pradesh): You can decide both together...

(*Interruptions*)

श्री देवराव पाटील (महाराष्ट्र) : उपसभापति महोदय, माननीय सदस्य ने जो प्वाइंट आफ आर्डर रेज किया है, इस पर आप रुलिंग दीजिए . .

(*Interruptions*)

श्री वीरेन्द्र जे० शाह (गुजरात) : यह भी इसके साथ संबंधित है . . .

(*Interruptions*)

SHRI K. B. ASTHANA: Sir, I will quote the Rules of Procedure which are being violated. I would submit respectfully for your consideration that the motion presented by the hon. Member Shri Salve violates clauses (iii), (iv) and (vi) of Rule 169 of the Rules of Procedure and Conduct of Business. Clause (iii) refers to the conduct or character of persons except

[Shri K. B. Asthana]

in their public capacity. The mover has not disclosed any matter of recent, occurrence in the Resolution. It tends to revive a matter which has been discussed two weeks ago. Now, with your permission, Sir, I shall briefly amplify my submissions. Now, Rule 169 says:

"In order that a motion may be admissible it shall satisfy the following conditions, namely..."

I am not concerned with (i) and (ii).

"(hi) it shall not refer to the conduct or character of persons except in their public capacity..."
Sir, I would submit that the relations of the Prime Minister and the Home Minister have no public capacity in the eye of the law _____

SHRI ANANT PRASAD SHARMA: I will tell you how they have.

SHRI K. B. ASTHANA: Some act of omission or commission by the son or daughter of a Minister may have repercussion on some official policy or business. Even then, in the eye of the law such an act will not become one which could be said to be done in public capacity. Since the relations of the Prime Minister and the Home Minister have no public capacity, I submit that clause (iii) rules the motion out.

Then, Sir, clause (iv) says:

"It shall be restricted to a matter of recent occurrence."

Ex facie, the motion must show some foundation and violates Section 3 of subject-matter for discussion on the basis of which you as the Chairman could judge whether it is of recent occurrence or not. Sir, the rule only permits some matter to be raised by a motion if it is of recent occurrence. Further, it shall not revive discussion of a matter which has been discussed in the same session. I shall respectfully submit that two weeks ago this matter came up in the shape of tabling of correspondence and this motion is directly going to revive that kind of

controversy which has already been done. The other limb of my objection is that the motion is without any foundation and violates Section 3 of the Commissioners of Inquiry Act, 1952. It does not contemplate that Rajya Sabha has any jurisdiction to make any recommendation to the Central Government for an appointment of a Commission of Inquiry. The motion is also vague as it does not disclose any definite matter of public importance. My submission is that it has been wrongly admitted in its present form. It is a resolution which is covered by Chapter XI of the Rules of Procedure and falls outside the scope of Rule 167. If your honour sees Rule 167, it starts with these words, "Save in so far as is otherwise provided by the Constitution or by these rules". Now these rules are provided in Chapter XI which tells what a resolution is. I would draw your attention to Chapter XL Rule 155 says: "A resolution may be in the form of a declaration of opinion by the Council". Now, this motion of my friend, Mr. Salve, says: "The House is of the opinion..." It wants the opinion of the House. I would submit that it is covered by Chapter XI and what is covered by Chapter XI cannot be a subject-matter of Chapter XII as Chapter XII starts with Rule 167 which says: "Save in so far as is otherwise provided by the Constitution or by these rules _____ " Therefore, now I would submit...

SHRI ANANT PRASAD SHARMA: We have understood you.

SHRI K. B. ASTHANA: It is for the Chair to understand and not for you. The point of order is for the Chair. I would draw your kind attention to Section 3 of the Commission of Inquiry Act. It says:

"The appropriate Government may, if it is of opinion that it is necessary so to do, and shall, if a resolution in this behalf is passed by the House of the People..... appoint a Commission of Inquiry for

the purpose of making an inquiry into any definite matter of public importance."

Once the Parliament lays down that Lok Sabha has the right to recommend which is binding on the Government, its direct implication is that the Parliament knew when it enacted the Commissions of Inquiry Act that the Parliament consists of two Houses, namely, the Lok Sabha and the Rajya Sabha and when it deliberately leaves out Rajya Sabha, the intention is clear and manifest that Rajya Sabha would not be a forum where any such matter can be discussed. I will submit, therefore, that Rajya Sabha, by an Act of Parliament, has been excluded and the Act of Parliament has to be respected. The other point is that it does not disclose ex facie any definite matter of public importance. I would now place before you only two declarations of the Supreme Court on what the meaning, of a definite matter of public importance is. In the case of the State of Jammu & Kashmir *versus* Bakshi Ghulam Muhammad, the Supreme Court in 1967 says... (*Interruptions*)

MR. DEPUTY CHAIRMAN: Order please.

SHRI K. B. ASTHANA: Interpreting the word 'definite', the Supreme Court said, "the word means something which is not vague. If the acts are not identifiable from the particulars given in the notification, the subject matter of inquiry could be held vague. A *prima fade* case had to pre-exist and the Government has to be satisfied of it before they could set up the Commission." Sir, in the case of Krishna Bhallabh Sahay *versus* the Commission of Inquiry, in 1969, the Supreme Court opined as follows: If the charges were vague or speculative suggesting a fishing expedition, we would have a cause to consider if any such inquiry should be allowed to proceed. Whether the charges are true or false is a different matter. But they ought to be definite and not vague." For example, the charges referred in detail to events with date³,

names of persons concerned, particulars of the action taken and the conduct of which is to be considered, are held by the courts to be such that an inquiry can be ordered irrespective of the fact whether they prove to be true or false.

Sir, I would submit that a motion, before it can be admitted must emphasise the content, the specification and particulars of the actions. It is not given. I would submit, therefore, that you are the custodian of the dignity and respect of this House. Why should you allow the time of this House to be wasted in an exercise....

AN HON. MEMBER: Who are you to say?

SHRI K. B. ASTHANA: ...in an exercise which would be futile, which would have no effect. I would respectfully submit, Sir, that you, as the protector of the honour of the House, should not permit anything to be done which just results in nothing, and which is of no consequences, for all these reasons. Sir, I would invite you to give a ruling before allowing this Motion to be admitted and discussed in this House.

SHRI PRANAB MUKHERJEE (West Bengal): Sir, I would like to make a small submission on the points raised by Mr. Rabi Ray and Mr. Asthana. Sir, the Motion has been admitted by the Chair under rule 170. So far as the admissibility of the Motion is concerned, Mr. Rabi Ray has drawn the attention of the House to clause (i), Rule 169. His contention is that there is no substantially one definite issue in the Motion. His contention is absolutely untenable and unacceptable because the Motion of Mr. Salve clearly brings out one substantial definite issue. That substantial definite issue is that this House recommends to the Government of India to institute a Commission of Inquiry to look into the allegations made by the former Home Minister against the family members of the Prime Minister and by the Prime Minister against the

[Shri Pranab Mukherjee]

family members of the former Home Minister_____

SHRI NAGESHWAR PRASAD SHAHI (Uttar Pradesh): The former Home Minister has made no allegations.

SHRI PRANAB MUKHERJEE: Sir, I am not yielding. Mr. Shahi need not be agitated. They have got so many advocates to defend their case. A new • comer to the Janata Party, crossing the floor from this side to that side, he need not be agitated over this point.

(Interruptions)

MR. DEPUTY CHAIRMAN: Order please.

SHRI PRANAB MUKHERJEE: Therefore, Sir, the contention of Mr. Rabi Ray is absolutely untenable and unacceptable, because the issue is specific, the issue is definite and that issue has been mentioned by the Mover of the Motion that this House recommends to the Government to institute a Commission of Inquiry. Sir, Mr. Asthana has brought out a new thesis, namely, that the persons into whose conduct the commission of inquiry is supposed to look into do not held any public office and therefore they should not come within the purview of the Commission of Inquiry Act.

SHRI ANANT PRASAD SHARMA: Absolutely wrong.

SHRI PRANAB MUKHERJEE: Sir, he should have taken the trouble of going through the motion. These are the relations of the Prime Minister and the erstwhile Home Minister. The contention is that these relations utilised the offices held by the Prime Minister and the erstwhile Home Minister to further their individual gains, which will come out during the course of the discussion. Therefore, though individually they may not be holding any public office, but by uti-

lising the offices of their relations, in this case Prime Minister and the former Home Minister, they come within the purview and within the ambit of the Commissions of Inquiry Act.

The third thing to which I would like to draw your attention is that nowhere in this motion has it been mentioned that this case is arising out of the correspondence exchanged between the erstwhile Home Minister and the Prime Minister. So far as your ruling regarding the placing of the correspondence on the Table of the House is concerned,, you have ruled out that possibility and we may agree to it or we may not agree to it, that stands. But I may say that mentioning that fact in the context of the motion, nowhere has it been mentioned. Allegations have been brought forth and it has been pointed out to the House that these allegations have come out in the press through a press interview, quoting the person, who has not contradicted the press statement through interview and all sorts of things have come in the newspapers. Therefore these things are not new to the House.

Another contention which Mr. Asthana brought forward is that this matter has been discussed. I fail to understand how he can quote rule 169(iv) and say it is not of recent occurrence but it was discussed. If it is not of any recent occurrence, then how can you take the plea that it has already been discussed and, therefore, that should not be taken into consideration. If it has already been discussed and only two weeks ago, you cannot say that this is not a recent occurrence. This is very much a re-cent occurrence and it has never been discussed in that form and on the floor of the House. We wanted to have the contents of the correspondence which was exchanged between the Prime Minister and the erstwhile Home Minister.

ister and that too in a completely different context. The context was that the Prime Minister directed his Home Minister to resign, and the Home Minister made a statement in the press that he was asked to resign because he wanted to institute a commission of inquiry into the allegations in respect of the son of Mr. Prime Minister and that is why-he had to go—in his own language— just like the dismissal of a chaprasi. That issue was never discussed on the floor of the House. So, the plea that once it has been discussed on the floor of the House and so it cannot be discussed in the form of a motion again, is absolutely untenable and unacceptable.

Sir, I only wish to say that if the wisdom which now prevails in the Treasury Benches had existed there-before, perhaps the whole institution of the Shah Commission would not have been there. What was the contention? Mr. Justice Shah himself admitted that he has to identify whether any excess was committed and if an excess was committed, then he has to identify the persons who were responsible for committing those excesses and the whole proceedings of the Shah Commission are on that basis. And, today these gentlemen are coming and trying to head-wink the House, trying to mislead the House by saying that there is no specific issue, that there is no definite issue and, therefore, there cannot be any motion, which has already been admitted by you under rule 170. Therefore, my submission to the Chair is that the Chair should give a ruling that there is no question of the invalidity of the motion,

MR. DEPUTY CHAIRMAN: Mi. Triloki Singh.

SHRI K. K. MADHAVAN (Kerala):
On a point of order, Sir. (*Interruptions*)

MR. DEPUTY CHAIRMAN: Let us have some order please. Yes, Mr. Triloki Singh.

SHRI TRILOKI SINGH (Uttar Pradesh):
Sir, I would not take long. I would only make a submission on the point of order raised by my hon. friend from Orissa and supported by the honourable and learned friend from U.P.

Sir, this House is not to be guided by what has been held or was held by the Supreme Court and the High Court. We have a long experience of Parliamentary practice to guide our deliberations. The simple question is that this motion, rightly or wrongly, was held in order and admitted by the Chairman of this august House. It is a simple question of fact. Now, Sir, the question has been raised today at a very late stage that you, Sir, rule it out of order. My main submission is that a ruling given . . . (*Interruptions*). There is enough Parliamentary practice and I am going to quote it here and now and not rely on the judgments of the Supreme Court for making submission before the Deputy Chairman and before the hon. Members of this august House. Sir¹, the simple question is that a ruling given by the Chairman cannot be revised by the Deputy Chairman. This is a long-standing Parliamentary practice. If any Member is dissatisfied with the ruling given by the Chairman, the appeal lies to the House. Let him come forward and file an appeal before the House and let the House decide. Therefore, I request you to rule that their point of order was out of order and let the discussion proceed.

SHRI BHUPESH GUPTA (West Bengal):
Only one word, Sir.

SHRI K. K. MADHAVAN: Sir, on a point of order.

SHRI BHUPESH GUPTA: We are to help you . . .

SHRI K. K. MADHAVAN: You cannot prevent me just because Bhupesh Gupta is speaking. Sir, my point of order is: there.

SHRI BHUPESH GUPTA; You have to help me. My submission is that we cut it short. We discussed amongst ourselves; you have admitted the motion. It has been circulated now. Sir, something has been said. We have not questioned your ruling that the motion is valid. If you have any doubts in your mind that you had acted correctly in admitting the motion, only then you may like to hear us. If you do not have any doubts in your mind that you have acted correctly, cut short the discussion. A contrary point of view has been stated and, therefore, I stood up. I have nothing to say if you have the first thought. If you have the second thought, then we would like to revise your second thought, not your first thought.

MR. DEPUTY CHAIRMAN; Order please. We had enough discussion and I think I will have to make same observations.

Objections have been raised by hon Shri Rabi Ray and hon. Shri Asthana regarding the admissibility of the motion, contending that it has not been properly admitted. And the reasons they have given, among other things, are that it is violative of Rule 169 and the conditions laid therein. The first condition which has been objected to by Shri Rabi Ray says that it shall raise substantially one definite issue. Well, I think, a reading of the motion would suggest that there is certainly a definite matter which is before us, which means substantially one definite issue. Whether we agree with the issue or otherwise, that is a different matter. But there is certainly an issue in the operative part of the motion and to that extent I think it is admissible.

Then, it has been suggested and argued that it is violative of other sub-sections of Rule 169, namely, that it shall not contain arguments, it shall not refer to the conduct or

character of persons except in their public capacity, it shall be restricted to a matter of recent occurrence. Well, without going into the details, whether it is a matter of recent occurrence or not, I think a general reading of these provisions would suggest that these provisions have been substantially complied with in the framing of the motion.

Hon. Member, Shri Asthana objects on other counts, also, namely, that the motion is without any foundation and violates Section 3 of the Commissions of Inquiry Act. Well, I do not think this is the stage when we can say whether the motion is violative of this or only other Act. That is not the consideration before us when admitting the Motion. Therefore, I think, this argument also is not very relevant. So far as the discussion on today's Motion is concerned. Hon. Shri Asthana makes another observation regarding this Motion that the Motion would be an exercise in futility and would not be consistent with the prestige and the dignity of the House as it would be without any effect.

Now, the limited point before us is whether it should be taken up for discussion and whether it has been properly admitted. What effects it will have, whether it will be futile or not, is again something with which we are not concerned at this stage. I think that point has also not been well taken. Therefore looking to the provisions of our rules and the arguments that I have heard and, above all, looking to the precedents which indicate that similar Motions have been accepted in this House for discussion, I hold that it has been properly accepted and we proceed with the discussion.

SHRI N. K. P. SALVE (Maharashtra) : Sir, I beg to move:

"That this House is of opinion that the allegations of corruption made by the former Home Minister, Shri

Charan Singh, against the family members of the Prime Minister and the counter allegations of corruption made by the Prime Minister against the family members of the former Home Minister have caused great disconcert in the country and if the situation is not dealt with appropriately and with urgency it demands, it is likely to bring not only the persons of high public standing to avoidable disrepute but also cause irreparable damage to the very credibility of public life in the country and, therefore, recommends that Government should appoint two separate Commissions of Inquiry under the Commission of Inquiry Act, 1952, one to inquire into the allegations of corruption made against the members of the family of the Prime Minister, Shri Morarji Desai and the other to inquire into the allegations of corruption against the members of the family of the former Home Minister, Shri Charan Singh, enjoining on the Commission*; to undertake comprehensive inquiries and to report thereon expeditiously."

Sir, certain technical objections have been raised to the Motion...

MR. DEPUTY CHAIRMAN: And have been disposed of.

SHRI N. K. P. SALVE: ...and I am sure my friends have not been disappointed that they have been rejected. They had been raised in the highest of expectations that they would only be rejected. But a question was raised by Shri Rabi Ray, my very esteemed friend, and by the erstwhile Chief Justice of the Allahabad High Court, and now a Member of this House, in which they apprehended that the dignity and the prestige of the House is likely to be undermined. In expressing such apprehension, they were being less than fair to us. Because more than anyone else, we, on this side, are conscious of the fact that the task which we have talced on ourselves today calls for the highest degree of parliamentary finesse and skilly and we are going to do it with

the utmost of circumspection, restraint and responsibility. We know that this is not the occasion to trade in irresponsible allegations and accusations and we are not going to do so. For us, it is going to be a matter of conscience, and I am sure, after you have heard what I have to say in the matter, in all humility, that each one of you will feel compelled that in the interest of the highest principles and ideals of parliamentary democracy, the demand which we are making needs to be supported, and that in the rejection of the demand, the moral authority of the Government is likely to be totally eroded. Sir, we are grateful to you for having afforded to us an opportunity of debating this Motion because it will give us an opportunity to reason with the Government and to persuade them to consider the demand to appoint two Commissions of Inquiry, for we do honestly feel and consider that if this demand is conceded to, the prestige, the credibility and the moral authority of the Government which has been frittered away completely in the last 17 months would be regained very substantially.

In moving this Motion I want to submit to the hon. Prime Minister, Shri Morarji Desai, that we had for him the highest reverence and respect when he was leader in Congress Party and we have the same reverence and respect for him today, we have the same reverence and respect for Chaudhary Charan Singh. We "have not been motivated by any considerations of benevolence or by any considerations of ill-will, nor is there an iota or tinge of political rivalry or vengeance. We have been impelled entirely by a sense of our devotion to the highest ideals and principles of parliamentary democracy and we have taken up the entire..... (*Interruptions*). Buffoonery is not necessarily the best form of parliamentary intervention. I would say it is a serious matter and I would request Shri Pilo Mody to listen to us patiently, we will also listen to him patiently. Some-

SHRI N. K. P. SALVE—contd.

time or the other he should be serious in this House.

SHRI PILOO MODY (Gujarat): I was applauding, to what you said.

SHRI N. K. P. SALVE: We have taken the whole matter in the spirit *-of* a crusade to establish certain norms, certain precedences and conventions which will ensure and manure healthy growth of parliamentary democracy in this country and some day it will blossom and grow to enjoy the distinction of being not merely the world's largest democracy, but a truly Gandhian democracy, built on truth, a democracy which will be a model democracy in the world. (Interruptions) We want a democracy which will ensure and guarantee for us purity and integrity in the administration of the affairs of the Government, which will ensure high standard of propriety and of conduct in public life. It is for that purpose we have taken up the entire matter and brought it before the House.

We have no ill-will, as I submitted, either towards the Prime Minister or Shri Charan Singh. They are men of very high esteem in the public life of this country and no person in the country possessed of even a modicum of knowledge of contemporary history would ever doubt the yeoman service rendered by the two leaders in the cause of national struggle, their patriotism and sacrifice shall illuminate the pages of history for the future generation to draw an inspiration from. For honesty and incorruptibility, so far as they themselves are concerned, they have enjoyed the highest of reputation in their long and meritorious public life. Equally murky and shady has been the reputation of the son of Shri Morarji Desai in money matters. But all these credits and titles to honesty, purity and integrity in public life of any leader, howsoever high and mighty he may be, can never grant him immunity from public scrutiny once they are suspect and are under a cloud.

Before I come to the merits of the Motion, I want to deal with this aspect of the matter by way of a preliminary issue and deal with the right of the House to pass a resolution. The other day when the matter was coming up for its admissibility, hon. Shri L. K. Advani raised an objection and said, that possibly we have framed and sought permission to move this motion under a misunderstanding or misapprehension of the relevant law, as though, if we pass a resolution in this House it will be binding on the Government in law. It is not as though we were unaware of the provisions of the law. But there was a positive basis on which we have moved this Motion. So far as Mr. Advani is concerned, before I proceed any further, I want it to be recorded that he comes from the Jana Sangh and RSS. Ideologically and politically we are opposed to each other. But here in this House as its leader he has shown unparalleled poise, equanimity and, more than anything else, humility. He has endeared himself to all of us. Whatever he speaks here commands the highest of respect from all of us. The preliminary issue I am raising impings on the question of the dignity of the House. The question was duly considered by the Law Commission when the matter came up before them in 1962 as to why is it that only the House of the People—the Lok Sabha—has been given the authority and power to pass a resolution, which resolution would be binding on the Government to appoint a Commission of Inquiry and a resolution passed by the Upper House would not be binding on them because in England under similar circumstances both the Houses have to pass a resolution. At that time in 1962 the Law Commission was assured—and assured honestly—by the Government of the day that it was only as a matter of technicality that the binding force of the resolution was confined to a resolution passed by the Lok Sabha. But Law Commission was assured that should ever a resolution be passed in this House, it was very unlikely that

the Government will not accept it. An assurance given by the Government honestly, I hope, would be binding on the Government, though the Government today is by a different political party, so long as Government is not called upon to violate any cardinal principle or policy in implementation of the promise. In fact the cardinal principles involved in giving assurance to the Law Commission are such, to which this Government also I am sure, subscribes because it involves the prestige, honour and dignity of the House. I am sure all the sections in this House will exert and see that the assurance given by the Government to maintain the highest dignity of this House is duly respected. Sir, I am referring to the Twentyfourth Report of the Law Commission on the Commission of Inquiry Act, 1952. I am reading from page 14, para 21:

"We have discussed elsewhere the question whether the power of the Government to appoint a Commission should be restricted to cases where a resolution in that behalf is passed by the appropriate legislative authority, and have come to the conclusion that it is neither necessary nor desirable to fetter the discretion of the Government in any way. On the other hand, while the existing Act, in our opinion, correctly provides that Government should appoint a Commission if a resolution in that behalf is passed by the appropriate legislative authority, we see no justification for excluding the Council of States or the Legislative Council in States which have two chambers from the purview of the section. The only reason given for confining the power to pass resolutions to the House of the People and to the Legislative Assemblies is the fact that under the Constitution the Ministers are responsible to these Houses, it was however conceded..."

And this was the concession made by the Government before the Law Commission even though the power or

binding, force of a resolution was confined to a resolution passed by the Lok Sabha only—

"...that if the Council of States or the Legislative Council were to pass a similar resolution, Government would be bound to give the greatest possible consideration to it and it was extremely unlikely that the resolution would not be given effect to. On the whole, we think there is no justification for making a distinction between the two Houses of the Legislature wherever two Houses exist. We therefore recommend that wherever the Legislature resolves that a Commission of Inquiry should be appointed, the resolution should be by both Houses of the Legislature."

This, Sir, is the position.

SHRI PILOO MODY: What is the date of this Report?

SHRI N. K. P. SALVE: Law Commission Report, December 1962. Sir, with this position I leave it to the Leader of this House to ensure that the dignity and prestige of the House is maintained and the Government is duly told to abide by the concession it made on the basis of which this House approved of the Bill. Otherwise this House could well have said, "All right, we are not going to accept the Bill unless you let us have the authority and power to pass the resolution, on the pattern of the law in England." So much as to the authority of this House to move a motion of this nature demanding the appointment of a Commission of Inquiry.

Now I come to the merits of the matter. I shall explain the rationale and the legal basis for two Commissions which I have demanded in the motion. These two Commissions, however, which I have demanded are entirely for two different purposes. One I have asked for exculpation of Shri Charan Singh from charges who has asked for a Commission of Inquiry on being accused of allegations by Shri Morarji Bhai. The other one. I have asked for

[Shri N. K. P. Salve]

indictment because in that case, I submit, the charges are such that their veracity shall be established. The charges are more than likely to be proved before a Commission. It has been held by High Courts and Supreme Court in a series of cases that a Commission can serve two-fold purposes. It can work to kill the harmful and pernicious rumours which may bring an unsuspecting, honest man in public life under a cloud, a suspicion for no fault of his. A pure rumour-monger -ing may bring about such a phenomenon. It is stated by Shri Charan Singh that if there are any allegations against him he wants a Commission of Inquiry. This is how an honest man, I expect, would react. If some one were to allege against an honest man that there were allegations of corruptions against him, he would demand and insist upon appointment of a Commission of inquiry- That is how a man of courage, man of honour, man of conviction would act. At any rate, it is his right, as I shall be showing you. from a series of cases, from a series of authorities,, that it is both for purposes of indictment and for purposes of exculpation that provision has been made in the law for the appointment of Commission of Inquiries. First and foremost I shall refer to the decision of Supreme Court in the case of Mr. K. B. Sahaya which was referred to by hon'ble Shri Asthana. In that case certain principles which govern appointment of Commissions were enunciated and this is what the Supreme Court has ultimately stated very briefly. I will read out only a few lines. This is what the Supreme Court has stated in A.I.R. 1969, Supreme Court, 258: —

"The arguments of the appelants in this case were substantially the same as were urged in the High Court. They were really two in numbers. They are,, firstly, that the apointment of the Commission is a campaign of villification for politi-

cal gain for a party in opposition and is based on personal animus against those who kept the members of that party out of office. The argument attributes malice and *mala fide* to the Governor's notification and puts all the powers under the Commission of Inquiry Act for all illegitimate purpose. It is manifest that the truth or otherwise of the allegation is for the Commission's consideration. If this proof of the allegation is so simple there should be no difficulty in bringing out the facts of the notice of the Commission. We have no doubt that our former colleague, who heads the Commission, will be able to decide the issue."

This will have a bearing on the plea raised by the hon'ble Prime Minister to stultify and stifle the demand of enquiry. The Prime Minister has been enunciating certain principles for appointment of Commissions. There are certain basic and cardinal principles enunciated in various judgements of different High Courts and the Supreme Courts governing appointment of Commissions of Inquiries and one of them is this. That "it cannot be said sufficiently strongly that the public life of a person in authority must never admit of such charges being ever framed against them. If that can be made then an enquiry whether to establish them or to clear the name of the person from

the charges is called for." 3 p. M. This is one of the principles

which have been enunciated by the Supreme Court. The same has been the principle enunciated by the Orissa High Court in Mahtab's case, AIR 1971. I shall not take the time of the House in referring to that. But there is a very enlightening' speech by the Lord Chancellor Viscount Kilmuir while moving a Bill on commissions of inquiry. In England, the relevant^ Act is the Tribunal of Inquiry Act, which was modified some time in 1966. Defending the provisions of the Bill

what Lord Chancellor Viscount Kil-muir said is extremely illuminating. Again, I am reading from the Law Commission's Report, pages 6 and 7. This will spell out clearly the precise intent and purpose for appointment of commissions of inquiry. I quote:

"After the true facts have been found and stated it may be necessary to stigmatise conduct which, although not a criminal offence or a civil wrong, falls short of the requisite standards of our public life. It may be necessary to kill harmful rumours which are found to be unjustified. It may be necessary—and this I am sure was very much in the minds of the Government who introduced this measure—to restore public confidence in public conduct and administration. These ends may well be of such importance to the life of the nation as to justify means which inflict hardship on individuals."

Further,, the Lord Chancellor states:

"The Commission either exonerates the persons involved in the inquiry or holds them guilty. In either case, the inquiry serves a useful purpose. In the first case, the inquiry sets at rest some ugly rumours, which led to the appointment of the Commission. In the second case, the guilty persons are exposed to the public eye. A prosecution is not the only method of punishing persons who pollute the pure springs of public administration..."

These are the two established norms against pollution of pure strings of public administration, Mr. Pilloo Mody.

"... Many persons would prefer to suffer a sentence in secret rather than face the public with their dark deeds. The glaring publicity which attaches to such inquiries is both its strength and its weakness. Such publicity exposes the wrong-doers

to the public eye and there lies its strength. Sometimes, however, such publicity results in unmerited mud-slinging on some innocent persons who are denied the safeguards of the ordinary judicial procedure to vindicate themselves and there lies its weakness. But no human system of justice can be perfect. Cases of miscarriage of justice are not unknown in the ordinary courts of law."

It is thus clear that the basic postulates of the law under which we are demanding appointment of a commission of inquiry proceeds upon an assumption that it must give a right of exculpation to a person who is being maligned, who is a suspect as a result of rumour-mongering. Why should Chaudhry Charan Singh be at the mercy of the Prime Minister? The Prime Minister said, "People have been complaining against you, but I paid no heed to it." It is not a matter of magnanimity, it is not a matter of generosity of the kind Prime Minister is showing to the erstwhile Home Minister. The attitude is that "while people have been talking of corruption by you, I am not for appointing a commission for you". It is the right of every self-respecting man, it is the right of every honest man, it is the right of every man with honour in public life to demand an inquiry if there is an allegation against him. If the Prime Minister were to say that "the people who have come and talked to me are unprincipled, unscrupulous liars, they are sychophants, they have talked against Chaudhry Charan Singh to me in the hope of gaining my favour", that would have been a different matter. In that case, it would be no favour to Chaudhry Charan Singh. And I am sure, in that case, he would not have asked for a Commission. But Charan Singhji must as of right be exculpated. This is the basic reason why I have asked for a commission of inquiry so far as Chaudhry Charan Singh is concerned. But my reasons are entirely different why we have asked for an inquiry

[Shri N. K. P. Salve]

commission so far as Kantibhai and family members of Morarjibhai are concerned. Before I come to the specific charges, which are absolutely unequivocal, precise and specific I want to make one submission and deal with what Morarjibhai has said rejecting demand for an inquiry publicly. Morarjibhai, very regretfully, we submit, does not seem to realise the seriousness of the matter and the damage that is being done to his reputation. He is obstinately, infatigably, stubbornly denying our demand for appointment of a commission of inquiry. No one blames him of dishonesty. No man possessed of his rational faculties even in the Opposition ever says that he is capable of any dishonesty himself. But the question is what is one to do if the son says: "I am serving him, I am attending to him in the spirit of Shraavan Kumar" and Kantibhai feels that his father is so blind that he must be taken for a ride. Why does he not put an end to this campaign of vilification, if it is so, which has persisted over a span of three and a half decades. He said in one of the newspapers in Gujarati. I want to quote what Morarjibhai said. This has been reported by "Pakdandi". He has been less than fair to us. This is not our case. The question of proof at this stage does not arise. If the allegations which I am going to read are ever proved, we do not need Morarjibhai's assurance to quit office. Kantibhai will be taken care of by the IPC, the Income-Tax Act, the Foreign Exchange Regulations Act, the Customs Act, the Companies Act and how many other Acts, I do not know. That is, however, not our case. That ^{has} never been our case. Our case is simple. We demand of you that if the veracity of these allegations, the truthfulness of these allegations are proved by dispassionate evaluation by a Commission, by a responsible person, proper administrative and legislative measures will follow thereafter.

You are talking of proof at this stage. Proof does not come into the picture at all at this stage. With this I will submit something on the legal aspects of the matter also. My friend, Shri Antulay, is going to deal with it extensively. Apparently it appears to be an entirely ill-conceived notion that there should be proof before appointment of Commission in respect of the allegations made. That is not the requirement of the relevant Act. I shall show the authority of the Supreme Court on the point. Certain allegations of corruption were made against Shri Bakshi Ghulam Mohammad. It was challenged that the same did not constitute a definite matter of public importance. The Supreme Court has said that if the allegations are such which honestly believing are allegations of corruption against a Minister, they by itself are matters of definite public interest, and appointment of a commission is called for. I wish to say that this principle is not my invention. This is the authority of the Supreme Court. This is the basic principle, and, therefore, there is no basis for Morarjibhai to reject the demand.

Now, Sir, before I come to reading the charges of corruption, I will submit that I shall also read out the basis of moral sanctions for the Commission. And for moral sanctions, I will not be reading any other authority except the authority of several of Morarjibhai's illustrious and distinguished friends who are today supporting him from that side. But before I come to that, may I read out, Sir, the specific, definite, precise charges for which an enquiry is what we seek of this Government? Before I read them out, Sir, I submit and point out that these charges are neither my invention—I want to make it clear—nor have they been the result of my investigation. They have been culled out of several charges levelled in different daily newspapers, weeklies, magazines, journals, state-

ments in Parliament, certain letters of the MPs, certain charges based on the records of the Baroda Municipality and through help and assistance given to me by persons who do not want their names to be divulged.

There are in the aggregate about 32 charges. I want to read them out, Sir,, I would beg of this House to give indulgence to listen to them and consider dispassionately and objectively whether it is just mudslinging or character assassination or whether these are serious matters which go to the root of the moral authority of any party or Government. And if you should be so convinced, I am sure you will know what to do. The first one...

MR. DEPUTY CHAIRMAN: Hon. Member, please; I would only request that some sense of time may be kept. I would not like to restrict the discussion ...

SHRI N. K. P. SALVE: Sir, we were assured that we will have an adequate debate. I will be most relevant, but I cannot abridge my speech.

Charge No. 1—Acquisition and exercise of extra-constitutional powers. That Shri Kanti Desai, while remaining close to the Prime Minister, day in and day out, in India and abroad, ostensibly to attend to his father, in reality, utilised such a position to acquire vast extra-constitutional powers and authority over the Governmental machinery for perpetrating and aggrandising his self-interests.

Shri Kanti Desai interfered in the appointments to the Boards of some of the nationalised banks, the Reserve Bank of India and Air-India. In particular, he interfered in the appointment of one Shri Sehgal to the Board of Air-India. Aspirants for Executive Directorship in nationalised banks had virtually to offer themselves for an interview-eum-obeissance session in

his "durbar". Shri Kanti Desai also interfered in appointments to the Central Board of Direct Taxes.

Charge No. 2—Pay-offs from Boeing Company. That a CBI team, headed by a D.I.G., Shri Dwivedy, found clinching evidence of the fact that Kantibhai has received a share of the total pay-offs of 1.1 million dollars from the Boeing Company. That, Mr. K. Maneckji, who was arrested last year on the charge of being the person responsible for arranging payoffs, has been granted bail and the proceedings against him have been shelved because of his threats to disclose the names of the recipients of the pay-offs, which included Kanti Desai.

Charge No. 3—Acquisition of immovable properties in Baroda. That the records of the Baroda Municipality reveal that Shri Kanti Desai holds ten plots bearing Nos. 57, 81, 85, 115, 116, 176, 177, 178, 638 and 641... (*Interruptions*) We have got it from the municipal records of Baroda. These are registered in his name. True copies are with me. Anyone can come and see them from me in the lobby after this is over. This is a serious charge. Kindly listen to this.

The area of these ten plots aggregates to 37,346 sq. metres (equivalent to 4,02,029.69 sq. feet) in the Town Planning Scheme No. 2.

The value of the said properties on the most conservative estimate is about Rs. 20 lakhs.

That the plots have been acquired by gross abuse of position.

That the sources of the funds for acquiring such large real estate cannot be considered as fully explained for income-tax purposes unless they are examined in depth, and such examination has never been permitted.

[Shri N. K. P. Salve]

Charge No. 4—Interest in purchase of power plants. That Kanti Desai has caused delay in the direct purchase of power plants, despite clearance from the Industries Ministry, because of his desire to have the said purchase routed through a company in which he has substantial pecuniary interests.

Charge No. 5—*Shr are in commissions on purchase by the Defence Ministry in Germany and Western Europe.* That the purchase of Defence equipment worth several crores of rupees in Germany and Western Europe from various foreign firms have been routed through a Gujarati business-man-cum-industrialist of ill repute who is an old associate of Kanti Desai. Shri Kanti Desai has a share in the commission to be earned *ad valorem* by the said Gujarati businessman.

Some of the purchases which are not covered by this arrangement have been delayed so that they may also be included in the same.

Charge No. 6—*Mansion at Ahmedabad.* We have a photograph of this mansion and anyone can come and have a look at it and see what sort of a building it is.

That a luxurious mansion, exquisitely designed, has been built near Ahmedabad by Kanti Desai. The value of the building and the land adjoining it is, on a conservative basis, estimated to be more than Rs. 20 lakhs. Imported air-conditioners, inter alia, have been installed in the said mansion. The real cost is sought to be suppressed before the tax authorities. Nearly Rs. 15 lakhs of black money is alleged to have been sunk in the said mansion. The mansion has been built after Morarjibhai became the Prime Minister in 1977.

Charge No. 7—*Trip to Europe via Moscow and Tehran.* That on the way back from Moscow, the Air India aircraft in which the entourage of the

Prime Minister was travelling, was diverted to Tehran in violation of the rules, for an unscheduled halt to enable Kantibhai to deplane. After deplaning, Shri Kanti Desai, went on a business trip to Western Europe. If he wanted to go directly to Western Europe, a direct flight from Moscow would have been shorter. But a trip *via* Tehran was essential because he wanted to contact Messrs. Hinduja Brothers. Air India financed his trip from Tehran onwards to the U.S.A. He stayed in U.N. Plaza Hotel, New York and Sheraton New York for which Air India Office paid. Messrs. Hinduja Brothers are involved in routing commission to India, on Iranian credits, for a major project. Kanti Desai is a recipient of a share of the commission through the said Hinduja Brothers.

Charge No. 8—*Fraud of Phoenix Mills.* That, in 1949, when Morarjibhai was the Home Minister in Bombay a fraud of Rs. 30 lakhs was detected in Phoenix Mills, which was owned by Ruias. The same was hushed up on the intervention of Shri Kanti Desai. The Ruias were protected by ingenious manipulation's through various police officers who were promoted and posted to ensure Ruia's escape from the clutches of law.

It is on record that Ruias have bestowed substantial pecuniary favours on Kanti Desai, given agencies on lucrative terms to companies in which he has interest and given insurance business worth millions of rupees to the agency of the family members of Shri Kanti Desai.

Charge No. 9—*Illegal imports of dyes and chemicals.* That, as against an import licence of Rs. 44 lakhs, Messrs Fedco & Weiffeld imported scarce dyes and chemicals worth over Rs. 4 crores. When the offence was detected and the guilty were sought to be brought to book, Shri Kanti Desai helped them to escape full punishment.

Charge No. 10—Commission of Rs. 1 lakh from Ruias per year. That Shri Kanti Desai entered into a fraudulent contract for and on behalf of Messrs. Permanent Magnets Limited, a company of which he was the promotor and director, with Messrs. Ruias, ostensibly giving them selling agencies of its product, and obliging them *inter alia* to pay a commission of Rs. 1 lakh every year to the company, endlessly without any real consideration. This, in fact, was *quid pro quo* for the numerous shady deals which Ruias have been able to put through Shri Kanti Desai.

Charge No. 11—Premium of Rs. 18 lakhs paid on the sale of the shares of Permanent Magnets. That the transaction of sale of shares of Permanent Magnets Limited to Messrs. Ruias, on which they paid a premium of Rs. 18 lakhs to Shri Kanti Desai was, in fact, a cover to pass huge funds to Kanti Desai by way of consideration for the numerous governmental favours he obtained for the Ruias.

Charge No. 12—80,000 square yards of land purchased in Borivili. That Shri Kanti Desai misused his power and authority in manipulating the purchase of 80,000 sq. yds. of land in Borivili at 12 annas per sq. yard from the Maharashtra Housing Board, of which his uncle was the chairman. The land was acquired in the name of a company which was his benamidar, and ultimately the land was transferred to the name of Shri Kanti Desai. He later sold the land at Rs. 5 per sq. yard. But the real profit made in this deal worked out to over Rs. 3 lakhs. On protests being made about abashed nepotism and corruption it was stated that the nominee company was to surrender land of equal value. There is, however, no evidence of any such acquisition of land by the Maharashtra Board.

Charge No. 13—Sale of Equity Shares in Permanent Magnets to Bombay Oxygen Co. That Shri Kanti

Desai entered into an agreement with K. M. Ruia to sell to Bombay Oxygen his entire equity share holding in Messrs. Permanent Magnets Ltd. ostensibly to withdraw from the management of the said company. Kantibhai also agreed to resign from the Managing Directorship of Messrs. Permanent Magnets Ltd. However, concomitant with his relinquishment of office, his nominee company was to be made the sole selling agent. Since Messrs. Ruias were going to purchase the said shares in Permanent Magnets at a price three times their market value, an unprecedented furore was created. The deal was, therefore, dropped like a hot brick, which proved that the whole contract was a hog wash and a make-believe affair, which did not intend to create any real rights or obligations, and that Kantibhai's pretence of withdrawal from Messrs. Permanent Magnets was in fact a fraud to hoodwink the public which had been informed by his father that Kantibhai severed all his business connections.

Charge No. 14—Agreement with the Government of South Korea. Shri Kanti Desai signed a business agreement for the import of contraceptives against the export of human hair with the South Korean Vice Minister for Foreign Affairs. This agreement was signed by him as the purported head of a three-man Indian Economic Mission without any official consent, sanction, or authority of the Government of India. This is the clearest proof of abuse of position and power and the exercise of extra constitutional authority by Shri Kanti Desai inasmuch as this was done whilst he accompanied his father who was on an official visit to South Korea.

Charge No. 15—Agreement with Dodsal Private Limited. Shri Kanti Desai continued to be in the pay roll of M/S. Dodsal Private Limited as an employee long after 1964, when Shri Morarji Desai, later made a statement

[Shri N. K. P. Salve]

in the Parliament stating in terms that Shri Kanti Desai had severed all his connections completely from 1964, and was devoting himself in personalised services of his father. It was found that the statement was incorrect and there was evidence of, Kanti Desai receiving payments in the capacity of a Sales Director from M/S. Dodsai and Company Pvt. Ltd.

To conceal this fact, a share agreement antedated 1965, was entered into, in which the salary payments were fraudulently made out to be terminal benefits. The whole agreement was a fraud perpetrated on the Parliament.

Charge No. 16—Nature of work done, for Dodsai Company involve grave impropriety. The agreement between Kanti Desai and Dodsai, which was entered into in 1956, contemplating, *inter alia*, an obligation on the part of Shri Kanti Desai to prepare a list of all schemes for which tenders were to be submitted as well as the list of tenders which were already submitted and required special efforts. The obligations of Shri Kanti Desai, *inter alia*, were to— here I quote—obtain important information regarding competition to be met and give sufficient information and proper follow-ups. The obligations. . .

AN HON. MEMBER: Where are you quoting from?

SHRI N. K. P. SALVE: This is from the agreement.

The obligations clearly indicate that while Shri Morarji'bhai was in high government authority and power, Shri Kanti Desai took upon himself the business of follow-up action on various tenders to procure business for the said company. This was a clear involvement of grave impropriety for a son, whose father enjoyed such a high position in the Gov-

ernment and a unique place in the public life of the country.

Charge No. 17—Statement on oath, by Shri Padmanabh Somaiya: Shri Padmanabh Somaiya, who was the personal secretary of Shri Kanti Desai made the following statement on solemn affirmation some time in 1964:

(i) 600 bags of cement were brought from a company to renovate the terrace of Oceana. The work was done free by Shah Constructions.

(ii) Shri Kanti Desai obtained water connection for a company, in which he had substantial interest, from Bombay Municipal Corporation, out of turn, and against the rules.

(iii) In 1964, some of the assets owned by Kanti Desai and his family members were—four flats, two at Chitsrakut and one, each at Oceana and Tuila, two imported refrigerators, one portable refrigerator, two Grundig Radiograms, two National Transistors, two Tape-recorders, Chinese cutlery and crockery.

It is obvious that the revelation was only the tip of the ice-berg and as subsequent discoveries have revealed Shri Kanti Desai is the owner of fabulous fortune.

Charge No. 18—Shri Madhu Limaye's Memorandum to Shri Morarjibhai. Shri Madhu Limaye, in a memorandum dated 29th July, 1968, submitted to Shri Morarjibhai, is stated to have alleged that Shri Kanti Desai was responsible for importing jewellery worth Rs. 2 lakhs through one Miss. Chulani. The Customs initially refused to allow her to retain the jewellery, but, subsequently the rules were changed to allow her to

retain the same. This was done at the behest of Shri Kanti Desai when Shri Morarjibhai was" the Finance Minister of the country.

Charge No. 19—Next charge is about Budget Leakage. Shri Limaye, in his memorandum, mentioned above, has also alleged that Shri Kanti Desai leaked the budget pro. posals for 1968 to M/S. Lalji Chagan-lal Kapadia, and Jagdish Kapadia, stock exchange operators in Bombay, who were closely associated with him.

Charge No. 20—The next charge is that Shri Madhu Limaye has further alleged that on 29th February, 1968, the birthday of Shri Morarji Desai, Lalji and his brother Mehanlal, came to offer birthday greetings to Morarji Desai and they placed Rs. 73007- at his feet. On Morarji's instructions, the amount was later sent to Gujarat Vidyapith, Ahmedabad.

Charge No. 21—*Import of Polyester Filament Yarn.* All these years the import of Polyester Filament Yarn was meant exclusively for the self, employed small art-silk weavers. The PFY was thus a very scarce commodity, the import of which was allowed to organised sector only against export obligations. Because of this pre-condition, the organised sector made no imports. To oblige certain friends in Bombay in the organised sector, the whole policy of the import of PFY was reversed in August, 1977, by which all export houses were allowed to import PFY against export of any item. This policy hit the small weavers of art silk, and a tremendous furore was created *inter alia* by the Janata Party leaders. In 11 days, the policy was reversed. In these 11 days, friends of Mr. Kanti Desai made crores of rupees, a substantial share of which has been passed on to him.

Charge No. 22—*Removal of Shri Khushwant Singh.* That Mr. Kanti Desai pressurised the Management to

sack Shri Khushwant Singh, erstwhile Editor of the *Illustrated Weekly* of India. This was done by threatening the Jains, the people in charge of the Management with dire consequences if they did not remove Mr. Khushwant Singh.

Charge No. 23—*Removal of Income-tax files.* That Mr. Kanti Desai was responsible for the disappearance of his Income-tax files twice—once in 1973 and then in 1977. The files disappeared and reappeared on Mr. Kanti Desai's manipulation. The disappearance in 1977 was to prevent scrutiny by the staff of a Bombay Weekly, which was out to expose Shri Kanti Desai's tax evasion.

Charge No. 24—*Refusal of the CIT to give information.* That information in respect of tax assessments of Shri Kanti Desai was denied to persons who wanted to examine the same to check tax evasion by Shri Kanti Desai. That Section 138(i)(b) of the Income-tax Act, 1961 contemplates on the Commissioner mandatory injunction to give information if he is satisfied that it is in public interest. Despite the clear provision of the law, instructions to the contrary were manipulated from the top by Shri Kanti Desai, and the information was denied, though scrutiny for determining tax evasion of any assessee is unquestionably a matter of public interest.

Charge No. 25—*Bogus Claim of Brokerage.* That a bogus expenditure to the extent of Rs. 1,12,000/- as payment of brokerage was claimed in respect of a flat standing in the name of the wife of Shri Kanti'bhai which was sold for over Rs. 3 lakhs in June 1972. The broker has confessed before the Income-tax Department, because of certain documents found in an Income-tax raid in his premises, that the brokerage though ostensibly shown in the cheque was Rs. 1,24,500/- in fact, he received only 12,500/- and the balance of Rs. 1,12,000/- was a

[Shri N. K. P. Salve]

bogus expenditure claimed against the sale proceeds of the flat. This is a clear case of concealment of income.

Charge No. 26—Bogus claim of two jack-pots. There were two cash credits of Rs. 8,985 on the 4th April, 1971, and Rs. 32,000/- on 11th April, 1971, in the account of Mr. Kanti Desai. When he was asked to explain the sources of the receipts, he explained that they were the prize money of two jack-pots which he had won before the 31st March 1971, because, after 1-4-1971, the law was changed and gambling receipts became taxable. This is a clear case of conversion of black money into white by an uncouth device, because it is subsequent to 31st March 1971.

Charge No. 37—Help to C.P.M.O That M/s. Central Provinces Manganese Ore Company Limited, Nag-pur, a company incorporated in the UK was refused Income-tax Clearance Certificate by two Commissioners of Income-tax at Nagpur for the company had failed to clear the huge arrears of tax and penalty. Suddenly, on 21st July 1978, they were issued a Clearance Certificate which was very necessary for repatriation of over Rs. 1.4 crores to UK. The sudden change of heart on the part of the Income-tax Commissioner is attributed to Shri Kanti Desai's intervention on alleged receipt of Rs. 5 lakhs from the concerned people. It is also alleged that Mr. Kanti Desai has relations with one Mr. Ram Nath Kapur who is in charge of CPMO Company in which Mr. Kanti Desai and his family have invested over three lakhs of rupees.

Charge No. 2». That Shrimati Padma Desai has earned massive commissions of Insurance agency between 1964-65 to 1976.77 as under.—

1, .64-65	.....	1,1,336
1965-69	.....	88,015

1966-67	. . . . .	1,19,106
1967-68	. . . . .	1,33,142
1968-69	. . . . .	1,05,786
1969-70	. . . . .	1,94,290
1970-71	. . . . .	1,44,340
1971-72	. . . . .	84,346
1972-73	. . . . .	1,33,155
1973-74	. . . . .	86,079
1974-75	. . . . .	86,770
1975-76	. . . . .	1,12,122
1976-77	. . . . .	1,10,259

The lady never exerted and worked to earn this. These receipts are attributable to patronage and favours bestowed to family of Shri Morarji. bhai by persons who want his favour. The lady has claimed expenditure for tax purposes of 30 to 40 per cent of gross receipts without incurring the same. In depth, if this is examined it will warrant 7 years imprisonment under Income Tax Act for concealment of income.

Charge No. 29. I may also refer to certain charges of caucus which is represented by Mr. Kantibhai. Mr. V. Shankar has manipulated escape of Dr. Dharma Teja from India. He wrote the following note to the Minis, try of Finance:

"P.M. has seen. He feels that it is not necessary to place any restrictions on his movements. In any case, it appears that he has more assets in the country than the dues he may owe Government.

Sd/- V. Shankar I 24-4-77".

(Interruptions)

Charge No. 30—Involvement of H. M. Patel »ⁿ helping a smuggler: The premises of one Gautambhai Patel of Anand, alleged to be a cousin of H. M. Patel, Finance Minister, were raided by Preventive and Intelligence Department of Customs, on information having been received that Gau. tam Patel was a smuggler. Smuggled goods were found. On instructions from H. M. Patel to Chairman, Board of Customs and Excise, the Secretary of the Board, Shri Bordia, sent a telex message No. 230/06/TJ at 18.15 hrs. on 6th June, 1977, to the concerned Appellate Collector that Finance Minister was interested in the case. As a result, Gautam Patel was cleared of all the charges.

(Interruptions)

Charge No. 31. An embezzlement of Rs. 40 lakhs was committed in Free Press Management, a Birla concern. One of the persons suspected for the offence was the daughter of Shri H. M. Patel, an employee of the concern. On intervention of Shri H. M. Patel Birlas exculpated the daughter of Shri Patel and Rs. 40 lakhs was allowed to be written off as bad debts for income-tax purposes. Some employees have been prosecuted for a technical expense.

Charge No. 32. A penalty of Rs. 9 lakhs for concealment of income was levied on M/s. Silk Mills, Surat. One Shri Suresh Shah who is intimately connected with Shri Kanti Desai and Shri H. M. Patel, is connected with this concern. The penalty was confirmed by the Tribunal. Prosecution was launched. The matter was compounded on intervention of Shri H. M. Patel for Rs. 2.6 lakhs.

Charge No. 33: Shri Jinabhai Darzi, who was in charge of Morarjibhai's Lok Sabha elections in 1967 has made a public statement that he is willing to state on oath and prove beyond

any doubt that Morarjibhai procured more than 100 jeeps from a business man in Hyderabad for his elections. This appears to be a clear case of double standards.
(Interruptions)

Charge No. 34. Shri Morarji Desai appointed Justice D. A. Desai, a mediocre judge of Gujarat High Court, who is his nephew superseding many senior and brilliant judges... *(Interruptions)*

SHRI K. B. ASTHANA: Sir, on a point of order. . . *(Interruptions)*

SHRI N. K. P. SALVE: I am not yielding. . . *(Interruptions)*

SHRI MANUBHAI PATEL (Gujarat): Sir, a point of order has been raised. . . *(Interruptions)*

MR. DEPUTY-CHAIRMAN: Yes, what is your point of order?

SHRI K. B. ASTHANA: My point of order is that the motion contains allegations against the relations of the Prime Minister. His last two charges concern the Prime Minister, which are not the subject matter... *(Interruptions)*

MR. DEPUTY CHAIRMAN: Order, order, please.

SHRI N. K. P. SALVE: The issue is not that simple... *(Interruptions)*

MR. DEPUTY CHAIRMAN: It is almost one hour since the hon. Member has been speaking. There must be some sense of time... *(Interruptions)*

SHRI N. K. P. SALVE: The issue is not that simple. It was with a view to show what Government can do by way of showing favours and.

[Shri N. K. P. Salve] patronage to judiciary and help nephew.

MR. DEPUTY CHAIRMAN: It is almost one hour since the hon. Member has been speaking. There must be some sense of time. I am only appealing. Please wind up so that other Members may also get a chance.

SHRI N. K. P. SALVE: Now, I will be quoting some friends who are supporting Morarjibhai. I would first quote what an esteemed leader in this country, whom we also respect had to say about Shri Morarji Desai. I shall mention his name at the end. This is what he said:

"With a heavy heart I have to discharge a very sad and tragic duty. For the last two years I have been pursuing this matter without bringing in any personalities. I have tried my best not to refer to any individual, either a Minister or a Member of the House, even though I was in possession of certain facts, which I could have brought before the House. I am sorry to say that yesterday the non-Deputy Prime Minister and the Finance Minister of this country, Mr. Morarji Desai—by yesterday I mean the 5th of March—made certain observations and in his eyes I am a dishonourable person. Self-preservation is the first instinct of human beings. In order to defend my honour, dignity and public image, I have no other option, but to clarify the position *vis a vis*, the statement given by the hon. Deputy Prime Minister.

The 'Indian Monitor' in its issue of August 30th, 1968 inserted an advertisement of Messrs Bombay Industrial and Chemical Company, 34-A, Podar Chambers, Parsi Bazar Street, Fort, Bombay-1, representing Messrs Saurashtra Chemicals, Porbandar, for Caustic Soda, Soda Ash and Sodium Bicarbonate; and Messrs Kesoram Rayon, Tribeni (West Bengal) for kesophane Transparent Paper. Other compa-

nies are there. These two companies belong to the Birla Group of industries. Was it not quite proper and in all parliamentary propriety for Mr. Morarji Desai to declare before this House that his family concern has got the agency of Birla group of companies before casting any aspersion against me?

In order to do justice to myself, to this country, to the people of this nation, I urge upon you to use your power and allow me to move that a Joint Committee of both the Houses be constituted to enquire into whether I am a dishonourable person or whether the qualification or the adjective suits the person who has used the word."

His name is Shri Chandra Shekhar.

Shri Madhu Limaye, during the course of a parliamentary debate, said:

"इसका मतलब है कि 1 अप्रैल, 1965 के बाद तीन साल तक यानी 31 मार्च, 1968 अर्थात् इस साल तक कांति भई को 2050 रुपये मिलते थे, जो रकम 12 महीने के बाद 1960 के करार के तहत उनकी तनख्वाह थी। अगर कोई यह कहे कि पुरानी सेवा के लिए जैसे पेंशन दी जाती है वैसे यह दिया तो"

"... हिन्दुस्तान के सुप्रीम कोर्ट के चीफ जस्टिस को भी दस-पन्द्रह साल की सेवा के बाद जितनी उनकी तनख्वाह होती है उतनी पेंशन नहीं मिलती है, लेकिन उनको तीन-चार साल सेवा के बाद, कहा जाता है कि सेवा की, जो उनकी अधिक से अधिक तनख्वाह थी उतनी ही पेंशन दी जाती है, कि श्री मोरार जी देसाई यह कहेंगे कि डोडसाल कम्पनी या किसी और कम्पनी के किसी कारोबार के साथ उनके बेटे का संबंध नहीं है। लेकिन इस दस्तावेज से साबित होता है कि उनका संबंध बरकरार रहा और जिस तरह वह पहले "काम" करते थे उसी तरह "काम"

करते रहे। चूंकि वह उनके निजी सचिव थे इसलिए सारे सरकारी कागजात वगैरह वह देख सकते थे, और इस कारण मेरा निवेदन है कि वह कम्पनी का "काम" करते रहे। यह दस्तावेज सही है। इनका यह काट नहीं सकते हैं। ..."

(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KRIPAL SINHA): On a point of order, Sir. Can a Member quote *nr can a Member be allowed to quote from the proceedings of the other House and the speeches of the other Members? You kindly give your ruling Sir. (Interruptions).

MR. DEPUTY CHAIRMAN; Order please.

श्री एन. के. पी. सल्वे: मेरा यह कहना है कि इस जानकारी के बावजूद उन्होंने यहां पर गलत बयानी की और हमारे ऊपर लांछन लगाने का बहुत ही अनुचित ढंग से प्रयास किया। क्या मतलब है कि जिनके बारे में पहले से ही इन तरह के आरोप लगाये जाते थे उनको लेकर ये हमें लांछन लगा रहे है। जब श्री मोरारजी देसाई मंत्री नहीं थे उस वक्त भी कांग्रेस में उनका प्रभाव कम नहीं था।

AN HON. MEMBER: What is your ruling, Sir?

श्री उपसभापति: माननीय सदस्य आप काहे में से पढ़ रहे है ?

SHRI N. K. P. SALVE: Sir, these are my own notes that I had made. (Interruptions)

SHRI BHAURAO DEVAJI KHO-BRAGADE (Maharashtra): The hon. Member has already made a point

that he is quoting Mr. Madhu Limaye. Let him make it clear from where he is quoting.

SHRI ANANT PRASAD SHARMA: Is there any harm to say what Mr. Madhu Limaye has said earlier?

SHRI BHAURAO DEVAJI KHO-BRAGADE: He is quoting Mr. Madhu Limaye. I would like to know from what speech of Mr. Madhu Limaye he is quoting. And nothing else.

SHRI PILOO MODY: Expunge it-Kindly expunge what Mr. Salve quoted. (Interruptions)

MR. DEPUTY CHAIRMAN: Order please. Please listen to me. We should take very seriously the points that are seriously raised. And a point of order has been raised. Shri Kho-bragade has also intervened to say. .. (Interruptions) Why don't you allow me to have my say. Let us first be clear about the facts, and what the hon. Member, Shri Salve, is quoting from. Would you please clarify?

SHRI N. K. P. SALVE: I am quoting a speech of Shri Madhu Limaye on allegations he made about corruption of Mr. Kanti Desai, against Mr. Morarji Desai, which is published in different journals and in different papers and which may also have been published in the proceedings of the Lok Sabha. (Interruptions)

SHRI BHUPESH GUPTA; Sir, it is an unnecessary interruption. Sir, the convention is that we do not mention the name of Lok Sabha. I would ask my friend to say, 'we are quoting from the other House.' That is all.

SHRI PILOO MODY; Sir, I would like to know at this moment whether you are giving a ruling on the point of order or Mr. Bhupesh Gupta is giving.

SHRI BHUPESH GUPTA: Bhupesh Gupta is not giving the ruling. I am reminding you of the convention in Parliament. (Interruptions) You will

[Shri Bhupesh Gupta]

find that our proceedings are replete with the other precedents and the proceedings of the other House are also replete with our precedents. I would ask my friend to say that this is what Mr. Madhu Limaye has said in the other House. *(Interruptions)*

SHRI DINESH GOSWAMI (Assam): Sir, the Minister of State for Parliamentary Affairs has raised the point of order and said that Mr. Salve is not competent to quote from the proceedings of the other House. Will he kindly show the rule? If I am correct, I feel that there is a rule in the Lok Sabha Rules which says that the proceedings of the Rajya Sabha cannot be quoted in that House. But the corresponding rule is not there which would say that the proceedings of the Lok Sabha cannot be quoted here. Therefore, we are at full liberty to quote from the proceedings of the Lok Sabha.

श्रीएन० के० पी० सल्वे : मैं दावे के साथ कह सकता हूँ कि .

(Interruptions)

AN HON. MEMBER: The other House proceedings cannot be quoted here.

SHRI BHUPESH GUPTA: My friend can say that this is what has been said at some place in this high-domed building. *(Interruptions)*

MR. DEPUTY CHAIRMAN: Are you quoting?

SHRI N. K. P. SALVE: I am quoting from the proceedings of the other House.

SHRI MANUBHAI PATIL: Sir,, in the beginning he said that he was quoting from newspapers. Now he is shifting his ground and saying that he is quoting from the other House.

SHRI SUNDER SINGH BHANDARI: He is quoting from Mr. Madhu Limaye's speech in the Lok Sabha.

SHRI PILOO MODY: Sir, this paragon of virtue, this paragon of justice and this paragon of fair-play has been found cheating.

P.M. & former Home Minister

SHRI N. K. P. SALVE: He is » paragon only.

SHRI PILOO MODY: It is commonly known as petty theft.

DR. RAM KRIPAL SINHA: Sit. may we know what the truth is? Is he quoting from the Lok Sabha proceedings or from the newspaper reports? *(Interruptions)*.

MR. DEPUTY CHAIRMAN: Order please.

AN HON. MEMBER: Can we not quote from the proceedings of the other House?

MR. DEPUTY CHAIRMAN: That is exactly what he wants to know. Order please. We should not brush aside very important points that are raised. Order please.

SHRI N. K. P. SALVE: The proceeding from the other House have been quoted and reported. Can we not quote them here *(Interruptions)*

MR. DEPUTY CHAIRMAN: Order please.

SHRI N. K. P. SALVE: Can we or can we not reproduce them here?

MR. DEPUTY CHAIRMAN: That is why I was just asking the hon. Member what he was quoting from. Let us first be clear about the facts and then I will say what the rule is.

SHRI N. K. P. SALVE: Do you want me to clarify? Sir, the proceedings of the Lok Sabha have been reported and reproduced in several journals, newspapers, etc. etc. I am quoting from them.

SHRI PILOO MODY: Name them.

SHRI BHAURAO DEVAJI KHOBRAGADE: He is quoting Mr. Madhu Limaye. Let him tell from which journal or from which paper he is quoting.

SHRI PILOO MODY: The hon. Member is sweating.

SHRI ARVIND GANESH KULKARNI: May I submit one point for your consideration? Mr. Khobragade

was the Deputy Chairman in the Rajya Sabha. As per convention and, rules I know very well that we cannot quote from the current session proceedings of the Lok Sabha. But if we want to quote something from the proceedings of an earlier session, we have got every right to do so and a convention to that end has been established. You can refer this matter to the Rules and Conventions Committee of the Rajya Sabha.

SHRI SAWAISINGH SISODIA (Madhya Pradesh): Sir, the hon. Member was a Member of that House and he knows what was stated there.

(Interruptions)

श्री एन० के० पी० सल्वे: मैं दावे के साथ कह सकता हूँ . .

SHRI PILOO MODY: What is your ruling, Sir

SHRI K. B. ASTHANA: Sir, I want to draw your attention to rule 2&6 of the Rules. You are bound by whatever rulings or precedents are there, unless you change them.

SHRI PILOO MODY: We shall not continue unless you give your ruling in black and white.

MR. DEPUTY CHAIRMAN: Let us not be clustered by these things. These have been faced. Mr. Asthana has referred to Rule 266 which says:

"All matters not specifically provided in these rules... shall be regulated in such manner as the Chairman may from time to time direct."

This is under Residuary Powers.

Now, as everyone has accepted, there are no specific rules in our Rules of Procedure and Conduct of Business of this House prohibiting a Member from quoting the proceedings of the other House....

SHRI B. N. BANERJEE (Nominated): Sir, before you give a ruling on a subject like this, please ponder over it.

MR. DEPUTY CHAIRMAN: Of course I will ponder. There have been observations from the Chair in

this House as to what way, if at all, the proceedings of the other House will be quoted. For the present, I will permit the hon. Member to proceed and would ascertain whether the practice has been invariably so and very clearly so that no proceedings whatsoever, old or new, could be quoted and we will take a decision accordingly. The hon. Member will continue.

SHRI MOHAMMED YUNUS SALEEM (Andhra Pradesh): Sir, I want to raise a point.

MR. DEPUTY CHAIRMAN: That point is over now. Mr. Salve, please finish soon.

SHRI N. K. P. SALVE: The crucial point that I was making is . . .

SHRI MOHAMMAD YUNUS SALEEM: Please consider my amendment. Sir, in my amendment . . .

MR. DEPUTY CHAIRMAN: That is not before us now. Please resume your seat.

SHRI MOHAMMAD YUNUS SALEEM: But you have given so much time to others. Kindly **hear** me first.

MR. DEPUTY CHAIRMAN: We are not on the amendments now.

SHRI BHISHMA NARAIN SINGH Sir. Mr. Salve is already on his legs

SHRI MOHAMMAD YUNUS SALEEM: Sir, in my amendment, I have said . . . (Interruptions) . . . that the following be inserted:

"as

well as the allegation of corruption and abuse of positions of power made in the press and in the Parliament against the aforesaid members."

MR. DEPUTY CHAIRMAN: You have said it; please resume your seat. Yes, Mr. Salve.

SHRI N. K. P. SALVE: Sir, in respect of the solitary allegation which has been made by Shri Madhu Limaye in respect of 'business links of Mr. Kanti Desai with one company, I have narrated so many instances which spell out grave impropriety, corruption and abuse of power and authority in respect of one dealing, and resignation was demanded from the Deputy Prime Minister, Morarjibhai by Shri Madhu Limaye.

“कांति भाई और डोडसाल कम्पनी में जो संबंध रहे हैं उनको वह देखें उसके बाद वह जो निर्णय करेगी वह मुझे कनल है। अगर समिति कहती है कि यह पेशान है तो ठीक है लेकिन अगर समिति की राय में यह तनख्वाह है और उनका कहना है कि उनका कोई कारोबार नहीं है, व्यापार नहीं है यह सही नहीं है इसलिए इसमें नैतिकता का सवाल जुड़ा हुआ है। आज भी मैं मांग करता हूँ कि मोरारजी भाई अपना इस्तीफा दे दे कमेटी के सामने मामला जाये। मोरारजी के इस्तीफा दिये बगैर काम नहीं चल सकता है।”

This is in respect of one allegation.

And, Sir, there is another distinguished Member who is a great moralist. We respect him. This is what he said.

“गलत बातें प्रचलित करके हम लोकतांत्रिक जीवन की शुद्धता को कायम नहीं रख सकते हैं और न हम जनता के सामने अच्छे मान-दण्ड स्थापित कर सकते हैं। लेकिन सार्वजनिक जीवन एक दुधारी तलवार की तरह से है, इसमें अपने सगे-सम्बन्धियों के प्रति कठोर बनना पड़ेगा। स्नेह के सारे सम्बन्धों को तोड़ना पड़ेगा। यह भगवान राम का देश है, जिन्होंने एक व्यक्ति के कहने पर जगत जननी सीता का परित्याग कर दिया था। सीता की पवित्रता पर उन्हें सन्देह नहीं था। ठीक

है न अटल जी। भवभूति के शब्दों में उन्होंने कहा था —

“स्नेह दयां च सौख्यं च
यदि वा जानकीम् अपि
आराधनाय लोकानाम्
मूंचतो नास्ति मे व्यथा ।

मैं स्नेह को छोड़ दूंगा, दया को तिलांजलि दे दूंगा व्यक्तिगत सुख की चिन्ता नहीं करूंगा आवश्यकता पड़ी तो सीता को भी छोड़ दूंगा, शासनाय लोकरनाम नहीं, दण्डनाम लोकरनाम नहीं—दादा चिन्तित न हों, उन्हें पत्नी को छोड़ने की जरूरत नहीं पड़ेगी—यह हमारा आदर्श है। उस आदर्श पर हम सब नहीं पहुंच सकते हैं, लेकिन जो नेता हैं जिन्हें जनता का मार्गदर्शन करना है, क्योंकि राजनीति आज जीवन का केन्द्र बन गई है, लोग प्रेरणा के लिये राजनीतिक नेताओं की तरफ देखते हैं उन्हें आदर्श रखना होगा भगवान कृष्ण ने गीता में कहा है—जैसा बड़े लोग आचरण करते हैं, वैसा ही छोटे लोग अनुकरण करते हैं। आज प्रश्न केवल पार्टी का नहीं है, प्रश्न केवल विरोधी दल और सरकार का भी नहीं है। इस देश में सार्वजनिक जीवन का स्तर गिर रहा है। राजनीतिक पर पूंजी का प्रभाव बढ़ रहा है, राजनीतियों और भ्रष्ट, पूंजीपतियों का अपवित्र गठबंधन हो रहा है पद का दुरुपयोग करने की प्रवृत्ति धर कर रही है। कोई सगा-सम्बन्धी किसी सार्वजनिक नेता की उच्च स्थिति को बिगाड़ न सके। इसके लिये सार्वजनिक नेताओं को सावधान रहना होगा।” यह बहुत उचित है कि अटल बिहारी वाजपेयी जी इस तरह के उच्च शब्दों में मोरारजी भाई देसाई से अग्नि परीक्षा की मांग करें।

ir, I am coming to the end of my speech. All that I want to submit is that, if we do not want to jeopardise the very high standards of dignity and propriety in public life, if we do

not want to endanger the very norms which guarantee purity and integrity in administration by the people and if we do not want to imperil the very credibility of public life in this country, then, let my demand be considered by a vote of conscience cutting across narrow party predictions and affiliations and considerations of political expediency. They must yield to the enduring values, high ideals and cherished principles which will nurse and nourish parliamentary democracy. May I, Sir, in all humility, appeal with folded hands to Mr. Morarji Desai not to misunderstand us. I would only hope that he will look at this matter very seriously and he will concede our demand so that some day history does not say that you have bartered away your conscience for political purposes.

The question was proposed

MR. DEPUTY CHAIRMAN: Now, we take up the amendments.

SHRI BHUPESH GUPTA: Sir, I beg to move:

1. "That in the Motion—

(i) For the words, 'That this House is of opinion that' the following words be *substituted*, namely

'That having noted with regret and disappointment the refusal of the Prime Minister to place before the House all the correspondence including the correspondence between him and the former Home Minister, Shri Charan Singh, and other documents in his possession relating thereto;

(ii) After the words 'family members of the former Home Minister' the word 'which' be *inserted*.

(iii) For the words 'and if the situation' the following words be substituted, namely:—

'this House is of the opinion that if the situation';

(iv) For the words recommends that Government should appoint "

following words be substituted, namely:—

'calls upon Government to seek forthwith the guidance and advice from, a Committee comprising of fifteen members of this House to be appointed by the Chairman, Rajya Sofojhai for appropriate and necessary actions to be taken on the allegations, or alternatively to straightaway appoint without delay.'

[The Amendment also stood in the names of Shri Kalyan Roy, Shri Bhola Prasad Shri Lakshmana Mahapatro and Shri S. Kumaran.]

SHRI DINESH GOSWAMI: Sir, I beg to move:

2. "That in the Motion—

(i) For the words beginning with 'that this House is of opinion' and ending with 'against the family members of the former Home Minister' the following words be substituted, namely?—

"This House views with great concern the allegations of corruption said to have been made against the son of the Prime Minister by Shri Charan Singh in his capacity as Home Minister and the counter allegations of the Prime Minister against certain members of the family of the former Home Minister Shri Charan Singh which have been widely discussed in the Press and in the public and';

(ii) For the words 'and if the situation' the words 'is of opinion that (i) if the situation' be substituted;

(iii) For the words beginn* with 'and, therefore,, reccor-and ending with 'ther-tiously', the foll«- substituted, -

[Shri Dinesh Goswami]

members charges have been levelled cannot be judges in their own cause and take a decision whether there should be an enquiry into this matter or not; recommends that the matter be referred to an impartial eminent Judge of the Supreme Court to look into the whole case and give his findings on the allegations which call for an inquiry under the provisions of the Commission of Inquiry Act, 1952.' "

[The Amendment also stood in the names of Shri S. W. Dhabe, Shri M. Anandam and Shri Narasingha Prasad Nanda.]

SHRI HARKISHAN SINGH SURJEET (Punjab): Sir, I beg to move:

3. "That in the Motion—

For the words beginning with 'the allegations of corruption' and ending with 'report thereon expeditiously', the following words be substituted, namely:—

'in view of the charges and counter-charges made against the family members of the Prime Minister and the former Home Minister, these be referred to an eminent jurist of the status of a Judge of the Supreme Court to find out whether there is a *prima facie* case requiring the appointment of a Commission of Inquiry under the Commission of Inquiry Act, 1952."

[The Amendment also stood in the name of Shri P. Ramamurti]

MR. DEPUTY CHAIRMAN: Shri Amarprosad Chakraborty. Not here. Prof. Sourendra Bbattacharjee. Not here.

SHRI SHYAM LAL YADAV (Uttar Pradesh): Sir, I beg to move:

+ in the Motion—

"ords 'recommends 'M' the words ^e sub-

(ii) For the words 'appoint two separate Commissions of Inquiry under the Commission of Inquiry' Act, 1952', the following words be substituted, namely:—

'appoint under the Commission of Inquiry Act, 1952, two separate Commissions of Inquiry to be headed by serving Judges of a High Court'."

SHRI DEVENDRA NATH DWIVEDI: Sir, I beg to move:

6. "That in the Motion—

(i) After the words 'against the family members of the former Home Minister' the following words be inserted, namely:—

'as well as the allegations of corruption and abuse of positions of power made in the press and in the Parliament against the aforesaid members'."

(ii) For the words beginning with 'appoint two separate Commissions of Inquiry' and ending with 'report thereon expeditiously', the following words be substituted, namely:—

'refer the whole matter to a Judge of Supreme Court who may Took into all such allegations which call for an inquiry under the provisions of the Commission of Inquiry Act, 1952, and that such findings may be intimated to the House by the first week of its winter session of 1978'."

[The Amendment also stood in the name of Shri Mohammad Yunus Saleem.]

The questions were proposed.

SHRI PRANAB MUKHERJEE: Sir, I would like to raise a point of order on the amendments themselves, particularly, by some Members. Sir. rule ~i 231(1) and (2) spell out...

SHRI HARKISHAN SINGH SURJEET: The amendments have been

SHRI PRANAB MUKHERJEE: That is why I am raising my point of order. No Business has been taken up.

SHRI HARKISHAN SINGH SURJEET: After the amendment, have been moved?

SHRI PRANAB MUKHERJEE: That is why I am raising on a point of order on the validity of the amendments. Otherwise, I should have stopped them. The procedure should have been otherwise. I should have stopped them.

Sir, rule 231(1) and (2) specifically describe the scope of the amendments to the original Motion.

Sir, if you look at the amendments moved by some hon. Members, particularly, by Mr. Goswami, Mr. Rama-murti and others, you will find that the scope of the amendments are not within the limit prescribed under the rules, because the Motion recommends the institution of a Commission of Inquiry. This is the only one specific and substantial matter which has been indicated in this Motion. Now at 4 P.M. the amendment suggests reference of the whole matter to a Supreme Court Judge or to a Jurist. It is substantially different. It cannot be treated as an alternative motion, but it can never be treated as an amendment to the original Motion, because the purpose of this amendment is to negate the motion itself. Rule 231 indicates that there cannot be any amendment the purpose of which is to negate the motion itself. Therefore, the very nature by words and implications constitute an alternative motion. I do not know how this amendment could be admissible to the original Motion tabled by Shri N. K. P. Salve.

श्री सुन्दर सिंह भंडारी : श्रीमन्, पहले तो मैं यह जानना चाँगा कि क्या अभी जो अमेन्डमेंट मूव्ह हो गए हैं वे मूव्ह हुए मान लिए गए हैं या ये अभी अंडर कंसिडरेशन हैं।

और अगर मूव्ह हो गए हैं तो रिजोल्यूशन और अमेन्डमेंट पर, जब फाइनल डिस्पोजल का समय आएगा, उसी समय उन के ऊपर विचार किया जा सकता है। अगर मूव्ह करने के पहले ही यह आब्जेक्शन ले लिया गया होता तब तो इस पर विचार हो सकता था पर एक बार अगर अमेन्डमेंट मूव्ह कर दिया है तब तो वह अंडर डिस्कशन है

MR, DEPUTY CHAIRMAN; It had been moved actually. The amendments have been moved. Before I call upon other Members to participate in this debate. I shall once again remind the hon. Members about the time that they take in their speeches. There are 25 Members who want to take part in this debate and, the time allotted is one day, which is four hours. It may be extended by the will of the House, but even extension of time should have some limit. So, if one Member speaks for more time, the obvious result would be that the other Member of his party will get less time to that extent. Please keep this point in mind. While we proceed with the debate, I would like to inform the Members that the Prime Minister would intervene at 5.45 p.m.

SHRI ANANT PRASAD SHARMA: How can it be? Will he intervene in between?

SHRI BHUPESH GUPTA: If the Prime Minister were to intervene, let him do so later, because by 5.45 p.m. many members, even all the parties will not have spoken. I think the Prime Minister, if I may say so, should not intervene "without hearing all the parties at least. Therefore, Sir, it should not always be according to the convenience of the Prime Minister, some thing should be according to our convenience.

THE LEADER OF THE HOUSE (SHRI LAL K. ADVANI): There is no question of convenience of the Prime Minister. Because the other

[Shri Lal K. Advanij.]

House is presently discussing the Constitution (Amendment) Bill, where the voting will be after 6.30 p.m., it will be necessary for the Prime Minister to be there from 6.30 p.m. onwards. That is why the time of 5.45 p.m. has been suggested which you will kindly accept.

SHRI BHUPESH GUPTA: If that is so, we can adjust ten minutes for voting.

MR. DEPUTY CHAIRMAN: Please keep this in mind, so that the Members who really want to speak in this debate before the Prime Minister intervenes, could participate.

SHRI DEVENDRA NATH DWIVEDI: Mr. Deputy Chairman, Sir, it is with a deep sense of anguish that I rise to participate in the debate on the motion moved by Mr. Salve. Sir, the events of the past few weeks and particularly since the beginning of the present Session of Parliament have left a bad taste in everybody's house. I have watched with awe and consternation the manner in which this Government has shown utter disregard for the sentiments of the Members, the manner in which the Government has shown contempt for the Parliament and the manner in which this Government has shown lack of respect for the public opinion.

Sir, a very genuine demand made in the House has been sought to be converted by the Government as a matter of political and partisan controversy. We are not interested in infighting of the Janata Party. We do not take sides between Shri Morarji Desai and Chaudhary Charan Singh. Sir, as I said earlier, we are not respecters of personality and. Mr. Deputy Chairman, as a matter of fact, I have always found a great deal of resemblance, in spite of their political and personality differences, between these two gentlemen. These elderly gentlemen are honourable men? "Both of these gentlemen see divine qualities in themselves. Both of these old

leaders are highly self-opinionated and always speak from high moral pedestal, looking down upon humanity with contempt and disgust. It is not only Ch. Charan Singh who, according to the Manchester Guardian, is the ancient bearer of ancient grudges, but Morarji Bhai is also an ancient bearer of ancient grudges, the difference being, Sir, that while Morarji Bhai has a grudge against Pandit Jawaharlal Nehru for not designating him as his successor, Ch. Charan Singh goes one step further and he has a grudge against Mahatma Gandhi that Mahatma Gandhi did not designate him as his successor and instead designated Pandit Jawaharlal Nehru as the Prime Minister of this country.

Sir, my concern—and the concern of some of my friends—in the whole controversy from the beginning of this Session "has been two-fold: our faith in incorruptibility and probity in public life and our belief in the rights of Parliament. These are the two basic issues. But, unfortunately, the manner in which the Government has stood on false prestige, the manner in which this Government has shown obstinacy and has introduced certain aspects of the controversy which are not relevant to the situation, Sir, has created a crisis of confidence today in the country—the crisis of confidence about the Government. This crisis has been created in the past few weeks in relation to the correspondence controversy, but this crisis is a part of a much larger crisis that has been thrust on the people of this country by the Janata Party. Sir, if the "history of the Janata Party will be written, the first year will be written as the wasted year of Indian history. In the first year and four months, the manner in which they have squandered goodwill is something which is to be seen in order to be believed? Sir they are probing the excesses of emergency, 'not realising that the people of this country have started believing that the Janata Party itself is the greatest excess of emergency. The manner in

which they have been behaving in this correspondence issue as well] as the unity talks that are going on in their party makes one feel that they are behaving like a cackle of dodoes in a correctional institute. That is how the Janata leaders are behaving.

Sir, what are the main issues involved? As I submitted earlier, let us see the chronology of events. Before this Parliament Session began, there was a certain controversy going on in the newspapers. As early as April 22, the 'Blitz' came forward with a story which gave in substance the contents of the 6 letters that have been exchanged between the Prime Minister and the ex-Home Minister. All the readers of 'Blitz' read for all practical purposes the main contents of the letters exchanged. At that time there was not this ministerial crisis. But the public—those who read the 'Blitz'—did read and did come to know about what transpired through these letters between the Prime Minister and the ex-Home Minister. And then this Government has the cheek to come to the august Parliament and say, "No, Parliament cannot see it. Parliament cannot see the correspondence. Parliament does not have the right to see the so-called secret documents because they are marked 'secret'". Now it is open to the Prime Minister, based on his own whims and fancy, to come forward and place any letter which is secret. He has placed the letter which he wrote to Chaudhari Saheb asking for his resignation. Also he should place the letter that Chaudhari Saheb has written back. When Morarjibhai as Deputy Prime Minister resigned and he wrote to the then Prime Minister and the Prime Minister then wrote a letter to Morarjibhai were they not secret? Is it not a fact that Morarjibhai released those letters to the press? If tomorrow Chaudhari Saheb convenes a press conference and reveals those letters what is the sanctity of that secrecy? Is there any which can prohibit Chaudhari Saheb from doing that? Now what Chau-

dhari Saheb, as a Member of the Lok Sabha can do, what any person as a reader of the 'Blitz' can know, this sovereign Parliament cannot know. Is this the respect that you want to show to this Parliament? Sir, this argument of secrecy, I think, is not only ridiculous, if I may say so, not only indicative of a confused state of mind but is indicative—again I repeat and I am repeating only because I have felt very strongly about it—of the manner in which this honorable Parliament as well as members of Parliament, particularly those who have had the fortune of sitting with him in the Committee, are treated. I think this is something which many of us have resented. I have referred to it only because it proves what we have been feeling.

Sir, what are the issues involved. Nobody is interested in discussing the personal life of those people who are not Members of Parliament. As a matter of fact, I would be the last person who will make any allegation against any person who is not a Member. But what are the facts of the case? The facts of the case are that the ex-Home Minister is the man who appoints Inquiry Commissions one after another, who under the law has the right to appoint an Inquiry Commission, who "has the duty to be satisfied that there is a *prima facie* case against certain individual. That particular person writes a letter to Morarjibhai that there should be an Inquiry Commission against the latter's own son. This is point No. 1. We must concede this much of modicum of common sense to Chaudhari Saheb that he knows that no responsible person can suggest that an Inquiry Commission be appointed when there is no *prima facie* case. So we will have to assume that there must be a *prima facie* case; otherwise a man like Chaudhari Saheb would not ask for it. But that is not all, Sir.

The Prime Minister at a given moment of time sacks Chaudhari

[Shri Devendra Nath Dwivedi] Charan Singh, allegedly on the basis of a certain statement that the then Home Minister gave. All right. I think that anybody in his place, I must say in all fairness, would have asked for the resignation of the Home Minister. It is not open to a Minister to issue that kind of statement. Now things have come out in a manner that one starts suspecting whether that was the reason why he issued that thing or because of the exchange of letters because certain charges have been levelled against Morarji-bhai's son. Now the newspapers are full of reports day in and day out that great mediators like Mr. Biju Patnaik, Mr. Limaye and Mr. Vajpayee are encountering one difficulty, namely, the Prime Minister is saying that let the ex-Home Minister withdraw the allegations levelled against his son, then only he will talk. He is not talking about the defiance or the principle of collective responsibility by the ex-Home Minister. He is not saying that. He is not referring to that. The point on which he was touched is no more relevant. The relevant point is that he wants those causes to be removed on the basis of which he sacked him. I think as an honourable man he owes it to himself, he owes it to Parliament, he owes to this country to admit that "Yes, I was very angry and I sacked him. Now until and unless he withdraws because the Cabinet is my personal property—I am not going to relent." This is not your personal property—Mr. prime Minister. Certain standards, certain norms of public life have to be maintained and that is why we have been persistently and inconsistently asking for the letters to be placed here.

Now I come to the question of the commission of inquiry. Sir, I am not going to go into the details of the allegations made against the son of the Prime Minister. My esteemed colleague has gone into the details; and many others will also do it. But I will just make one or two points. Sir, Kantibhai is no stranger to the world of controversy. It is not as if

charges have begun to be levelled against him after Mr. Morarji Desai has become the Prime Minister. Between the period 1952 and 1969, innumerable allegations have been made against him—innumerable allegations have been made, as Salve Sahib pointed out, by persons like Chandra Shekhar, George Fernandes, Madhu Limaye, Mohan Dharia . . .

AN HON. MEMBER: Atal Bihari Vajpayee also.

SHRI DEVENDRA NATH DWIVEDI: . . . Vajpayee. If I am not mistaken, some of these leaders were reprimanded by the then leadership for violating the party discipline and making allegations against the honourable Prime Minister in the two Houses of Parliament as well as in the public. So it is a long history. It is not as if suddenly people have become conscious of the irregular acts that he has committed. Sir, recently, one of the Bombay magazines, as well as many other weeklies, have come forward with detailed allegations. Recently, the Prime Minister wrote to two colleagues of his. According to the press reports, when the two colleagues pointed out to him that certain allegations had been made against them by certain persons and they wanted the Prime Minister to intervene, the Prime Minister is reported to have written to them that "you can go to a court of law and file a case under section 5 of the Indian Penal Code." So he wants his Cabinet colleagues to go to a court of law. Why does he not advise his own son to go to a court of law? Why doesn't he file a suit against Karanjia? Why doesn't he file a suit against Nikhil Chakraborty? Mr. Nikhil Chakraborty says that what has appeared is a tip of the iceberg. Mr. Nikhil Chakraborty, I know, is a very renowned journalist. Why doesn't he file a suit against Tendulkar? Because there is something hanky about the affairs. These are the conclusions of any layman. I am looking at everything only as a layman. As a layman, I

derive these conclusions. Probably, all those people who know a little bit of law of the land would not publish the materials they have been publishing if they did not have some evidence with them. Truth is the only defence in defamation cases. Unless and until you prove that you are true, you cannot defend. Therefore, knowing this provision of law, I think all these people must have truth with them. Why not challenge the truth? People are talking of a *prima facie* case. Sir, I think that there is a *prima facie* case. There can be no two opinions about it. It has been abundantly proven in the past few weeks, that not only there is a *prima facie* case, but also, if I may say, a very clear case against the son of the Prime Minister.

Then there is a caucus of the ex-Home Minister also. Some members of his family also have attracted the attention of the press and also they have attracted the attention of the politicians of my home State, Uttar Pradesh. You could not have reached the ex-Home Minister until and unless you met certain members of his family. So it is not a question of only the Prime Minister. But at least I must give due credit to the ex-Home Minister that he has taken position: "Yes, I want an inquiry commission to be appointed against my family members", while he has dared to ask the Prime Minister to do likewise. I do not know why the Prime Minister, who is an honourable man, who is a dignified man, who always attaches great importance to *maryada*, and *of whom many of us have a great deal of respect, does not rise to the occasion does not come forward and say: "Yes, I am going to appoint an inquiry commission. I will appoint an inquiry commission so that whatever mist—is there is cleared, the cloud of suspicions is cleared. I think that is what he owes to himself. As a citizen of this country I fail to understand his reluctance and the technicalities of the objection of the Prime Minister and the Leader of the House is placing the letters before the House.

Then I come to the legalities about the *prima facie* case. Sir, about this

aspect, I should like to refer to the legal position in India as well as in England. There are at least three Supreme Court judgements. Unfortunately, I could not locate them. But I am right on that, and nobody can contradict me. There are three Supreme Court Judgements, and one judgement probably of the Orissa High Court, which say that it is not incumbent on the appointing authority to be satisfied that there is a *prima facie* case for appointment of an inquiry commission. These are the High Court and the Supreme Court judgements. But, in England, Sir, they have gone one step further. Sir, my attention was drawn to a very famous book on Trial by Tribunals by a famous British jurist, Keeton. He has referred to the two inquiry commissions appointed in this century in England, in none of which the Government felt satisfied that there was a *prima facie* case. As a matter of fact, the book says that the Prime Minister felt constrained to appoint the inquiry commissions because of the pressure in Parliament, because of the public pressure, public pressure of public opinion. I will read just four or five lines. I am concluding, Sir, because I am very considerate to my other colleagues. I am just reading a few lines from that book. It is a very famous book on Jurisprudence. Now these are the two cases: Linky Tribunal and Bank Writ Tribunal. These are the two tribunals which were appointed recently. What has the author to say about these tribunals and about certain conditions to be fulfilled before these inquiry commissions are appointed? Now, referring to the fact that serious allegations were made by the Opposition, Keeton says—and I quote; "From this point of view that the last two English inquiries have been very instructive, in both cases, there was extensive widespread rumours. In both cases, when it was evident that the rumours might adversely affect persons in

[Shri Devendra Nath Dwivedi]

position or high trust, the Prime Minister directed that the inquiries be made. Then the Lord Chancellor reported that inquiries had disclosed no case to investigate. But the rumours, however, persisted. At this point, the Prime Minister had little choice but to order a tribunal." So it is very clear that all talk of a certain *prima facie* case having been established is very High School sharp English, non-politically immoral and unethical. It does not become of an honourable man like the Prime Minister.

Therefore, Sir, I think that there is a very clear case for appointment of an inquiry commission. There is a very clear case for appointment of an inquiry commission in pursuance, particularly, of the Motion, if it is adopted in this House. I was shocked that the Leader of the House should have said that it is not open to this House to pass a Resolution. He said that this can be done by the Lok Sabha. At least this much of common sense he should have had that there is a difference. When the Lok Sabha passes a Resolution to the effect that an inquiry commission be appointed, then it tantamounts to appointing an inquiry commission. This is a legal right. Ours is a recommendatory thing. As my honourable colleague has read from the Law Commission's Report, I cannot imagine the Rajya Sabha, a part of the sovereign Parliament, passing a Resolution and the Government standing again on technicalities and saying that it is not that "you can instruct us in the manner in which the Lok Sabha can". My friend, my lawyer friend, Mr. Asthana, was talking about the prestige of the House going down. I think there cannot be a better way of insulting—this House than saying that its prestige will go down. While talking, he also referred to certain legal points. I was reminded of the fact that we always see that there are two kinds of lawyers. Those who are confused lawyers and those who are not. And those who

are confused are always elevated to the Bench, while those who are not, continue to practise. So, Sir, I have not taken seriously what he has said. But in conclusion, I would only say . . .

SHRI K. B. ASTHANA: A bad lawyer, when he has no case, just abuse the other lawyers, his opponents, rather than meet their arguments.

SHRI DEVENDRA NATH DWIVEDI: So, I will conclude by making an appeal to the Treasury Benches, to the Prime Minister, to the Members of Parliament, to the Members of the Rajya Sabha, that this not a party issue. Definitely none of us should view it from the partisan angle. The politics of this country, Mr. Deputy Chairman, is in very bad shape. It is in need of redemption. Of course, these people cannot do anything about it. What we are witnessing is the beginning of the end of the Janata Party; it is nothing less than the beginning of the end. But in this process, while living, they might do immense harm. I will conclude by saying that when I look at the controversy between the Prime Minister and the ex-Home Minister Shri Morarjibhai and Choudhari Charan Singh, I am reminded of the little nursery rhyme about Humpty and Dumpty. The two gentlemen look to me like Humpty and Dumpty, and my poem reads:

Humpty Dumpty sat on a wall, Humpty
Dumpty had a greatfall;
All the Vajpayees and all the
Limayees, Cannot put back Humpty
and Dumpty on the wall. Thank you.

SHRI ERA SEZHIYAN (Tamil Nadu):
Mr. Deputy Chairman, Sir, I rise to oppose the Motion moved by Mr. N.K.P. Salve. While opposing that Motion, I may at the beginning say that I fully enjoyed, may I was enthused, by the long speech given by the hon. mover. I felt thrilled when he spoke of the highest principles of parliamentary democracy, the need for making this parliamentary

democracy a model for the entire world. And when he spoke of the enduring (values of parliamentary democracy, my heart simply felt a tremor. To hear such words of commendation! for parliamentary democracy from Members of Congress (I) is a welcome change. They have got a new-found love, a commitment, a supposed commitment for the functioning of parliamentary democracy in this country. Not only that, I also felt very happy when they argued for the setting up of a commission of inquiry, in fact, two commissions of inquiry. Commissions of inquiry were anathema to them and they considered their reports fit to be thrown into the wastepaper basket. Now they have come forward to say that they want a commission of inquiry. Now their enthusiasm is double. They say they want two commissions through one motion. Their new zest has gone up to that extent. *(Interruptions)*! Sir, what is that?

MR. DEPUTY CHAIRMAN: You continue, please.

SHRI ERA SEZHIYAN: I have to bother for this gentleman, you know. *(Interruptions)*.

Sir, as you know, a commission of inquiry can be appointed under two circumstances, as enunciated in the Commissions of Inquiry Act. One, when there is a definite matter of public importance, in the opinion of the Government; in that case the Government *suo motu* can appoint a commission of inquiry. Two, when a resolution is passed by the Lok Sabha; then it is mandatory on the part of the Government to institute a commission of inquiry. It has been rightly pointed out that a resolution here will not be of a mandatory character and it will be only recom-mendatory. Hon. Mr., Salve quoted the Law Commission Report. True; the Law Commission in its Twenty-fourth Report said:

"On the whole, there is no justification for making a distinction between the two Houses of the

Legislature wherever two Houses exist. We, therefore, recommend that wherever the Legislature resolves that a commission of inquiry should be appointed, the resolution should be by both Houses of the Legislature."

Even after this recommendation the Law Commission, both the Houses of Parliament had an opportunity to amend the Act in terms of this recommendation. But the two Houses did not deem it fit to amend this particular provision. So what he says does not hold good. Even though the Twenty-fourth Report of the Law Commission was before the two Houses, they had not thought it wise to make this amendment. The very fact that they have not done so, shows that this point has been taken care of. I will not take much time because it is very difficult to talk on a motion like this. What does this motion contain? Nothing can be said because nothing is there. It simply says that it wants two commissions of inquiry to be instituted by the Government to go into the allegations, supposed allegations, made by the former Home Minister against the members of the family of the Prime Minister and the allegations made by the Prime Minister against the members of the family of the former Home Minister. Sir, if a commission of inquiry is to be appointed, what terms of reference do we give? The reference should be that "Shri N. K. P. Salve says that somebody says that somebody also has said, so on. . ." I ask him: Why don't you take the charges in your own hands and come forward and give definite charges for an inquiry, taking the responsibility upon yourself? You have listed 30 or 31 charges which are not connected with the Resolution. Sir, the honourable Member has said he culled out the charges from newspapers, from sources which he is not prepared to identify. I am not going to ask him to identify the sources. Let him take the responsibility and come forward for an in-

[Shri Era Sezhiyan] quiry. He says he is an eminent taxation layer. He argues income-tax cases. Why does he not for once argue for the country for setting up a modern democracy in this country? He has been arguing for a number of years. Why does he not argue for once for the democracy of this country which he professes here? He is a tax expert. After his long speech here today he has proved himself to be not only a tax expert but a taxing expert, taxing about the definite basis on which he chose to come forward with this motion. But does he give any definite charge for a commission of inquiry to go into? The Santhanam Committee which went into the question of eradication of corruption in high quarters made one thing clear. This is what they said in their report. "It should be the duty of the committee to ascertain whether there is a *prima facie* case; then it may advise that a regular case be registered for investigation with a view to prosecute the Minister concerned by a commission under the Commissions of Inquiry Act. ..." Therefore, it is very clear, before you think of constituting a commission of inquiry, the charges should be definite; they should be specific; there should be a *prima jade* case made out, before you refer a case to a commission of inquiry...

SHRI SHYAM LAL YADAV: Even after he read out so many charges, you still think there is no specific charge?

SHRI MANUBHAI PATEL: That is no charge. I may say Mr. Shyam Lal Yadav has received Rs. 30 lakhs. Does , it become a charge?

SHRI ERA SEZHIYAN; Mr. Salve and Mr. Dwivedi also said there are so many Supreme Court judgments. I may quote on, Supreme Court Judgment in Krishna Ballabh case of 1969. When a commission of inquiry was appointed in Orissa, the case went to the Supreme Court. There the Supreme Court said. "If the charges

were vague and speculative suggesting a fishing expedition, the court will pause to consider whether the inquiry should be allowed to proceed." That means unless you have got charges which are specific, unless there is a *prima facie* case which has been gone through by a committee, there is no case for institution of a commission of inquiry under the Commissions of Inquiry Act.

The Vice-Chairman (Shri Shyam Lal Yadav) in the Chair.

Mr. Salve has quoted profusely from the records of the other House. I will also maintain the same decorum that he has shown. I was a Member there. I know what passed in those days. He was also a Member. Some others were also Members there. There very many charges were raised. At the end of the debate it was said by a very eminent person belonging to the Congress.

"My colleague, the Deputy Prime Minister, as many Members have pointed out, has to his credit many years of devoted and dedicated public service. He has through the years come to occupy an eminent position in public life. No one has cast aspersions on his personal integrity. When I am accused of dereliction in not calling upon the Deputy Prime Minister, Mr. Morarji Desai, to resign I am bound to ask what case the honourable Member opposite has made out which should impel me to oblige him."

The statement made by the Deputy Prime Minister clarifies the context in which he has made the earlier statement. I submit the motion before the House is misconceived and deserves to be rejected.

Sir, this was stated by the then; Prime Minister, Mrs. Indira Gandhi, of course, in the other House.

Again, there was a reference to all these allegations when Mrs. Gandhi was in Kanpur a few days ago and in a meeting she said that at that

time though the case was not enquired into thoroughly, she was satisfied with the explanation given by Shri Morarji Desai. This was said ' by the highest priest of their own Party or their highest deity with whose name the Party itself is christened for eternity to come....

SHRI PILOO MODY: In whose name they have all been branded.

SHRI PRANAB MUKHERJEE; I am happy that you are using her certificate.

SHRI ERA SEZHIYAN: I do so because it will be understood by you. When I quote her, you would not question that . . . (Interruptions)
Yes, Madam, what do you want to say?

One thing more. I do not want to take much of the time of the House, because others have to intervene. Our beloved Prime Minister has told the Press that if any definite charges are brought, he is prepared to consider them. Instead of quoting from clippings from the Press, and sources which refuse to identify if they are really serious why don't they come out with specific charges? This is a unique opportunity that is being presented. Formerly, whenever a Minister was under cloud or charges were levelled against a Minister, unless the Government wanted to constitute a Commission of Inquiry, it was very difficult for a private citizen or hon. Members to have the Commission of Inquiry instituted against him. Now a way has been found out by the Janata Government by introducing the Lok Pal Bill. Under the Bill previously the Prime Minister was not included in the purview of the Bill. But our Prime Minister has been insisting that Prime Minister should also come under the purview of the Bill. Well, both the Houses can pass the Lok Pal Bill and then you can approach the Lok Pal with charges such as the Prime Minister has misus-

ed his office, etc. Therefore, instead of asking for a Commission of Inquiry, which depends on the will of the Government, when the Lok Pal is appointed under the Lok Pal Bill you can approach that authority with definite charges instead of depending upon some correspondence which is not available to the House or sources which Shri Salve refuses to disclose to the world. A unique opportunity is given to you for getting your charges investigated by the Lok Pal.

I fully appreciate the unbounded enthusiasm shown by the hon. Members opposite to keep the highest office of Prime Minister of this Government and public life clean and impeccable. I accept it and I appreciate their anguish in this context because they are quite aware of how much harm can be done by a Prime Minister, and how much harm can be done by a son of a Prime Minister. When a Prime Minister and a son of a Prime Minister have done so much harm to the country, they are naturally very much allergic to the name of Prime Minister and son of the Prime Minister. They know it and I quite appreciate their anxiety on this score. They want to keep this office clean. They know of the Augean's stable which was there in No. 1, Safdarjung Road. Therefore, I thank them very much because they have vast experience in this respect more than anybody else. They have undergone this agony. At least they must be feeling it inside though they may not have expressed it openly. They have gone through the agonizing period of eighteen months. In those days, Sir, Parliament was functioning and the Prime Minister was functioning, but the Leader of the Opposition was in jail. Now, at least, Sir, we have got the Parliament here and the Prime Minister is functioning and the Leader of the Opposition is there to discuss these things. Therefore, the first opportunity has come now and it is before them. The first

[Shri Era Sezhiyan]

opportunity has come for them to let out their agony. Therefore, I welcome the suggestions made by them as to how the office of Prime Minister should be kept high and how the relatives of a Minister should be barred from interfering with the functions of the Government. But this is not the way to press it. The way in which you have pressed it, the way in which you have proceeded with it, by putting in a blanket and adiluted resolution, in which you want not one Commission, out two Commissions of Inquiry, is not right. Of course, their legal experts are there and they have excluded the Prime Minister. The Prime Minister has been excluded from the investigation by the Mover himself and also Mr. Charan Singh has been excluded. Only the sons and daughters are being dragged. They cannot come under the Commissions of Inquiry Act and they should be proceeded against under the normal rules of the normal laws. Therefore, Sir, they should come out with some other cogent and definite charges against the Prime Minister.

Sir, I for one in the Janata Party would say that the Janata Party is not going to defend any corrupt person anywhere, any person in any office and nobody is above the party, but the party is above the Prime Minister and the other Ministers. That day has gone now when it was said that only the Prime Minister decided everything, when whatever the Prime Minister decided was right. "The-Queen-can-do no wrong" dictum has gone now and it is not really there now. Sir, I have been in the Opposition against Mr. Morarji Desai and now I am with him. Men may come and men may go. But the institution is to continue and parliamentary democracy has to continue. Despite the aberrations that have taken place, it will continue and we do not lag behind anybody in upholding the office of

Prime Minister. We are not upholding the Prime Minister, but we are upholding the office of Prime Minister and the enduring values of parliamentary democracy about which Mr. Salve also spoke here. We want to uphold them also and in that we are one here. One thing I would like to say. Whenever this question comes up in this House, whenever some Member gets up in his seat and says that he wants the correspondence to be placed on the Table of the House even if the Chair has given the ruling, whenever so much noise is raised and so much din is made and whenever loudness repulses logic in the deliberations of the House, I would like to appeal to the Members to remember one wise saying of a wise Member of this House. He said, Sir:

"I think it is no longer a question whether a report is to be placed or not to be placed on the Table of the House. The more basic issues are whether we have to abandon all rules of procedure and conventions which have been holding good all these years in Parliament or do we have to run this Parliament under intimidation?"

This was said by a wise person called Mr. N. K. P. Salve in the other House. I do not tell the context. He made the suggestion in the other House. I hope he expresses the same sentiments here also and sees to it that the Members give some credence to the Rules of Procedure and the conventions because the conventions are there under which the Government has to function. The Prime Minister may change, the Ministers may change, the persons may change. But certain conventions and the inborn nature and the enduring values of democracy, particularly of parliamentary democracy, have to be upheld in this House. Therefore, Sir, I would say that we are prepared to discuss anything. Nothing can be shied away from. Even if you want to prevent it here, it will be talked outside the

House, in the papers and in the street corners. So, we are prepared to discuss, we are prepared to debate. But we refuse to be intimidated. Whether in the Opposition or on the ruling party side, we refuse to be intimidated by any manoeuvring that is being done inside the House or outside the House. We are prepared to face any charge on a political basis; we are prepared to face any charge on a moral basis; but we are not prepared to face any charge on the basis of intimidation. If we have to be proud of this House, I would only like this House to ponder over these things. Before we take a decision in such vital matters, Sir, this necessarily reminds me of something. I do not think that they are going to And out anything out of those letters. It reminds me of the story of a blivid man in a dark chamber trying to catch a black cat which was not there. Thank you, Sir.

SHRI BHUPESH GUPTA; Mr. Vice-Chairman, I rise here not to pronounce judgment on the allegations and charges that have been made against the Prime Minister's family or the family of Charan Singh . . .

SHRI KALP NATH RAI (Uttar Pradesh): Chaudhury Charan Singh.

SHRI BHUPESH GUPTA; Chaudhury Charan Singh. Anyway, these matters are for the appropriate body to go into. Sir, whether it is the son of the Prime Minister or the son-in-law of the former Home Minister or, for that matter, the wife of the former Home Minister and the daughter who wants to be very high-up in political circles, it is not for me to go into at this moment. But the fact remains that certain allegations have been made; certain charges have been made. They have been made through the newspapers and journals, they have been made on the floor of the House, and they have been made in the correspondence which has passed between individuals and members of the Government and also between the Prime Minister and the Home Minister at

that time. Therefore, the fact of existence of charges and allegations cannot be denied.

The question, Sir, is how to deal with them. We are in an unprecedented situation. We are facing a situation in which two big names of the present administration—well, one is now there and the other was there at that time—are involved. Their families are involved. And we in Parliament are called upon to express our opinion how to settle the problem, specially when they are accusing each other. Sir, on these charges depend the future of one who* has been the Home Minister of the country and his aspiration to become the Deputy Prime Minister of the country. We have to deal with them.

Sir, Shri Morarji Desai has said that whenever he is in power, his son comes in. The trouble is that the son becomes unimportant when you descend from the throne and the sons, daughters and daughters-in-law become important when you mount the throne. There seems to be a juxtaposition of the two. And that makes it a public issue. Whether the son is acting as the Private Secretary of the Prime Minister as in the present case or becomes a non-official Private Secretary and has extra-constitutional authority is a matter of futile nomenclature. But the fact remains that the son becomes important. Sir, your own son is there. Many people have got sons. I have not got one. Their sons are not in that position. How is it that only the Prime Minister's son, the Home Minister's son, the Prime Minister's daughter-in-law, or the Home Minister's daughter-in-law have come into the picture in public life? We have to deal with the situation.

Sir, much has been said about the Court of Inquiry. I am reading out from the Supreme Court judgment which was delivered in the case of Ramakrishna Dalmia by Mr. Justice Tendulkar and others.

It was said by the Supreme Court

[Shri Bhupesh Gupta]

"In each case the question is: is there a definite matter of public importance calling for an inquiry ...Quite conceivably the conduct of an individual or company or a group of individual persons or companies may assume such a dangerous proposition and may so prejudicially affect or threaten to affect the public well-being as to make such conduct a definite matter of public importance urgently calli'ag for a full inquiry."

This is the position. Here we are concerned with the conduct of some individuals involving public well-being and assuming dangerous proportions. That 'would call for a full

-inquiry. This is all we are concerned with here. I have given an amendment in which it will be clearly seen that I am not asking this House to pronounce a judgement. All I am asking this House is to lay down a procedure as to how we shall deal with this matter consistent with the dignity, rights and honour of this House and keeping in view public interest public morality and propriety in public life and especially the experience that we have gone through in recent days. That is all that I want. That is why I have suggested that let this matter be given to a committee of this House to be appointed by the Chairman. Let the

conv.nittee look into e^ach allegation, see them and decide on appropriate action whatever it may be. The option is open to the committee. The committee can say that it should go to jurists The Committee can say that it should go to a commission of inquiry. The committee can say that there Is no *prima facie* case. The committee can say that thi, matter should be discussed in Parliament and disposed of. I am not saying here anything of that sort. This is what I have suggested. If this suggestion is not

acceptable, then, of course, alternatively let the whole thing go to a commission of inquiry.

This is what I have said. Why I have said this and why I cannot really settle the

matter being sent to a jurist is because we are not going to be guided by a Judge. Are we, Members of Parlia- J ment, not in a position to see the documents, ask some people, and come to the conclusion as to whether this matter should be referred to certain commissions of inquiry o^r not or how it should be dealt with? Does it require a very learned jurist? In any case, in this House, we have got a large number of jurists also. Many eminent lawyers are also there. When the Chairman appoints a committee, he will keep in view all aspects of it. Jurisprudence will not be at a discount. We here are interested in going into the problem from the point of view of a common ma'i and from th_e point of view of a man who is reacting in the streets to the situation and developments which ar_e reported in press dai'y. It i_s all the more so because I feel that we have been let down in this matter. Correspondence should have been placed before our House. Why have they not 'been placed? I have seen the correspondence. I will not mention anything about it. That is my great inhibition in this debate lest I should mention what is contained in the correspondence. Therefore, I shall steer clear of the correspondence and what I have seen.

But having seen the correspondence I have not changed my mind to participate in this debate. Having seen the correspondence. I have not come to the conclusion that I should not support this by way of an amendment or a motion on this question because that will be going against my conscience. That will be going against the dictates of my conscience. But, as an honourable man. I will never refer to the correspondence. Sir, I wish I had not seen the correspondence. If I had not seen the correspondence, I would have been persuaded by some of the friends not to participate in this debate. You have lended me in trouble having shown me the correspondence. You have not given me

an option not to participate in the • debate a'nd not saying what I am saying quite outside the correspondence. Sir, what is there? Charges have been made galore. Are they specific?

Well, Sir, there was a time when I also made charges along with Mr. Chandra Sekhar, Mr. Mohan Dharia, Mr. Madbu Limay in another place, in the high-dome building and Mr. George Fernandes appreciating us very much at that time and joining us, and Mr. Vajpayee sitting by me and supporting me and egging me all the time. Sir, cannons to my right at that time have become cannons to may left. This is what has happened. Sir, such things happen in the political life. Sir, Mr. Morarji Desai's autobiography has not forgotten either me or Mr. Chandra Sekhar or Mr. Mohan Dharia. We have come in for a little comment by him, not a very kind and flattering one, as far as we are concerned. But it has been acknowledged that all of us—some of them are with him now and others are not with him—were together at that time which necessitated these observations in his autobiography. So, people do change their minds, do change their faces also. Otherwise, you would not have seen Mr. George Fernandes sitting thpre.

As fa, a, you are concerned, Mr. Biju Patnaik, you have most of the time been before the corn-missions of inquiry. That is not your place. Mr. Biju Patnaik you are a man of commissions of inquiry. I ca'mot think of Indian Commissions of Inquiry without remembering your name. But you have survived all the commissions, whether that survival is of the fittest or of the unfittest, i, a matte, of detail.

THE MINISTER OF STEEL AND MINES (SHRI BIJU JATNAIK): Shri Bhupesh Gupta, please sit down. (*Interruptions*). I am requesting you.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Order please.

SHRI BIJU PATNAIK: Sir, this is the second time he has raised this issue..... (*Interruptions*) I have re requested him to sit down. Sir, some time back. Mr. Bhupesh Gupta said that Biju Patnaik bulldozed through commissions. This time he said that he cannot think of a commission without Biju Patnaik. I only wish to remind Mr. Bhupesh Gupta the manner of their attack—what I hear today—and the manner when I was not in this House, when I was not a Member of Parliament. They were so brave in levelling so many charges that Mr. Biju Patnaik has eaten away crores of rupees, hundreds of crores and God knows what—if only you go through the records of the speeches—Biju Patnaik has got ten crores of rupees, ^{ln} contracts; where from he has got that money? All these brave men and women also were saying this. But then what happened I invited the Commissions. I invited the CBI to demolish these people. And do you know, Sir, when the Commission's report came, that Government which was hostile to me wanted to suppress that inquiry report and I had to go to the Orissa High Court to get that Commission of Inquiry report released. Within two days, that Government fell. So don't. Mr. Bhupesh Gupta, try to over-state your case. You are a guilty person. For aM your guilt. I invited a commission to bulldoze you, and that is why you are there. Your CPI is finished in the Eastern zone and I am here to serve the people.

SHRI BHUPESH GUPTA: Sir, it is a little digression. I am very glad...

SHRI BIJU PATNAIK: One more second, Sir. In this context, I would like to say one thing more, which has a reference to this House. In the terms of their accusations against the Prime Minister they say the Prime Minister is a wonderful person but his son is a crook.

This is the manner of their speaking. I will say one thing more in this House. (*Interruptions*). Mr. Bhupesh Gupta has said something, please listen.

5 p.m.

SHRI LAKSHMANA MAHAPATRO
(Orissa): Sir, why ne is intervening? He cannot intervene.

DR. V. P. DUTT (Nominated): Why are you speaking? (Interruptions).

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Order please.

SHRI BIJU PATNAIK: It reminds me of what Mr. Kalyan Roy said here in this House on the 12th May, 1978. He said. Mr. Biju Patnaik is in collusion with the contractors. He takes money. I have challenged him thsre and then and it is on record.

AN HON. MEMBER: It is totally irrelevant.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): He has given him the opportunity.

SHRI BIJU PATNAIK: I told him you are authorised by me to enquire here and now; I am authorising Shri Kalyan Roy here on the floor of the House to be a single-member commission to enquire whether the charge that he was levelled is correct or not and give a report within a month or in the next session of Parliament and if he cannot do that he should vacate this House. I ask Mr. Kalyan Roy is he vacating the House? Why is he not vacating the House? Let him vacate the House. (Interruptions). They level charges and say that the Prime Minister is a wonderful man but his son is corrupt. (Interruptions)

SHRI BHUPESH GUPTA: Sir, I am very glad.

श्री बुद्ध प्रिय मौर्य (आंध्र प्रदेश) : श्रीमन्, मेरा व्यवस्था का प्रश्न है। बीजू पटनायक साहब मेरा व्यवस्था का प्रश्न है। मैं नहीं बोलना चाहता था पर बीजू पटनायक साहब ने मुझे उकसा दिया है। बीजू पटनायक साहब ने उकसा दिया है इसलिये मैं उनसे पूछना चाहता हूँ वह उसका उत्तर दें जब उचित

P.M. & former Home Minister

समझें। पब्लिक एकाउंट्स कमेटी में भी व्यवस्था का प्रश्न ला रहा हूँ (Interruptions)

उपसभाध्यक्ष (श्री श्याम लाल यादव): यह कोई व्यवस्था का प्रश्न नहीं है।

श्री बुद्ध प्रिय मौर्य : आपने मेरा व्यवस्था का प्रश्न सुना ही नहीं।

उपसभाध्यक्ष (श्री श्याम लाल यादव): आपने कह दिया है।

श्री बुद्ध प्रिय मौर्य : नहीं, मैंने नहीं कहा

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Yes, Mr. Bhupesh Gupta.

SHRI BIJU PATNAIK: Sir, allow him to speak.

उपसभाध्यक्ष (श्री श्याम लाल यादव): कहिये, आपका क्या व्यवस्था का प्रश्न है।

श्री बुद्ध प्रिय मौर्य : पब्लिक एकाउंट्स कमेटी पार्लियामेंट को एक कमेटी होती है। उसमें व लिंगा एयर लाइन्स को लेकर जब चीन से टकराव हुआ था, प्रश्न उठा था। कलिंगा एयर लाइन्स का फौजी सामान सड़कों पर बिक चुका है। इस बारे में कमेटी ने अपनी सिफारिश में कहा है। जब चीन से युद्ध हुआ था तब तमाम फौज का सामान कलकत्ता के बाजारों में बिक गया था। कलिंगा एयर लाइन्स से क्योंकि आपका संबंध था इसलिये मैं आपके ऊपर यह आरोप लगाता हूँ।

उपसभाध्यक्ष (श्री श्याम लाल यादव): यह कोई प्वाइंट आफ आर्डर नहीं है।

SOME HON. MEMBERS: Shame, shame, (interruptions)

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): When you intervene, you can say all that you want to say.

SHRI BIJU PATNAIK: Sir, the Chief Justice of the Madras High Court was appointed to inquire and he found that all the allegations of men like him and Mr. Surendra Dwivedi were false. Therefore, Mr. Surendra Dwivedi lost his case with the people and I am here.

SHRI BHUPESH GUPTA: I do not wish to say very much about him because he said what he should say, and you have given him more time by now than you have given to me. Yet, he was not participating either on behalf of the Government or as a Member of the House. I should like to know what has happened to the income-tax arrears, which case was revealed in this House, of about one crore of rupees? Has he paid everything? Anyway, I leave it at that. Here, Mr. Biju Patnaik, why do you take it seriously?

Sir, the Hindustan Times of October 16, 1976 reported:

PATNAIK SEES POSITIVE GAINS IN EMERGENCY.

Bhubaneswar—October 15 (Sama-char): Bharitya Lok Dal leader Biju Patnaik said here today: 'The extraordinary powers assumed by the Government had brought in distinctive gains. These gains should not only be maintained, but also strengthened by the awakening of the national consciousness of the citizens.'

"He described the 20-point programme as healthy socio-economic programme which had been floated and backed by unusual Government insistence on its implementation."

"It was inconceivable, that the Government could have taken any firm, prudent or pragmatic step which was long overdue without

1022 RS—11

bridling the press or Parliament.

SHRI BIJU PATNAIK: Please read the rest.

SHRI BHUPESH GUPTA: Yes, I will do.

"If the Press and Parliament had been allowed to behave as before and the Government had not done anything it would have been dubbed as lackeys of black money, deviationists, anti-socialist, anti-labour."

So, the press behaved during the emergency according to him, very well, and before that, very badly.

"Mr. Patnaik said: 'Government had taken sweeping actions in exercise of emergency powers to achieve the economic well-being of the nation.'"

So, Sir, he supported the 5-point programme... *(Interruptions)*

SHRI BIJU PATNAIK: He cannot read out of the context. I demand. Let him have the courage to read out the context. He reads as he wants to read. Mr. Bhupesh Gupta, have some courage. If you have some courage, read out the context...

(Interruptions)

SHRI BHUPESH GUPTA: Mr. Biju Patnaik *(Interruptions)*... when Mr. Om Mehta was sitting, where Mr. Charan Singh was present, where your working paper was prepared which had been condemned by Mr. CGK Reddy, our Mr. Fernandes's very dear friend in his book 'Baroda Dynamite Case'. Mr. Patnaik sees Shri Charan Singh or Shri Om Mehta or his followers or somebody else of the caucus. Nobody knows, because Mr. Biju Patnaik is a man of the caucus. Therefore, I do not go into it... *(Interruptions)*. I thought, Sir, I was paying a tribute to Mr. Biju Patnaik... *(Interruptions)*,

SHRI BIJU PATNAIK: He is a great Chamcha of Mrs. Indira Gandhi.

SHRI BHUPESH GUPTA: I do not go into it. Forget him. That is a story... (*Interruptions*). I am coming to the subject now. Therefore, I forget Mr. Biju Patnaik.

Sir, all I say here is this. We wanted the letters to be placed on the Table of the House. We all wanted it, an overwhelming majority of this House. In the Lok Sabha, a particular party,, majority party can have the Government of its own, can have the whole Government ousted. But here in the Rajya Sabha, with an *overwhelming* majority, we could not even force the Prime Minister's so-called secret correspondent *i^>* be brought before the House. To what unimportance the Prime Minister wants to reduce us as far as this House is concerned? I am sorry to say so. That is why the situation has developed. Well, Sir, here is a set of correspondence which the Prime Minister voluntarily places before this House. This correspondence in regard to Mr. Charan Singh's resignation is marked 'Secret'. Mr. Charan Singh's correspondence is also marked 'Secret'. AH secret correspondence. The same Prime Minister voluntarily, without being asked for by us, comes to this House with this set of correspondence. But the other set of correspondence he would not give, because he would like the indulgence of this House not to be forced into laying on the Table of the House this set of secret correspondence. You cannot run with the hair and hunt with the hound. You cannot have both ways. Sir, do' I have the rules of secrecy to be a bodyguard of corruption? "" We have not come to that conclusion. We have not come to the conclusion that the rules and conventions relating to secrecy must act as the security guard of either Mr. Kanti Desai or Mr. Charan Singh's son-in-law. No. We have not come to that conclusion.

On the contrary, these secret letters should have been placed on the Table of the House *suo motu* by the Prime Minister. Why on earth, despite the request from all of us in this House, barring the ruling party did he not lay it on the Table of the House? What is the secrecy about it?

Sir, the reasons are simple. Perhaps, he fears the correspondence would reveal the real face of the present Government, the Prime Minister and the Home Minister, both put together. He is protecting his own Government in his own way. He is protecting himself and perhaps, the person, who would like, provided he would withdraw these charges to be taken back into the Cabinet, if not a, Home Minister, as Deputy Prime Minister. Mr. Morarji Desai knows that, by bargaining, some people may become Deputy Prime Ministers as he had once himself become. Therefore, sir, two people are involved. One is the Prime Minister of the country. He had been the Deputy Prime Minister and life-long Minister since Independence, except for the Kamraj Plan, and for a short while, when he got defeated in 1971. His career is one of Ministership. He knows better than I do. Another man gentleman, is Mr. Charan Singh. Chaudhury Charan Singh, I must say. He is also a big shot. Do you know what he said in an interview to 'Sunday' a Calcutta magazine of July ? The interview was taken by one Mr. Udayan Sharma. A question was put to Mr. Charan Singh: 'Whom do you blame for the crisis?' Do you know what was the reply given by Mr. Charan Singh? I do not know. What Mr. Morarji Desai will feel when I read it out. This is what Mr. Charan Singh said. The answer is: 'I blame myself for the crisis. I made wrong choices. I have committed two serious mistakes; first, the mistake of having made Mr. Morarji Desai the Prime Minister, and second- I dry,' the mistake of having agreed to Mr. Chandra Shekhar being the President of the party'. This is

wonderful. Here is the Home Minister who says he made him the Prime Minister. Mr. Raj Narain says: "I made him the Prime Minister, because I carried Mr. Charan Charan Singh's letter'. Only the taxi driver has not said," I made him the Prime Minister because I drove the taxi to the house of Mr. Jayaprakash Narayan. I do not know who made him and why. We do not know. (*Interruptions*)

Sir, as far as our friend is concern- ed, much has been said about him. Mr. Salve has mentioned so many charges. We can make other charges also. I will not repeat them but I wish to say that one case has gone by default as well, i.e. the charges against Mr. Charan Singh, I think I should fill in the gap. I demanded in this House two letters to be laid on the Table of the House. One was a letter from Shri Radhey Shyam MLA, President, Estimates Committee, Uttar Pradesh Assembly. He wrote a letter—well, the Prime Minister may deny it if he wants—dated 6th July, 1978, to the respected Prime Minister. Respected Prime Minister; yes, all Prime Ministers are 'respected', we are also 'respected'. He said, I quote: 'I had written letters about corrupt practices and earning huge amounts by his wife who is an MLA from Gokul, Mathura, after Chowdhary's joining Government, but my letters went without response. In Mathura and particularly w'hole of western U.P. Smt. Gayatri Devi herself was considered as Home Minister of India and Chief Minister of U.P." Oh, *baba*, what a terrible thing. He goes on saying: "She would remove and dismiss the officials, whether small or big by making complaints over the telephones. In the districts, officials, fetnall workers and politicians; were afraid of her terror. In Mathura dis_ trict there is a village Chaukarg in Tehsil Nauhjhil u'nder Mat constituency. There some Jats connived

and looted th_e house of a Brahmin, took away property worth lakhs and raped the girls' "abducted women by riding on their bellies and did all misdeeds. The house owner was killed by piercing with rods. These looter_s and killers then went to Delhi to meet Smt. Gayatri De_vi early next morning. She immediately sent one MLA, Shri Vijay Singh, Bulandshahar_i to Lucknow to see Chief Minister, with one" Shri Iqbal Singh who was uncle of one of accused and said that these people have wrongly been arrested and should be freed. They also gave an application to the Chief Minister and message from Mataji"—Mataji? It has become another Mataji. This Mataji is not the Nagarwala Mataji. This is¹ the latest Mataji.

SHRI N. K. P. SALVE: That explains why Mr. Bhupesh Gupta has remained unmarried all his life.

SHRI BHUPESH GUPTA: "Mataji was brought by Shri Vijay Singh. Incidentally, I was sitting there at the residence of the Chief Minister," Therefore he writes this letter because he was sitting there. In another place he says: "After some days Smt. Gayatri Devi influenced the police and court and they were released on bail." The letter goes on to say very many other things. In another place it says: "On each such transfer contractor Bikram Singh and Ch. Chau-hal Singh extracted money on the name of Smt. Gayatri Devi. Shrimati Gayatri Devi and her two-three stooges have big say in the administration and local papers have been w_ritirig Headlines telling that Smt. Gayatri Devi is *defacto* Chief Minister of UP. and has big hand in administration. These have gone to Chau-dhury Charan Singh, who never took any action on this. There was one Shri A. R. Joshi who was an honest Person. Smt. Gayatri Devi's stooges got him transferred after a few months only, because he did not agree to do whatever irregularities the*/-

[Shri Bhupesh Gupta]

wanted him to do. The Manager of Milk Dairy, Mathura, has recently been transferred on a false complaint by Smt. Gayatri Devi." I will quote one more thing from this letter. It says: "In organising Kisan rally in Delhi during December, Smt. Gayatri Devi collected money for her corrupt stooges from bus operators. They were threatened that this is Home Minister's* birthday and people had free ride in buses and trucks." Such letters are there. Finally, he concludes, "I will send you all such cases"—he wrote to you Mr. Morarji—"If you make regular enquiries of misdeeds of so-called honest persons, Chaudhury Charan Singh, Shrimati Gayatri Devi, their daughter Saroj,"—not you Saroj, the other Saroj. "brother, Shyam Singh, nephew Govind Singh, son-in-law Gurudatt Singh Solanki and relative Agriculture Minister Shri Rajendra Singh."

Now these are the things that we are getting. This is in Mr. Morarji Desai's possession, in Prime Minister's possession. What is he doing about it? Because he wants to keep this in his hand in order to force Mr. Charan Singh to withdraw the charges. He could have placed these letters along with the correspondence on the Table of the House so that we could have known. We have not been given this opportunity; hence the Motion.

I have got other papers in which many charges are alleged about Mr. Charan Singh and many others; including Mr. Rajnarain. Here is a pamphlet full of charges against Mr. Charan Singh. There is a booklet or a pamphlet against Mr. Rajnarain and so many other things. This is the situation today. Sir, how to deal with them? This is our problem. I say the charges are there. Many of them are specific. Names have been mentioned. Most of the charges have come from the members of the ruling party against their own partymen, unlike in the past. In the Past, charges went from this side to that side. This time the charges come

from their side to the treasury benches. We take them up to vindicate the truth in this matter. This is the difference between then and now.

SHRI PILOO MODY: What he is saying is that the Opposition has become the agents of the ruling party.

SHRI BHUPESH GUPTA: I do not know what they have become. Sir, without Pilloo Mody I feel very bad in this House because his interruptions, his asides, his manner—everything pleases me.

Now, Sir, I will come to that. We are functioning in a parliamentary democracy. Tell me in this world of the twentieth century, in which bourgeois Parliament with a Cabinet-cum-Parliamentary system, the Home Minister of a government has made such serious allegations against the son of the Prime Minister of that government and the matter is sought to be hushed up in this manner? Give one example. You will not find one. Ministers are attacked by others. But here the Home Minister thinks—he is supposed to have the intelligence outfit with him—by going through every thing that there is a case for enquiry. He reports it. He stakes his office and position on the demand that an enquiry should be held. Do you think the world is going to believe that there is no case whatsoever? Either the Home Minister is a bogus Home Minister whom you appointed for your party reasons. Or if you thought Mr. Charan Singh was to be the Home Minister of the country, rightly selected, if you thought he were to be No. 2 in your Government, then logically, whether you like him or not, according to the parliamentary standards, you have to accept his suggestion. You have no other go. I cannot accept it. I have no such illusion about Mr. Charan Singh. I did not give him such a position as you gave. But having given it and made him the Home Minister of the country well, Sir, you have to pay for the rest of it. Well, it is the duty of the Home Minister

to appoint Commissions of Inquiry. Under our rules of administration, under the Commissions of Inquiry Act, the Commission of Inquiry is initiated by the Home Ministry. It is this Home Minister who announced the appointment of Commissions of Inquiry in the other House. And here the Home Minister when he wants an inquiry against the son of the Prime Minister, he says: "No, no, it is all false". Mr. Morarji Desai has described the allegations as false. Mr. Charan Singh has said: "I have only brought the allegations to your notice" and he insists that an enquiry should be made. What is the inference? He must have other sources of information, besides what has appeared in the public, and he had come to that conclusion that an enquiry should be held. I am not pleading for Mr. Charan Singh. I have a case against Mr. Charan Singh also which has been hidden by the Prime Minister himself. Therefore, Sir, you cannot just leave that out. What will the people think? You say your prestige has gone ^{UP}- What will the people feel when the Prime Minister rejects the demand of the Home Minister of the country, the demand of the entire Opposition, the overwhelming majority of the Rajya Sabha? May I know, Sir, whether the matter of the charges by Mr. Charan Singh had been discussed in the Cabinet in the presence of Mr. Charan Singh and Mr. Rajnarain and the Cabinet then took the decision that no enquiry was called for. Please tell us whether it is a Cabinet decision taken in the presence of Mr. Charan Singh. Having not ^{one} that it does not lie in your mouth to charge him with violating the principle of collective responsibility. Collective responsibility is not the principle for collecting contracts and favours and other things for somebody else. So collective responsibility has been violated. I say this thing because there is no such decision communicated to us and the ^y Prime Minister has acted unilaterally, it seems. It seems two Cabinet Minister* were in favour of enquiry, one, Mr. Charan Singh, and another Mr. Rajnarain.

Mr. Charan Singh has never even said that the letters should not be divulged before the House. He does not treat the letter secret. He wrote two secret letters. But he does not want to treat the letters secret. He does not demand that it should be kept out of the House. You on your own took the responsibility of treating the letters secret which Mr. Charan Singh has divulged to the public, directly or indirectly. What sort of moralitv it is, I would like to know.

Mr. Charan Singh has gone a step further, whether for technical reasons or for other reasons, to outmanouvre some. I do not know. He says he is ready for enquiry immediately. Well, Mr. Prime Minister, Mr. Charan Singh has won a point over you. He has fixed you. He will tell the people that the charges against his family were also wrong. But he is ready for inquiry here and now. Mr. Morarji Desai will tell that the charges are false but he is not ready for even showing the letter to the Members of Parliament. How do you like this? May I know?

Sir, I am not making any kind of distinction between the two because they are part of the Government. I say that two standards are operating. And what is galling in public life is being discussed in private by the peace-makers of the Janata Party to bring Morarjibhai, the Prime Minister and the ex-Home Minister together. They are discussing what should be done with the correspondence. What should be done to the charges that have become the bargaining point for their internal party purposes, where the issues involved are public issues. We are not concerned with who comes into and who goes from the Cabinet. We are concerned with the allegations that have been made against the family members...

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Please conclude.

SHRI BHUPESH GUPTA: I am finishing, Sir. I am surprised when Mr. Morarji says that it should go to the Lokpal. Why should we go to the Lokpal? First of all, there is no Lokpal. Whether the Bill will be passed or not we do not know. We are being asked to go to somebody who does not exist at the moment. This is number one. Secondly, the Lokpal is meant for public men and not for Mr. Kanti Desai. Mr. Kanti Desai is a public man? Under which definition he is a public man? Mr. Kanti Desai may be the son of a great man, but surely, he is not a public man.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Please conclude.

SHRI BHUPESH GUPTA: Who is a public man? Is the daughter-in-law of Mr. Charan Singh a public man? First of all, she is not a man anyhow. I cannot understand how Mr. Charan Singh's sons-in-law are public men.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Please conclude.

SHRI BHUPESH GUPTA: They are not public men. Public man is defined under the Indian law. We become public men. You are a public man. But your sons and daughters, unless they occupy such positions as we do, are not public men. How can you go to the Lokpal? And why should we go to the Lokpal?

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Please conclude.

SHRI BHUPESH GUPTA: Mr. Morarji Desai says that we should go to the Lokpal. The provision in the Bill is that if you go to the Lokpal you should be ready for three years' jail in case technically you fail to prove your case. But here in Parliament we deal with the Ministers. Here in Parliament Ministers rise and fall. Here in Parliament they have to face public indictment, answer

them publicly in the forum, of the Parliamentary institution and democracy. That is how it should be done. Mr. Morarji Desai should not, therefore, again and again say, well, go to the Lokpal. We shall fight this issue here on the floor of the House, in Parliament itself, rightly or wrongly. Then, Mr. Morarji Desai is fond of sending others, asking others, to go to file cases for defamation. So many things have been said against his son. While he does not file a case of defamation, he is asking others to do so. The father can also do so. Why not? I do not know. I, therefore, suggest this. Many things are there. The pamphlet material is in plenty.

A caucus has come into existence. Shri V. Shankar was working with the British concerns, foreign concerns. He is not a very worthy man. His antecedents are not very good. In some concern, he was there. That way many things are said about him in this House and the other House. I am not concerned with that. Therefore, Sir, we hear that with sons, daughter-in-law and daughters, a caucus is being collected at the Prime Minister's House and everything is in operation. We protest against it.

Finally Sir, I would only ask the House to consider. I do not want to quarrel with my friends of the Janata Party. Many of them are honest men. Many of them are not fortunate enough. All of them cannot be Prime Minister's sons. After all, the country can have only one Prime Minister. It will not be possible to have 69 sons here. It is not possible. You are not Prime Minister's sons. He wanted to be the Prime Minister of the country and help Mr. Sanjay Gandhi for that. But you have not succeeded.

Now I am asking the Janata Party to take it as a moral political issue and support my resolution. I am not blaming anybody here. I am only suggesting a procedure. Go to the chamber, sit in a company, look into everything and decide on what should

be done. Leave it in the hands of the Chairman who should, go there, and I am sure, the Chairman will make a very responsible and impartial committee. I would ask my friends of the Congress Party to give up this idea of jurist. Why jurist? Can we not settle it ourselves? Are we so helpless? What will the people think? Here the Rajya Sabha could not settle it; they are sending it to a jurist, sir, I need not quarrel with them as such because they may think of sending to a jurist. Why jurist here? Our honour is at stake. The honour of Parliament is at stake. We are responsible men; we are capable men; we are objective men; we are not guided by personal prejudices when public issues are involved. (Interruptions).

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Please conclude. I am calling Shrimati S. Muthu.

SHRI BHUPESH GUPTA: That is all. I say. I hope, Mr. Morarji Desai will not take it as against him and will rise to the occasion to respond to wise counsel and wisdom.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Shrimati Muthu, please take your seat. I would like to inform the Members that the Prime Minister will intervene at 7.00 P.M.

त्रिपक्ष के नेता (श्री कमलापति त्रिपाठी) : मान्यवर, मैं आप से निवेदन कर रहा हूँ कि अभी इसको चलने देना चाहिए। बहुत से लोग इस पर बोलने वाले हैं। प्राइम मिनिस्टर को बोलना है तो उनको मन्डे को टाइम देना चाहिए ताकि इस पर कुछ बातचीत हो सके।

श्री कल्प नाथ राय : . चालीस आरोप तो मेरे पास हैं जिनको मुझे बतलाना है।

उपसभाध्यक्ष (श्री श्यामलाल यादव) : बिजनेस एडवाइजरी कमेटी ने एक दिन का समय इस के लिये रखा है। इस लिये आज ही इस पर विचार होगा। श्रीमती मुत्तु।

DR. (SHRIMATI) SATHIAVANI MUTHU (Tamil Nadu): Sir, I rise to say a few words. I oppose the motion brought by the Hon. Member. Shri N. K. P. Salve under Rule 170. This motion urges to appoint an enquiry commission to enquire into allegations of corruption made by the former Home Minister on the family members of the Prime Minister and by the Prime Minister on the family members of the former Home Minister.

Sir, there was a loud talk on the floor of the House since the 17th of July to table the correspondence between the two Ministers on this issue. After many for and against arguments for the past 10 or 12 days, the Chairman of the House came forward to table the correspondence for the perusal of the Opposition Parties' leaders, and now every Member has the privilege to peruse the letters.

In my view point. Sir, the allegations are not specific on both the sides. What had appeared in the Press seems to be the root cause for the demand for an enquiry?"

[MR. DEPUTY CHAIRMAN TIN THE CHAIR]

Even assuming that the PTess material can be taken as the basis for an enquiry into the conduct of the family members of the two important leaders in the Government. such material does not provide sufficient prime jaice evidence justifying the demand for an enquiry commission, for there are no specific charges either on Mr. Kanti Desai or on the family members of the former Home Minister. If unsubstantiated reports of the Press are taken as the only basis for investigation by responsible parliamentarians like us, the position of responsible leaders...

श्रीमती सरोज खापर्डे : सर, मुझे एक बात पूछनी है। माननीय सदस्य ने क्या सल्वे साहब ने जो मोशन मूव किया है उसके पहले यह स्पीच लिखी है या उस को सुनने के बाद लिखी है। ऐसा लगता है कि किसी ने कुछ लिख कर दे दिया है। उसी को वह पढ़ रहे हैं।

DR. (SHRIMATI) SATHIAVANI MUTHU: Sir, I want the hon. Member to have patience and hear what all I say, and then she can give her own comments or, if she has no time, she can give her comments to some of her party Members to talk afterwards.

SHRI N. K. P. SALVE: Are the charges not specific, madam?

C(R, (SHRIMATI) SATHIAVANI MUTHU: I would like to say that the notion you have given is on the charges levelled by the former Home Minister on the family members of the Prime Minister and by the Prime Minister, in counter to it, on the family members of the former Home Minister, Choudhury Charan Singh. This motion, I would like to say... (Interruptions)

MR. DEPUTY CHAIRMAN: Order, please.

DR. (SHRIMATI) SATHIAVANI MUTHU: Mr. Salve spoke just now levelling charges against the family members of the Prime Minister or even against the Prime Minister and he read them out from some of the newspapers relating not to a recent period but to a period 38 or 48 or 57 years ago. (Interruptions) I am coming to that point. Please wait a little.

If unsubstantiated comments in the press are taken as the only basis for demands for investigation by responsible parliamentarians, the position of responsible leaders to think and act for the nation's good will become untenable. It will also spell the death of "democracy and fair play.

In the first instance, Thiru Choudhary Charan Singh has started saying that the press reports against Thiru Kanti Desai are damaging and that the Prime Minister should appoint an inquiry commission to probe into the matter. This is the opinion expressed by Thiru Choudhary Charan Singh. He never referred to any suspicion of corruption or wrong practice on the part of Thiru Kanti

Desai arrived at on the basis of his own knowledge or investigation. He only referred to what appeared in the newspaper: somebody has written in the newspaper and so on. Who is that somebody? An hon. Minister who is a member of the Cabinet, cannot go by the charge of somebody appearing in some newspaper. He should be specific. No specific cases have been pointed out by him. He has said that the newspapers are spreading such damaging news. Now, Sir, I raise this point. He was the Minister in charge of Home Affairs, which has the very important function of rooting out corruption. And if he was so determined to fight against the evil of corruption among public men and to save the image of his Government from being tarnished by such damaging charges—he was a member of the Government; he was a member of the Cabinet; a bad name given to the Janata Government is a bad name to the Minister himself, to hon. Choudhary Charan Singh also—then he should have utilised his departmental machinery, the CBI, as the Member in charge of Home Affairs, to probe into the matter and find out the truth and if any *prima facie* facts of corruption were noticed after such investigations, he should have brought them to the notice of his colleague, the Prime Minister to see to them, or if the case really contained some elements of serious corruption, he should have demanded an enquiry. Even now, after his resignation from the Cabinet when the crisis over the demand by Members of both the Houses for tabling of the correspondence had risen to a high pitch, he was silent in the matter. He should have come forward to place the matter before the Lok Sabha as a Member of Parliament and reveal whatever facts he has in his possession about corruption charges against Thiru Kanti Desai, apart from what he knew from mere hearsay or from the newspapers. Unfortunately until today he is silent over the issue. He has set the ball rolling and is waiting to see the result. In the meantime, the fair name of the leader of the biggest democracy

is being sullied by insinuations, overt and covert. The very fact that the former Home Minister has not referred so far to any specific knowledge of corruption, apart from what he heard, shows that the charges against Thiru Kanti Desai are baseless.

To counter his charges, the Prime Minister has replied that there are allegations of corruption charges against the family members of the former Home Minister also. (*Inter-ruptions*) Sir, the references on both sides appear to be motivated by a mood of pique, very unfortunate, I should say, but without any basic—sustaining facts. I wonder whether responsible parliamentarians can use such flimsy evidence for mounting an assault on the conduct of the leaders which a demand for enquiry amounts to. Now coming to the point of Thiru Salve, in his motion Thiru Salve says that allegations made by the Ministers have caused great disconcert in the country and if the situation is not dealt with appropriately and with the urgency it demands, it is likely to bring not only the persons of high public standing to avoidable disrepute but also cause irreparable damage to the very credibility of public life in the country.

I do agree with the good intentions in which the motion is phrased to clear Caesar's wife of the slightest breath of suspicion. But the Members who plead for an inquiry commission did not charge either Thiru Kanti Desai or the family members of Thiru Chaudhuri Charan Singh. Even today to strengthen their point, they cannot point out specific cases. Mr. Salve was reading all the old allegations that appeared in the papers in 1939, 1956, 1968 and so on.

Sir, I would like to refer to the newspaper, *The Hindu*, dated 1-8-1978 which referred to the letter written by the Prime Minister to Thiru Hukumdeo Narain Yadav.

"Till now, no charge had been proved against Mr. Kanti Desai, the Prime Minister says, adding that,

at one stage, Nehru, at his instance, had instituted an inquiry and found Mr. Kanti Desai innocent."

So he had already agreed and when an allegation was levelled against Mr. Kanti Desai during the life-time of Nehru, he himself wanted an inquiry commission to be appointed and so the then Prime Minister, Nehru, had appointed a commission of inquiry which proved Mr. Kanti Desai innocent. This is the contention of the letter written by the Prime Minister to Thiru Yadav. The newspaper further says:

"Had there been even the least truth in the allegations, Mrs. Indira Gandhi would not have left Mr. Kanti Desai free during the Emergency, says the Prime Minister."

Honourable Members who are now raising the old allegations singing in the same tune, why did they keep quiet during the Emergency when Mrs. Indira Gandhi was in the chair and when she had all the powers at her command? They should have raised all these allegations against him at that time.

The report further says—quoting the letter—

"You possibly know, said the Prime Minister, that for 25 years now allegations have been made against my son. In 1956, when I was in Bombay and later when I came here,..."

Honourable Members and Mr. Salve, please listen to me here. Mr. Salve made an allegation against the honourable Prime Minister when he was the Home Minister of Bombay and here is the reply to that allegation:

"When I was in Bombay and later when I came here I had shown my readiness to have an inquiry whenever such allegations were made. Panditji was then alive. In some cases it so happened that persons who levelled the charges were not prepared for an inquiry. Even then at my instance Panditji

[Dr. (Shrimati) Sathiavani Muthu]

had instituted an inquiry and found him innocent."

So this is the second time he said he was prepared for an inquiry. He said he was not going away from the inquiry, he was not scared of any inquiry. He says if these allegations had been true, there was no hurdle in an inquiry being instituted against him during those years—that is, when he was in Government himself... (*Interruptions*)

SHRI GHOUSE MOHIUDDIN SHEIKH (Andhra Pradesh): I want to ask her a question. Shrimati Sathiavani Muthu was a member in Mr. Karunanidhi's Cabinet... (*Interruptions*) and there were allegations against her... (*Interruptions*).

MR, DEPUTY CHAIRMAN: Please sit down... (*Interruptions*).

SHRI GHOUSE MOHIUDDIN SHEIKH: She was in the Cabinet and now she is saying... (*Interruptions*).

SHRI U. R. KRISHNAN (Tamil Nadu): Please sit down... (*Interruptions*).

MR. DEPUTY CHAIRMAN: Please do not interrupt. I would request you not to disturb once the Member is speaking.

SHRI ANANT PRASAD SHARMA: But she should know what she is speaking.

MR. DEPUTY CHAIRMAN: You may not agree with her. Let her speak.

DR. (SHRIMATI) SATHIAVANI MUTHU: I would like to answer the point raised by the hon. Member... (*Interruptions*)

MR. DEPUTY CHAIRMAN: Order please. Please keep quiet... (*Interruption*^). Nothing will go on record.

SOME HON. MEMBERS: (*Continued interrupting*).

श्री उपसभापति : माननीय सदस्यों से मेरा निवेदन है कि यह अच्छी परम्परा नहीं होगी कि अगर कोई सदस्य बोल रहा हो तो इस तरह से आप उनको बोलने न दें ।

Please continue your speech.

DR. (SHRIMATI) SATHIAVANI MUTHU: I would like to answer the point raised by the hon. Member. He says that I was in the Karunanidhi Cabinet and the hon. Chief Minister, Shri M. G. Ramachandran, made allegations against me. I have undergone that process and it was proved that I was not involved in any corruption.

SHRI G. LAKSHMANAN (Tamil Nadu): Her case was not referred to the Sarkaria Commission.

DR. (SHRIMATI) SATHIAVANI MUTHU: There was no *prima facie* case against me. But I do agree that allegations were made... (*Interruptions*). Justice Sarkaria did not take up my case. On the contrary, Justice Sarkaria paid a tribute to me... (*Interruptions*).

MR. DEPUTY CHAIRMAN: When somebody raises some points against her, she has to reply to them. Hon. Members should not interrupt. She has a right to reply. Let her continue.

DR. (SHRIMATI) SATHIAVANI MUTHU: Justice Sarkaria paid me a tribute because as Minister in charge of Agriculture. I fixed the aerial spraying at Rs. 8.25, though overriding my decision the then Chief Minister fixed the rate at Rs. 9/-Justice Sarkaria complimented me. It you are so bold enough, do not depend on press reports. You specify your charges like 1, 2, 3 and 4. We will join you. But do not quote press reports in support of your case. Don't go to the Press. (*Interruptions*). Let them not go to the Press. (*Interruptions*).

MR. DEPUTY CHAIRMAN: Order, please.

SHRI GHOUSE MOHIUDDIN SHEIKH: She was in the Karunanidhi Ministry and she made the charges only after she left his party. (*Interruptions*).

DR. (SHRIMATI) SATHIAVANI MUTHU: Those allegations were based on the Press reports. If you have got any guts... (*Interruptions*) ...you give the allegations right from your party. Don't depend on the Press reports. The Press, the papers, belong to one party may sling mud on another party. (*Interruptions*) Therefore, do not depend on the Press reports. If you have got enough guts, give your own allegations. We will support you and we will follow you. He has said:

"I was not in the Government— 1963— 1967 and particularly 1969 to 1977. Had there been the least truth in these allegations, Mrs. Gandhi would not have left him free during the emergency. Though his house in Bombay was raided, nothing was found. Even Mr. Charan Singh has said that he does not have any case or proof of corruption against my son and that he was talking only on the basis of what others said."

Sir, even Mr. Charan Singh did not complain of any corruption on the part of the son of the Prime Minister. So, I would request the honourable Members not to depend upon these baseless corruption charges.

Sir, these are the points to be considered: On many allegations were made against Mr. Kanti Desai and some inquiry was conducted against Mr. Kanti Desai... (*Interruptions*) Sir, on many occasions allegations were made on Mr. Kanti Desai and some inquiry commission which was appointed found nothing against Mr. Kanti Desai. (*Interruptions*). As argued by the Prime Minister in his letter to Shri Hukam Deo Narain, even Shri Charan Singh has said that he does not have any case or proof of corruption against Mr. Kanti Desai. So, the question does not arise

for the Government to appoint an inquiry commission on the charges mentioned by the honourable Shri Charan Singh.

Regarding the charges made by the Prime Minister on Mr. Charan Singh and members of his family, these are also baseless. If the Opposition leaders are so interested, I would request them to present a *prima facie* evidence of the charges implied in the correspondence between the former Home Minister and the Prime Minister.

Sir, our leader, Puratchi Thalaivar MGR gave specific charges on the DMK Government in 1972 and urged on the Central Government to appoint an inquiry commission. So, the commission was appointed, headed by Mr. Justice Sarkaria and the charges were proved and now they are under the consideration of the Tamil Nadu Government. Sir, again I would request the leaders on the Opposition side that if they are so keen... (*Interruption*) ...on removing the alleged blemishes, they should make specific charges to substantiate the allegations ... (*Interruptions*).

An HON. MEMBER: On what basis?

DR. (SHRIMATI) SATHIAVANI MUTHU: You please move another Motion. (*Interruption*). Let the Opposition Members move another Motion and demand an inquiry.

SHRI GHOUSE MOHIUDDIN SHEIKH: Sir, she was in the Karunanidhi Ministry and she made charges only after she left him. (*Interruptions*).

DR. (SHRIMATI) SATHIAVANI MUTHU: I would say that this is not the occasion for bringing any such charges... (*Interruptions*).

SHRI V. GOPALSAMY (Tamil Nadu): Sir, at the time of the recent elections... (*Interruptions*)... Mr. M. G. Ramachandran said that when he was the RDO, he accepted bribe... (*Interruptions*) and that was why he was dismissed. That MGR has accus-

[Shri V. Gopalsamy] ted Mr. Morarji Desai... (Interruptions).

DR. (SHRIMATI) SATHIAVANI MUTHU: No, no. (Interruptions).

SHRI U. R. KRISHNAN: No, no. (Interruptions). Never, never.

DR. (SHRIMATI) SATHIAVANI MUTHU: It is not so, Sir. (Interruptions).

SHRI U. R. KRISHNAN: Sir, he is misleading the House. (Interruptions). He is misleading the House.

DR. (SHRIMATI) SATHIAVANI MUTHU: Sir, it is a false allegation. (Interruptions). On no occasion has MGR said that.

SHRI G. LAKSHMANAN: Sir Will the honourable Prime Minister clarify the point? I am the person who wrote that letter about MGR. (Interruptions).

DR. (SHRIMATI) SATHIAVANI MUTHU: On no occasion, Sir, has MGR made any allegation against the honourable Prime Minister, Shri Morarji Desai. It is the only DMK people who are putting the blame on us (Interruptions). This issue is about Mr. Morarji Desai and Mr. Charan Singh. (Interruptions). As I

already said, there was nothing in those letters to warrant

setting up a Commission of Enquiry. Any specific charges unearthed by the interested parties should have to go through a separate procedure before being admitted for discussion in the House. Let the Opposition bring a separate motion on the charges on the Government, not based on any Press reports—you bring any charges—we will be readily along with them in support of that motion. But as matters stand now, in the absence of specific charges, I am firmly of the opinion that the weapon that is used by the Opposition leaders to attack the Janata Government is blunt, broken, rusty and useless, besides causing injury to the moral fibre of the nation.

I am, therefore, not in a position to support the motion. Not only that, I strongly oppose the motion in the interests of equity and fair play and the prestige of our country. ... (Interruptions).

MR. DEPUTY CHAIRMAN: Order, please, we would not have a debate on Tamil Nadu... (Interruptions). As just announced, the Prime Minister would speak at 7 p.m.... (Interruptions)

SEVERAL HON. MEMBERS: No, no... (Interruption^)

SHRI ANANT PRASAD SHARMA: Many speakers are there, Sir. He should listen to everybody.

SHRI MOHAMMAD YUNUS SALEEM: You will not forget, Sir, that these are Ramzan days. We have to open our fast at seven. So we will be deprived of the Prime Minister's speech. Either the time be advanced or deferred... (Interruptions).

SHRI ANANT PRASAD SHARMA: The Prime Minister should not intervene. ... (Interruptions).

MR. DEPUTY CHAIRMAN: We have to fix a time-limit. How, long should the House sit?... (Interruptions).

شہری سیدی احمد ہاشمی (آنرپریزیس):
دوڑھ کھوانے کا وقت ۷ بجکر ۱۰ منٹ
ہے اس کا خیال رکھنا چاہیے - یہ
ہاؤس کا بھی کنونشن رہا ہے -

†[श्री सयद अहमद हाशमी (उत्तर प्रदेश): रोजा खोलने का वक्त 7 बजकर 10 मिनट है इस का खयाल रखना चाहिये। यह हाउस का कन्वेंशन भी रहा है।]

श्री कमला पति त्रिपाठी: मान्यवर मेरा अनुरोध है कि इस मामले में कृपा करके प्रधान मन्त्री जी इण्टरवीन न करें। आज जितने बोलने वाले हैं उनको बोलने दें। सब की बात सुन लें तो सोमवार को इण्टरवीन

करें और अच्छी तरह से उसका जवाब दें। मेरी प्रार्थना प्रधान मन्त्री जी से भी है कि आज उनका इण्टरवीन करना ठीक नहीं होगा। इधर से भी और उधर से भी दोनों ओर से बात सुनें और सोमवार को उत्तर दें।

श्री लाल कृष्ण अडवानी : उपसभापति महोदय, मैं समझता हूँ कि इस विषय पर विजनेस एडवाइजरी कमेटी ने विचार करके ही निर्णय किया। आज का बृहस्पतिवार का दिन पूरा इसके लिए है। प्रत्येक विषय के लिए साधारणतया घण्टे अलाट किए जाते हैं लेकिन इसके लिए बृहस्पतिवार का पूरा दिन तब किया गया जिसका अर्थ है चार घण्टे, दो बजे से लेकर 6 बजे तक। क्योंकि इस विषय पर बहुत लोग बोलना चाहते हैं। पहले तो यह व्यवस्था थी कि पीने 6 बजे प्रधानमन्त्री जी इण्टरवीन करेंगे और उसके बाद सातवें जी जवाब देंगे। लेकिन अब बोलने वाले बहुत हैं इसलिए सदन की कार्यवाही 8 बजे तक चले और 7 बजे प्रधानमन्त्री जी इण्टरवीन करें।

श्री سيد احمد هاشمی : مگر ۷ بجے

کر + ۱ منٹ پر روزہ کھولنا ہے -

[**श्री संयद अहमद हाशमी :** मगर 7 बजेकर 10 मिनट पर रोजा खोलना है।]

श्री محمد یونس سلیم : ۷ بجے

کر + ۱ منٹ روزہ کھولنے کا ٹائم ہے -

[**श्री मुहम्मद युनेस सलीम :** 7 बजेकर 10 मिनट रोजा खोलने का टाइम है।]

श्री سيد احمد هاشمی : جو

ممبرس کڈوائی میں پارٹیسپیٹ کرنا

چاہیں اس کا مطلب یہ ہے کہ وہ
کڈوائی نے انڈر پارٹیسپیٹ نہ کر
سکیں -

[**श्री संयद अहमद हाशमी :** जो मेम्बर्स कार्रवाई में पार्टिसिपेट करना चाहें इस का मतलब यह है कि वह कार्रवाई के अन्दर पार्टिसिपेट न कर सकें।]

श्री कमला पति त्रिपाठी : मान्यवर, मैं यह प्रार्थना करता हूँ कि विजनेस एडवाइजरी कमेटी ने जो भी निश्चय किया हो, इस हाउस को पूरा अधिवार है कि यदि किसी विवाद को बढ़ाना चाहें या खत्म करना चाहे जो भी निर्णय ले। हम लोगों की प्रार्थना है कि यह मामला बहुत गम्भीर है और बहुत से लोग बोलना चाहते हैं। बहुत से लंगों का विचार है कि अगर प्रधान मन्त्री जी उनके विचार न सुनें तो क्या बं लेंगे। सब लंगों की बात सुन लें इसके बाद आप सोमवार को इसका उत्तर दें, यह अच्छा होगा यह मेरी प्रार्थना है।

श्री भीष्म नारायण सिंह : सात बजे हाउस को बन्द कर दीजिए और मण्डे को टेकअप करिये...

श्री سيد احمد هاشمی : بجکر

+ ۱ منٹ پر روزہ افطار ہوتا ہے -

ظاہر ہے جو ممبرس یہاں پر پارٹیسپیٹ کرنا چاہتے ہیں وہنا چاہتے ہیں پوری کڈوائی میں حصہ لینا چاہتے ہیں ان نے لئے مشکل ہوگا اس میں دلالتیو کرنا اس لئے ممبرا ضمنی طور پر سرجیشن ہوگا یہ فلونشن بی رہا ہے کہ اس کڈوائی کو کڈوائی نہ رکھیں اور ملندے کو پروانم منسٹر صاحب انٹوین کریں -

†[श्री संयद अहमद हासमी : 7 बजकर 10 मिनट पर रोजा इपतमाद होता है। जाहिर है कि जो मेम्बर्स यहां पर पाटिसिपेट करना चाहते हैं, रहना चाहते हैं, पूरी कारंबाई में हिस्सा लेना चाहते हैं उनके लिये मुष्किल होगा कन्टिन्यू करना इस लिये मेरा खिम्ती तौर पर सजेशन होगा यह कन्वेशन भी रहा है कि इस कारंबाई को कन्टिन्यू न रकडें और मन्डे को प्राइम मिनिस्टर साहब इन्टरवीन करें।]

श्री नामेश्वर प्रसाद शाही : श्रीमन्, पार्लियामेंट में रोजा खोलने का हर सामान मिलता है। इसलिए मैं माननीय सदस्यों से निवेदन करूंगा कि पार्लियामेंट में ही रोजा खोल लें बडिवा मिठाई, बडिवा टोस्ट सब यहां मिलते हैं। (Interruptions)

श्री भीष्म नारायण सिंह : मुस्लिम सदस्यों को सात बजे के बाद रोजा खोलना पड़ेगा इसलिए वे बोल नहीं सकेंगे। (Interruptions)

श्रीमती हामिदा हबीबुल्लह (उत्तर-प्रदेश) उपसभापति महोदय, ठीक सात बजकर दस बजे रोजा खुलता है हम रोजे से हैं लेकिन हम यह जरूर चाहेंगे कि हम प्रधान मंत्री को सुनें लेकिन सात बजे हम रोजा खोलने के कारण उन्हें नहीं सुन पायेंगे। इसलिए मैं अरोज करूँ कि मेहरबानी करके आप इसको पोस्टपोन करके मंडे को कीजिए।

श्री भीष्म नारायण सिंह : मेरा ख्याल है कि सात बजे तक बहस चलाइये फिर सात बजे हाऊस एडजर्न कर दीजिए और मंडे को टेक अप कीजिए। बिजनेस एडवाइजरी कमेटी में हम डिस्कशन के लिए दिन रख लेंगे। क्योंकि मुस्लिम माननीय सदस्यों को रोजा खोलने में इनकन्वोनियंस होगा, यह भी तो आपको देखना पड़ेगा।

the time and that should be adhered to. You will please also note that some of the parties have been allotted definite time. The Congress Party has taken only 20 minutes. The other parties have taken much more time and you are depriving our party of the allotted time. If you want to end the debate, then our party will be deprived of its allotted time to which we are entitled. As the subject is very important, the three members of our party decided to participate on separate aspects. Therefore, we gave three names. My friend, Mr. Dwivedi, finished in 20 minutes. It will be a great injustice to our party if you end the debate suddenly at 7.00 P.M. Therefore, I submit that let the debate continue till 7.00 P.M. Keeping in view the importance of the subject and the difficulties of my minority friends, it may continue on Monday. I do not know why the Treasury Benches should object even to this. This is a subject-matter which has no parallel in the history of Rajya Sabha discussions. Let us all have a fair discussion on this.

MR. DEPUTY CHAIRMAN: If the House so wishes, we can certainly sit quite late. In deference to the wishes of the Members of the House, the Prime Minister agrees to address the House at 8.00 P.M. instead of 7.00 P.M. After that, Shri Salve will reply and the proceedings will end. (Interruptions)

SHRI BHISHMA NARAIN SINGH: We can take it up on Monday. Will we be sitting the whole night?

MR. DEPUTY CHAIRMAN: Even if we sit long, there has to be some time-limit because we have to distribute the time amongst various parties. If we know the time by which we have to finish them we can distribute the time between the parties. That is why I want to know till when we should sit. Well, Mr. Piloo Mody to speak.

SHRI PILOO MODY: Mr. Deputy Chairman Sir. . .

SHRI DINESH GOSWAMI: Sir, please note that it has been said from the Treasury Benches that the Business Advisory Committee has fixed

t [] Devanagari transliteration.

AN HON. MEMBER: Up to what time are we sitting?

MR. DEPUTY CHAIRMAN: We " will decide later, f

SHRI ARVIND GANESH KULKARNI: Sir, you have not listened to me. I am all along trying to draw your attention. Mr. Dinesh Goswami has rightly stated that we have to contribute to this debate. Some Members want to have it on Monday and I do not mind. But the point is that we shall be discussing up to 8 o'clock. And whatever you do is your choice. But, Sir, we have to contribute to the debate today only.

SHRI PILOO MODY: Mr. Deputy Chairman, Sir, I am not surprised at all the anxiousness that has been shown by some sections of this House to continue this debate for ever and ever. We had such a hilarious time this afternoon that it is only right that we should continue this soft of hilarity and leave aside more serious problems which are facing this country, and go on after these letters, after these allegations and after these charges so that we give these children of innocence an opportunity of performing before the gallery. It is indeed the great fortune of Mr. Morarji Desai because it was ten years ago, less four days today, the same people ...

SHRI ANANT PRASAD SHARMA : No, no. They were the people.

SHRI PILOO MODY... sitting on this side of the House were stoutly defending Mr. Morarji Desai ten years ago. Don't you feel foolish to interrupt without hearing what I am saying. These people of innocence were defending Mr. Morarji Desai only ten years ago. And in ten years I do not know what happened. I think, the greater part of the ten years was spent by Mr. Morarji Desai in out of office. And if the allegations are correct, then for what time Mr. Morarji Desai was out of office. Mr. Kanti Desai was also out of office.

So, what are they really talking about? A long list of paper clippings ...

SHRI KALP NATH RAI: Against corruption.

SHRI PILLO MODY: Do you know how to spell it? Sir, they are not only the children of innocence but they have been born in the sin of corruption. They are the children of corruption also—the most monumental corruption that this world has ever known. The mother and the son between the two of them, did away with Rs. 500 crores. And they are talking about corruption. Like the good tax expert that Mr. Salve is, he is very methodical. He says Rs. ₹32,372, Rs. 1,72,492 and Rs. 98,760 was spirited away. I do not know whether he was collecting commission on these things or what. But I cannot possibly see how he could remember such figures so accurately. You forgot the paise, Mr. Salve. And according to the tax laws of this country, you may be hauled up even if you evade two paise tax.

SHRI N. K. P. SALVE: According to the tax laws, it should be rounded up to the last Rs. 5.

SHRI PILOO MODY: Oh, I didn't know it! I confess my ignorance about tax laws because I never advised anybody how to evade taxes. Sir, when I was asked to speak in this debate, I was at a loss because I am neither a lawyer, who can carry a brief, nor an accountant, who can count like Mr. Salve, nor a politician, who can shout like Mr. Kalp Nath Rai and, of late, Mr. Sharma has also joined him. Nevertheless, having been endowed with some common sense, which is a very rare commodity, I have been trying now for a long time to try and see if something hits the ear which one can ruminate and say. Yes there is some justification for all this hot air. But I could not find any. Sorry, Mr. Salve. *(Interruptions)*

AN HON. MEMBER: You are a comedian of Joh'nny Walke, category.

SHRI PILOO MODY: What he says could be made up for any one of them. I can make a chargesheet like this and slap it on every single one of them. My dear fellow, I would have been happy if you could have produced something of substance because I do not think you can accuse me of having protected corruption anywhere in this country.

AN HON. MEMBER: Today you are doing it.

SHRI PILOO MODY: I would very much like to see corruption exposed but I very sincerely object to everything being turned into a political issue because if we are talking about political corruption, all the political corruption in this country is there in such a monumental measure that no amount of stealing, even if I stole every day of the year for the rest of my life, could equal the amount of corruption that these people have perpetrated every week of their lives. So, it is not corruption which is an issue here. Corruption is a way of life with you. How can it become an issue in this case? It is all politics. And, I am very glad that it is politics on this occasion, at any rate, because it is, *after* all, a political game that has to be played. What difference does it make? If I may quote correctly from the other House, now that you have permitted the practice: Sir, this was on the 19th August, 1968. It was said like this: 'Perhaps they believe that what they suggested reflects some kind of a Machiavellian wisdom or culture. But, it is, I am very sorry to say, merely cheap political propaganda and, if I may say so, wishful thinking on their part. Some extraordinary charges have been made. I am glad that the two Ministers here have refuted them. I think the charges are as irrelevant as they are ridiculous.'

SHRI KALP NATH RAI: Do not talk nonsense.

SHRI PILOO MODY: Sir, he is calling the Hansard, what the parliamentarians of India have said, nonsense. I would like to repeat the last sentence; "I think the charges are as irrelevant as they are ridiculous". This was said by Shrimati Indira Gandhi on the 19th August, 1968. So, as a first step, Mr. Salve, if you want to remain a Member of good-standing in your party, you will cut out twenty-nine and a half charges that you have brought this evening because your leader has exonerated the subject of your attack. Now, what are you going to say? You will have to come to more contemporary times.

AN HON. MEMBER: Say sorry about it.

SHRI PILOO MODY: I am afraid that requires a big man. And, therefore, Sir, I see that time is running short. I have nothing to add to this frivolity that we have witnessed this afternoon. I presume we will be kept here hanging till the moon comes out, because they, perhaps, think that they can do things better by darkness. And the voting may take place even at midnight, who knows? But the fact of the matter is that this is a serious business; corruption charges brought against the people are a serious business. It cannot be turned into a political propaganda.

SHRI DEVENDRA NATH DWIVEDI: Ask Mr. Charan Singh why he made those charges.

SHRI PILOO MODY: If I could ask Mr. Charan Singh, why do I need a greater authority like Mrs. Indira Gandhi? Or have you started now believing in Mr. Vajpayee? Whom do you want to believe him and not Mrs. Gandhi?

SHRI KALP NATH RAI: Yes.

SHRI PILOO MODY: I would like the hon. Members of this House to remember...

SHRI KALP NATH RAI: Why did you desert Mr. Charan Singh?

SHRI PILOO MODY: No, I did not desert Mr. Charan Singh. Mr. Charan Singh deserted me. And I wish I could say the same thing about Mrs. Indira Gandhi and you; -but that will take some time. Sir, I am only asking the hon. Members of this House to ponder over one thing. During the period of emergency, this country went through a very traumatic experience. All sorts of things were done which cannot be justified either in law or in morality. I would like you to ponder about the attitude of this Government towards Shrimati Indira Gandhi. We have given her the benefit of every doubt. We have refused to use one instrument of State power outside the rule of law in bringing her to book... (*Interruptions*)

SHRI ANANT PRASAD SHARMA: ' Come here and da'nce. That will be better.

SHRI PILOO MODY:

कन्ट्रोडिक्ट कीजिए ।

कन्ट्रोडिक्ट कीजिए ।

SHRI N. K. P. SALVE: For God's sake, we do not want to live on your mercy. Do your worst.

SHRI PILOO MODY: Mr. Salve is now asking me to do my worst. I thought I was doing my worst on him right now. Because he is used to the totalitarian methods that he has subscribed to he wants us to use those same methods. But we are not going to use them. You will go or stay entirely through the rule of law and your leader will be treated likewise. All I am asking you totalitarian to do is to show the same consideration to our leader. Thank you.

SHRI A. R. ANTULAY (Maharashtra): Mr. Deputy Chairman, I have been all along listening to this debate during the past few hours. Except for certain remarks that were made by certain friends in a lighter 1022 RS—12.

vein, I think the debate has been going on in a very serious atmosphere. Sir, as a matter of fact, there has been a contention raised by the other side that specific charges should be levelled. I think, they have been thinking about this 'specific charges' as an answer for the past few months. But after Mr. Salve's speedy in which he quoted chapter and verse, for any hon. Member to repeat the same thing and say that specific charges should be levelled means, he is absolutely oblivious of the things that are taking place here in this House right under our own nose. Mr. Salve had listed 32 charges. Nobody can say that since the charges relate to a period prior to 1969, these charges should not be looked into. Mr. Piloo Mody has said that Shrimati Indira Gandhi had looked into the charges and gave a clean chit to Shri Morarji Desai, our Prime Minister, in regard to his son. For once at least, I am happy they think that the certificate given by the former Prime Minister should weigh. But may I, with all the gravity and with all the responsibility at my command, as a Member of this House, say that even when the charges in London, in England, in the United Kingdom, were looked into by the Lord Chancellor, before the same matter was referred to the Tribunal, under the Tribunals of Inquiry Act, 1921, the Royal Commission, which was appointed specially by a resolution of both the Houses, had come to the conclusion, after hearing the evidence of experts, top lawyers, jurists, judges, Lord Chancellors and ex-lord Chancellors, that this was a specious practice and that it should be totally discarded? Whether it was the Lord Chancellor or whether it was any eminent jurist, the public enquiries under the Public Inquiries Act, should never be discarded and should be given preference. Therefore, my humble submission is that, even assuming Mrs. Indira Gandhi gave a clean chit, that was just like the verdict of that Lord Chancellor, who also gave a clean chit to Lord Cecil.

[Shri A. K. Antulay]

A clean chit was given by the then Attorney General of England to Pro-fumo, and still, the people were not satisfied. The Commissions of Inquiry are appointed not to prosecute. If there is enough material, foolproof material, nobody can prevent the Government from instituting a prosecution. When a fact is not to be very easily found, when rumours are set afloat, even to kill the rumours, Commissions of Inquiry have been appointed in a democracy, which we hold as a great model, in a parliamentary democracy, which we take as the Mother Parliament, that is, the United Kingdom.

I will quote chapter and verse from the evidence given before" this Simon Commission, the Royal Commission, as it was called, by great legal luminaries and dignitaries. Though I know, when certain things are read out, they are a little boring, yet, I would like to do it, because I would like to contribute my little humble effort in this direction, in the interest of justice and in the interest of the debate that is going on here in this House for the past few hours.

I would quote from the proceedings of the Royal commission. This Commission was appointed in 1966. They had many dozens of sittings and heard evidence which was recorded verbatim. Those who appeared before the Royal Commission were dignitaries, whose integrity, expertise and knowledge, I am sure, none there questioned. Those are the persons and the authorities whom even today, after 30 years of independence, we take as precedences and leaders to follow in a parliamentary system of Government that we have adopted in our own country. Prof. George W. Keeton, an eminent Jurist, says:

"The other thing which did occur to me in looking at the proceedings of some of our recent Tribunals—and this is I think almost equally important—is the absolute necessity for the expert handling of evidence. It is a difficult job, I

P-M. & former Home Minister

can well imagine, for any Judge, but it is a fundamental condition of the Tribunal working satisfactorily; particularly that in the early part of the inquiry, if the inquiry has arisen out of rumour or Press sensation, the handling of a great deal of matter which in fact would not be evidence before a law court will govern the whole character of the later inquiry."

I am not going to take the House into other quotations which I have in abundance. Lord Denning; and who does not know Lord Denning, the Master of the Rolls? Lord Denning's name in the British jurisprudence is a common place name, not only in England but all over where democracy ranges, including the USA though there is the President's form of government. I do not want to quote Lord Denning and take time of the House. It is a book which is available for anyone to go into. Mr. Deputy Chairman, Lord Denning said that even if there are rumours—and he was in charge of the Profumo affair, as all of us know—if the credibility and integrity of the Government is suspected, if people are about to lose faith in the impartiality and the standing of the administration, let rumours be there as rumours, but it is the duty of the Government to appoint somebody in whose integrity none can have any doubt. That authority is to go into it and come to the conclusion that it is a rumour. To satisfy the public curiosity and the public mind is a more important thing in a democratic set-up. It is not as if commissions have been appointed to kill somebody's reputation. After 1921, under this Tribunals Act in England, about more than a dozen enquiries were conducted by eminent jurists, eminent judges, eminent personalities. In more than three to four cases the result of the enquiry was that there was nothing except rumour. Yet nobody could dare say there in England that because the Tribunal came to the conclusion that there was nothing except

the rumour, therefore, it should not be appointed. No. I know Mr. Morarjibhai very well. He was our Chief Minister. I would certainly appeal to his good sense as to why he should not agree to this. Mr. Salve has, as I said earlier, given these charges and these are the specific charges. If these are not the specific charges, which charges are specific I would like to know, which charges would at all, ever be specific. If you want the results, it is not for Mr. Salve to give results. That is precisely what we want you to do. You appoint somebody. Let him come to the conclusion. We shall be happy and satisfied with that. I would also go to the extent of saying that even when a Judge is appointed—that is where with due respect to the learning of my friend Mr. Deven-dra Dwivedi, I would not be subscribing to his view—I do not want any judge to go into the papers overnight and come to the conclusion, the next morning to be submitted to the Government. It is not this House alone. This House is only a symbol of the temple of democracy. Aspirations of millions of people in this country are pinned on what is going on here. We are not interested in character assassination. In fact, character assassination today is the worst weapon for the survival of democracy. But when the charges are so specific—even though this requirement need not be there—then it is for the Government to come forward and say, "Yes, we want to appoint somebody" and that somebody, whom under the law they could appoint as a commission should look into it. What is required is an open inquiry.

There was also another question on which this Royal Commission was exercised: Can the same tribunal have two sittings? First a private session and later a public session. If the tribunal, in a private session, comes to a conclusion that there is some *prima facie* cases then they can go for the public session. If they came to the conclusion "No",

then they said, "why have this duplication?" If in a private inquiry, anybody comes to a conclusion that no commission is required, the public is not satisfied and it is the people who are sovereign and it is they who have to be satisfied—not the Members of this House, either of that side or of this side. And if they come to the conclusion, or that judge comes to a conclusion, though privately, that yes, it needs to be gone into by a regular open commission and sitting, then the duplication is required.

Mr. Deputy Chairman, the Lord Chief Justice of England, when he submitted a memorandum whose summary is given here in the last pages of this book, he said—I am not going to quote much because it would be wasting the time of the House, but I would quote only that particular portion which relates to preliminary inquiry;

"A procedure of preliminary inquiry before the main tribunal is set up is unnecessary. If the result of such a preliminary inquiry was a decision to have no inquiry, it is doubtful that such a decision reached in secret would satisfy public anxiety. If the decision was that an inquiry was necessary the inevitable duplication of hearing evidence and delay would not justify the preliminary inquiry".

The Royal Commission also heard such jurists as Lord Denning, Lord Shaw Cross, Lord Poole and many others whose names I have mentioned. I had thought that perhaps I may be getting more than half-an-hour so that I can really do justice to the subject, but I do not want to go into all that. I can give references of page numbers etc and if anyone here would like to look into these, he is most welcome to do that.

Therefore, I would urge that no *prima facie* case is required for appointment of a commission. In fact, it is the job of the commission to see

[Shri A. R. Antulay] and find the truth. It is in the mass of evidence. I would like to pay my tribute to Mr. Salve. He has almost done the work of a private detective. How could he do it, I really do not know. I was aghast to see that. I said to myself, well, here is a legislator, here is a parliamentarian who has done his home work, who has done the best that could be done. And yet our friends say that it is not specific. So no *prima facie* case is required. No secret certificate even from the then Prime Minister is required because the law does not permit it. Mrs. Indira Gandhi may have in a very magnanimous moment given that chit to Mr. Morarji Desai. As I have quoted here, even the magnanimity of Mrs. Indira Gandhi and the magnanimity of the Lord Chief Justice cannot help. I am not disputing what Mrs. Indira Gandhi has written or said. But the public is entitled to know. When Mrs. Indira Gandhi gave a clean chit, she was the Prime Minister and Mr. Morarji Desai was the Deputy Prime Minister. Therefore, the public in India is entitled to know that somebody impartial has gone into it and come to the same conclusion, if that conclusion is to be arrived at. But the procedure has to be followed. Nobody can say, as Mr. Piloo Mody has said, very unfortunately so, that well, if you want to say certain things after 1969, say that, as if all that had happened before 1969 has to be forgotten. Why should Mr. Piloo Mody, after having fought all his life, as he claims, as a crusader of democratic values, come to that conclusion I do not know. If he honestly believes that England does not represent democratic institution I have nothing else to say. But if he believes that democracy is reigning supreme even in England today, and not only in America, I think it is the only country where democracy reigns.

SHRI ANANT PRASAD SHARMA: Do not take Mr. Piloo Mody seriously.

SHRI A. R. ANTULAY: Then I would urge this House, through you, Sir, that even on a rumour if it has shaken the foundations of the Government a Commission has to be appointed. And who can say that this rumour—let me put it as rumour—has not shaken the foundations of the Government?

Who had appointed Mr. Charan Singh as the Home Minister except Mr. Morarji? I think the Home Minister, not in the imminent fear of being dismissed, has made the charges. Mr. Charan Singh has not made the charges when his resignation was called for, tantamount almost to dismissal from the Government. He had said that three months earlier to that particular event. Indeed I would like an answer to be given to this, Mr. Deputy Chairman, by any friend on that side that if the Home Minister or the Prime Minister comes to a particular conclusion, what more proof do you require, of the impartiality of the guilt of the persons charged? Normally, the Home Minister is a very close person to the Prime Minister. Home Ministry is not given unless the person is politically close. I am not on that point whether in reality Mr. Charan Singh put Mr. Morarji Desai as the Prime Minister or Mr. Morarji Desai put Mr. Charan Singh as the Home Minister.

SHRI ANANT PARSAD SHARMA:
Here it was done on quota basis.

SHRI A. R. ANTULAY: Officially, constitutionally, legally, politically and democratically it was Mr. Charan Singh whom Mr. Morarji Desai appointed. I do not know what happened behind the curtain like here in the Central Hall. Whatever may be the story, Mr. Morarji Desai is our Prime Minister today. And he must not only be clean, not only in his dealings with himself and his son and relatives, he should also seem to be clean. We are more interested in that. And if the Home Minister has

come to the conclusion, as he has written in the letter, I do not think there can be any *prima facie* case

"that the Home Minister should write to the Prime Minister and volunteer himself that if there are charges against him he is prepared to scrutinise and screen them. Therefore, Mr. Deputy Chairman, in the history of any democracy, be that Parliamentary democracy, 'be that Presidential form of democracy, such an occasion has never arisen where the Home Minister is making an allegation and the allegation goes absolutely un-probed. Mr. Deputy Chairman, is it not the Home Ministry that issues the notification of the appointment of

of a Commission? Any Commission that has been appointed is in the name of the Home Ministry. Indeed the day he wrote a letter to the Prime Minister—I think it was his courtesy to have written to the Prime Minister; he could have himself appointed a Commission—the day he came to an independent conclusion that an Inquiry Commission should be appointed, notionally the Inquiry Commission is appointed, whether you do it factually or not. The people of India are not going to tell you anything. But in the minds of the people the Commission was appointed by the only constituting authority, that is, the Home Minister. If he wrote to the Prime Minister, he was doing so, because he was serving under the Prime Minister, by way of courtesy. Mr. Deputy Chairman, if the Home Ministry of a country, under whose jurisdiction the appointment of a Commission lies, writes to the Prime Minister I think it should be done. Now you are accusing the Home Minister of making vague charges and you want to know about the vague and unfounded charges. I would only read from what Lord Dilhorne wrote at page 93, paragraph 619, in his book. It is very important. I am reading.

"I wonder if that does not raise another question, a matter of very special concern to this Commission, about the circumstances in which a

Inbunal ought to be set up. Should one perhaps consider the propriety of setting up a Tribunal to investigate a number of vague and undefined rumours? Would you in your very authoritative position think this is a sensible thing to do at all".

To this, Lord Dilhorne—those who know the Constitutional British History and also the political history cannot say who the gentleman is—answers:

"I think the public disquiet may be such as to make it inevitable."

What is that inevitable? To appoint a commission on vague charges, vague allegations and baseless rumours. I will request, through you, Mr. Deputy Chairman, the hon. Leader of the House to put his hand on his conscience and say: Is there no public disquiet today in the country on this point? Can they say that the people of India are not concerned about this? Can they say that they are not interested in functioning and working of democratic institutions like the Executive, the Cabinet and Parliament—both the Houses put together or separately? Then, he further says:

"I think the atmosphere was such, the gossip was stich, and the rumours were such that one had to have some form of inquiry into the Profumo business and its repercussions."

And in the end the Chairman sums up—and this is for the information of this House:

"If, on the other hand, the preliminary inquiry came to the conclusion that there was something further to be inquired into, it would merely be delaying the procedure?—Yes. Certainly I think."

That means, even on unfounded charges, vague charges, no preliminary inquiry either by the same tri-

[Shri A. R. Antulay] found or by a separate tribunal, either by the Jury or even by the Lord Chancellor or the Cabinet or the Prime Minister also is going to satisfy? And therefore neither vague nor unfounded.

And what is our law? Advaniji said the other day: How can this House pass a Resolution? What else can this House do? This House can only pass a recommendatory Resolution. And I think it should be an eye-opener to all the hon. Members of this House to bring about at least a Non-Official Bill, if the Government is not coming forward, to see that even the recommendation in a Resolution by this House should be a mandatory thing for the Government to appoint a commission. It should be an eye-opener today.

AN HON. MEMBER: That is what the Law Commission has said.

SHRI A. R. ANTULAY: The Law Commission has said that, but it is not yet implemented. We should do it. And what is the requirement? Mr. Deputy Chairman, the requirement is: "a definite issue of public importance". May I read only that portion because I would like to make my submission very clear on this point? And it is this. The only word that is not there in the English law and our law is "urgent". Besides urgent, what is there in England? Therefore, Mr. Morarji Desai look here, you cannot say; How can you go into the charges of 1969? Who does not remember the Venkataraman Commission? Mr. Deputy Chairman, this is something which is really an eye-opener. I will read only some portions for the benefit of the House.

"The Notification giving the terms of reference of the Commission which was appointed to look into the charges of corruption and abuse of power against six ex-Ministers who held offices at different times during the period extending from 16th April, 1946 to 5th

March, 1967, as also their assets, both at the beginning and at the end of the tenures of their offices."

The investigation has been covered, as it does, of branches of Government activities, during a period of about two decades.

Now, the notification, Mr. Deputy Chairman. • For those six ex-Ministers, the span was given between 1946 and 1967. That commission was supposed to go into all assets. Our own Government appointed that Commission. I would like to read just a few lines only:

"Whether, besides the persons above named, any other person or persons holding official position, either as a member of the Council of Ministers or otherwise, during any of the aforesaid periods, made illegal gains or indulged in corruption, favouritism, abuse of power or other malpractices.. ."

Can there be any wider term of reference than this? What has been asked in the resolution moved by Mr. Salve is certainly not even a hundredth time as vague as this or as general as this. He is pinpointing the charges. Let there be a committee or a commission that he is wanting.

Mr. Deputy Chairman, in the end, before closing, I would only say a word to which I do not think that there can be any exception. The appropriate Government may, if it is of opinion that it is necessary so to do, and shall, if a resolution in this behalf is passed by the House of People or as the case may be by the Legislative Assembly of the State, by notification in the official gazette, appoint a commission of enquiry for the purpose of making an enquiry into any definite matter of public importance. My friends should not get a little anguished. I am not making any charges against anybody. *

SHRI PILOO MODY: Nobody is getting anguished; you go on.

SHRI A. R. ANTULAY: I am giving the position as it obtains. Mr. Deputy Chairman, if somebody were to say in this House that the charges, the allegations, levelled by Mr. Salve in his brilliant speech for one hour, are not a definite matter of public importance, I have nothing to say. But even a boy of 12, Mr. Deputy Chairman, will say that it is not only a definite matter of public importance, but it is a definite matter of public importance which goes with the very root of democratic functioning in the country.

I would support the motion. Since I do not have much time, I seek your permission to resume. But, before that, I would certainly want all these references to be gone into before a blanket reply is given by the Government that they do not accept the resolution moved by Mr. Salve.

विदेश मंत्री (श्री अटल बिहारी वाजपेयी):
 उपसभापति महोदय, मैं एक व्यक्तिगत स्पष्टीकरण देने के लिए खड़ा हुआ हूँ। इस विवाद में अनेक बार मेरा नाम लाया गया है। मेरे मित्र श्री साल्वे ने 1968 में मेरे द्वारा किसी अन्य स्थान पर दिये गये एक भाषण का उद्धरण भी रस्तुत किया है। उपसभापति जी उन्होंने मेरा पूरा भाषण नहीं पढ़ा, जो प्रसंग उनके अनुकूल था उसी को उन्होंने पढ़ा। लेकिन इससे पूरी तस्वीर सामने नहीं आई। उस भाषण का एक अंश मैं पढ़कर सदन को सुनाना चाहता हूँ। मैं उद्धृत कर रहा हूँ उपसभापति जी:—“श्री लिमये ने जिन तथ्यों को सदन के सामने रखा है उनमें बहुत से तथ्य बम्बई के एक साप्ताहिक पत्र द्वारा प्रकाशित किये जा चुके हैं। यह साप्ताहिक उप प्रधान मंत्री के खिलाफ एक नियमित अभियान चला रहा है। उस अभियान को चरित्र हत्या की भी संज्ञा दी जा सकती है, यहाँ तक कि वह साप्ताहिक पत्र उप प्रधान मंत्री को गांधी हत्याकांड में अपरोक्ष रूप से शामिल करने का दुस्साहस कर रहा है। चूंकि यह मामला जांच का विषय है इसलिए मैं इस मामले पर

कुछ नहीं कहना चाहता।” मेरे भाषण का एक हिस्सा यह भी है। दूसरा हिस्सा मैं और पढ़कर सुनाना चाहता हूँ। “गलत बातें प्रचारित करके हम लोकतान्त्रिक जीवन की शुद्धता को कायम नहीं रख सकते और न हम जनता के सामने अच्छे मानदण्ड स्थापित कर सकते हैं।” उपसभापति जी, उस समय मैंने किसी व्यक्ति के विरुद्ध किसी प्रकार के आरोपों का समर्थन नहीं किया, न जांच की मांग की।

श्री अनन्त प्रसाद शर्मा : देश में अग्नि परीक्षा होनी चाहिए।

श्री अटल बिहारी वाजपेयी : “अग्नि परीक्षा” मेरे भाषण से उद्धृत करके क्यों अपना मामला जो पहले से ही कमजोर है और कमजोर कर रहे हैं।

उपसभापति जी, मेरा भाषण स्पष्ट है और और मैं चाहता हूँ कि मेरे भाषण को तोड़-मरोड़ करके इस सदन में पेश करने की गलती न की जाए।

श्री सीताराम केसरी (बिहार): अगर वाजपेयी जी चाहें तो जो उन्होंने पढ़ा, उससे आगे और पढ़ दें।

MR. DEPUTY CHAIRMAN: Order, please. Shri Ramamurti.

श्री एन० के० साल्वे : श्री अटल बिहारी वाजपेयी जी हमारे बहुत आदरणीय नेता हैं। उन्होंने उच्चाई के बारे में जो तोड़-मरोड़ के शब्द का इस्तेमाल किया है, जो आरोप लगाया है यह हमारे लिये बहुत अच्छी बात नहीं है। किसी बात का तोड़-मरोड़ नहीं है।

MR. DEPUTY CHAIRMAN: Shri Ramamurti.

SHRI P. RAMAMURTI (Tamil Nadu): Mr. Deputy Chairman, Sir, I want to make it absolutely clear, in

[Shri P. Hamamurti] the very first instance, that my party is not for shielding corruption in any quarter at any time. It will never be accused of doing that. I would also request my friends of the Congress (I) and others to have some patience. If they want to reply to me, they can reply to me at the end. I do not interrupt you; I listen to you. Therefore, if you want to reply to something which I may say and which is not helpful to you, then kindly listen and reply at the end.

I have moved an amendment and I will come to the amendment a little later. Today when this ecstasy and zeal is exhibited by certain people about their desire to put an end to corruption in this country, there is a show of melodrama about it. Not only melodrama—I have to take it not with a pinch of salt but with a ton of salt because I know what happened from 1971 to 1976. Maruti—not even an enquiry by a parliamentary committee. What were they doing at that time? Bank robbery—no discussion in Parliament. No discussion in Parliament would be allowed. Now, when the very same people come and tell me that they are very much opposed to corruption, I have to take it not with a pinch of salt but with a ton of salt.

SHRI PILOO MODY; Mountain of salt.

SHRI ANANT PRASAD SHARMA: You are doing the same thing today... (*Interruptions*).

SHRI P. RAMAMURTI: Don't interrupt me. Keep quiet. (*Interruptions*).

SHRI ANANT PRASAD SHARMA: You are doing the same thing in collusion with the Janata Government.

SHRI P. RAMAMURTI: Yes, if the cap fits him, I am not to blame. If what I say, if that cap fits him, I am not to blame. Why are you angry? (*Interruptions*). I was not

talking about you. I was talking about those Members who are so very zealous now but who were keeping quiet during all these years. If that cap fits my friend, I am not to blame for it. That is all I would like to say.

Therefore, Sir, when during this entire period when every norm of democracy was completely subverted in this country, there were people who were also supporters of that subversion. And when they talk today in this House that they are very much interested in keeping the norms of democracy, I cannot but laugh. (*Interruptions*).

I told you, you, can answer 7 P.M. me later. If what I say hurts

you, I am not to blame. When you also hit somebody else, I kept quiet. If you cannot tolerate something, then, what am I to do?

Therefore, this is one aspect of the whole question. At the same time we are facing an extraordinary situation. I am not one of those who want a commission of inquiry or a probe at every rumour that is started in this country. If we start having commissions of inquiry whenever a rumour is started in this country, then we will be doing no parliamentary work; the whole country will be full of reports of commissions of inquiry. That is not what we want. What I want to point out is that when for the most serious charge of subversion of democracy and misuse of authority a commission of inquiry was appointed—the whole country was reeling when that commission of inquiry was appointed—a set of people who would have had nothing to do with that commission and who denounced that commission, for them to come now and say that they have got great respect for commissions of inquiry is something which I cannot understand.

Now, as far as I am concerned, my point is this. Unfortunately we are today facing quite an extraordinary

situation and for an extraordinary-situation extraordinary remedies have got to be found out. That is why I have given an amendment. Ordinarily I would not have done that. But today what is the situation in this country? Normally I would not have done it. Today the situation is, for which we are not responsible, in the ruling party there are charges and counter charges flung at each other by the Prime Minister and the Home Minister. This is an extraordinary situation. Under these conditions it is not the question of the rule of law, it is not the question of the procedure, that is most important. It is the question of what the people will think as a result of this that is the most important. It is from that point of view that I have suggested that today in order to put an end to this kind of rumours the whole matter be referred to a jurist of the status of a Supreme Court Judge. Unfortunately the letters in question are not before the public. If those letters had been placed on the Table of the House and everybody had been asked to read those letters, then I would have had no objection, no hesitation whatsoever, to say that on the basis of those letters no inquiry need be instituted. But unfortunately those letters- are not before the public. Those letters are not placed before the House. We are thus faced with this extraordinary situation. Therefore, under these circumstances I have suggested that in order to overcome this situation, in order to clear the atmosphere, in order to clear the clouds that might be hanging as a result of this, the whole matter be referred to a jurist of the status of a Supreme Court Judge so that he can go into it and he can decide whether there is any worthwhile material. My friend, Mr. Bhupesh Gupta, talks about a committee of Parliament. I want to point out that on these matters committees of Parliament will not be able to do justice to the question, because, I want to make it clear, nobody in this House, including my-self, is free from political bias. They

are politically biased. Mr. Bhupesh Gupta is politically biased. I am also politically biased. They are also politically biased.. .

SHRI PILOO MODY: Including me.

SHRI P. RAMAMURTI: Including you also. When we look at this problem with political overtones and when we want to use it for political purposes, there cannot be a fair understanding of the whole question... (*Interruption*). Why are you interrupting me? I am not yielding. No, I am not yielding.. .

SHRI F. M. KHAN (Karnataka): You cannot make such allegations of political bias against honourable Members of this House.

SHRI P. RAMAMURTI: I am saying it because it is in human nature, I am talking of the human beings. As politicians we have got a certain political bias and we cannot be absolutely objective in regard to these questions. This is a statement of fact which you cannot deny. It is because of this fact that I have suggested that in order to clear the atmosphere the whole matter be referred to a jurist of the status of a Supreme Court Judge. That is why I am totally opposed to the amendment moved by Mr. Bhupesh Gupta which was for a probe by a committee of Parliament.

It will not serve any purpose. On the other hand, it will come out with minutes of dissent, this and that and the people will not be satisfied with that. That is why I say that the matter be referred to some eminent jurist of the stature of a Supreme Court Judge who can go into these charges. I would ask the Prime Minister not to stand on formalities on this question. He might say that this will create a precedent. I want to ask him who created this precedent of the Prime Minister and the Home Minister exchanging letters of this type. They have created this precedent. There-

[Shri P. Ramamurti] fore, in this unprecedented situation we have to find out an unprecedented remedy and that is why I have suggested this remedy. I would ask the Government to accept my amendment and be done with this botheration.

उद्योग मंत्री (श्री जार्ज फर्नेन्डेज)
उपसभापति महोदय, जिस प्रस्ताव को मेरे
मित्र श्री सल्वे जी ने इस सदन में पेश किया
है...

SHRI BHUPESH GUPTA: I am on a point of order. I am not at all disturbing him. My point of order is this. We are discussing a Resolution to be passed in this House. It is exclusively of this House. Now, the Government is involved in this. If Mr. Fernandes intervenes on behalf of the Government, well, how many people from the Government will speak, apart from the Prime Minister? Mr. Fernandes is a member of the other House. He obviously cannot be a party to the Resolution of this House. But at the same time I concede the right of the Prime Minister to intervene because the matter relates to the Government. Therefore, I would like to know in what capacity Mr. Fernandes is speaking? Is he speaking on behalf of the Government? In that case, who else will be intervening or how many will speak on behalf of the Government? Shri Vajpayee spoke giving some clarification with regard to his name being mentioned. But Mr. Fernandes wants to participate or take part in the debate. Normally, in the case of a Resolution of this House it is not done.

SHRI PILOO MODY: On the last occasion also two Ministers intervened.

SHRI BHUPESH GUPTA: I do not know that. Here is a Resolution which does not even speak of a Committee of the two Houses. The Resolution has been moved by a member from the opposition side. The Resolution suggests something and in that connection Government is mentioned.

You announced that the Prime Minister would be speaking. He is not speaking now. May be he is going to speak later. Then I find other Members of the other House are also going " to participate in it. I do not think that in such a debate all the members of the Government and a number of Members who are not Members of this House could in their capacity as Ministers participate. It is for you to decide.

SHRI GEORGE FERNANDES: Mr. Vice-Chairman...

SHRI KALP NATH RAI: Mr. Fernandes is a member of the other House. How can he be allowed to speak on this occasion? Let the Prime Minister come. Mr. Fernandes cannot speak on behalf of the Government. How can he be allowed? He is a member of the Lok Sabha.

MR. DEPUTY CHAIRMAN: Let him speak.

श्री कमलनाथ झा (बिहार) : मेरा नाम निवेदन है कि यह जो समस्या खड़ी हुई है उसमें हमारे चौधरी चरण सिंह जी भी बहुत बजुर्ग हैं, 73 वर्ष के हैं और हमारे प्रधान मन्त्री जी भी बजुर्ग हैं, उनकी उम्र 83 वर्ष की है और उनके बीच की लड़ाई में मध्यस्थता कराने के लिये युक्त आ गये हैं। बेहतर होता कि हमारे बजुर्ग नेता श्री जगजीवन राम जी हैं, वह यहां आये होते। बिहार में एक कहावत है कि जहां बूढ़ों की लड़ाई होती हो वहां जवानों को नहीं जाना चाहिए। तो मैं चाहता हूँ कि वह यहां आकर बोलें।

श्री सुन्दर सिंह भंडारी : भाग्य से आप भी बूढ़े हैं। यह एक अच्छी बात है।

कुछ माननीय सदस्य : आपने इनको कैसे अलाऊ किया।

श्री उपसभापति : इसमें कोई हलिंग की आवश्यकता नहीं है। श्री भूपेश गुप्ता ने एक

बान उठाई । मैंने उनको इजाजत दी है,
श्री जार्ज फर्नेन्डोस बोलेंगे ।

SHRI GEORGE FERNANDES: Mr. Deputy Chairman, Sir, I am here to speak on this Resolution and, naturally, I will speak against it.

Sir, in the first place, the Motion itself, in my view, is not tenable at least after the speech made by the Mover, because the Motion speaks about "allegations of corruption made by the former Home Minister, Shri Charan Singh, against the family members of the Prime Minister and the counter allegations of corruption made by the Prime Minister against the family members of the former Home Minister", etc., etc., and, demands that a Commission of Inquiry under the Commissions of Inquiry Act, 1952, should be set up "to inquire into the allegations of corruption made against the members of the family of the Prime Minister, etc., etc.". Sir, not one allegation, which the former Home Minister is alleged to have made, has been cited by the Mover of this Resolution. Here is a whole list, what I would call, an indictment of the son of the Prime Minister. Then, Sir, the Resolution speaks of both the family of the Prime Minister and the family of the former Home Minister. His is a straight indictment and his entire speech was concerned with the Prime Minister, with the son of the Prime Minister, perhaps also the daughter-in-law of the Prime Minister and, my colleague in the Cabinet, the Finance Minister. Not one of those allegations, Sir, while presenting his indictment, he has cited. He has only cited the former Home Minister as the author...

SHRI RAMANAND YADAV
(Bihar): No.

SHRI GEORGE FERNANDES: He did not? The Resolution, Sir, is that there are charges made by the former Home Minister against the family

members of the Prime Minister and allegations of corruption made by the Prime Minister against the former Home Minister and it says that these charges have to be inquired into. What are those allegations? What are those charges? ... (*Interruptions*). What are those charges? The House must be told as to what those allegations are... (*Interruptions*).. Sir, I am not yielding. Sir, I am not going to yield. I did not interrupt the honourable Members.

SHRI KALP NATH RAI: Sir, he cannot say that... (*Interruptions*)..

SHRI GEORGE FERNANDES: I did not interrupt the honourable Member. He has the right of reply and he can certainly make use of that right of reply

SHRI KALP NATH RAI: How can you allow me? (*Interruptions*).

SHRI GEORGE FERNANDES: If one is going to cite any... (*Interruptions*) .

SHRI KALP NATH RAI: You say you will not yield. Who are you to say that? Please listen. (*Interruptions*). Mr. Fernandes. try to Keh'ave like a Minister. You are only a man... (*Interruptions*). Please try to behave like a Minister... (*Interruptions*) .

SHRI GEORGE FERNANDES: I shall take lessons in behaviour after my speech and I shall take lessons in behaviour if you conduct a class, but not the kind of behaviour that you are exhibiting here, Mr. Kalp Nath Rai. Please don't talk. (*Interruptions*). I shall take lessons in behaviour if there is any need. If there is any behaviour in which I need to take any lessons, I shall take those lessons and I am prepared to take lessons... (*Interruptions*).

SHRI KALP NATH RAI: What are you talking?... (*Interruptions*).

SHRI GEORGE FERNANDES: Sir, this Resolution is a very specific Reso-

[Shri George Fernandes] lution and my friend, Mr. Antulay, was at great pains to speak... (*Interruptions*) .. I am not yielding.

SHRI N. K. P. SALVE: Sir, for a meaningful discussion... (*Interruptions*).

SHRI GEORGE FERNANDES: I am not yielding, Sir. The honourable Member must have some patience. I am not yielding. My friend, Shri Antulay, went at great length to talk about what he called a matter of urgent public importance, a very specific matter, and, therefore, here is the Resolution. He is justified in indicting and he can bring not 32, but three times 32 charges, and I have no problem. But I am only confining myself to this Motion. The motion says that the charges have been made against the family members of the Prime Minister, and therefore a Commission of Inquiry has to be set up. Has one charge been cited here, because all these days, all these months, their whole case was that the former Home Minister had made allegations against the Prime Minister's family? Has one allegation been cited here by the hon. Member, Shri Salve? This is the question. He is certainly within his rights to do so. But this motion at least does not fit into the kind of indictment that he has laid before the House. And what did they fall back upon? Since neither the Prime Minister's charges nor the former Home Minister's charges can be cited, what can you fall back upon? You fell back upon some reports that you culled out from newspapers or magazines. And then, finally, he cited three witnesses. Who are those three witnesses? Shri Madhu Limaye, Shri Chandra Shekhar and Shri Atal Bihari Vajpayee—three witnesses for the prosecution that he cited by name... (*Interruptions*) And from where did he cull out these witnesses? From the debates in the other House. Now, this debate in other House did take place. I was in the other House when that debate took place in that House on the 19th August.

SHRI DEVENDRA NATH DWIVEDI: Three witnesses have turned hostile... (*Interruptions*).

SHRI GEORGE FERNANDES: We will come to that later. Now, Sir, I was myself in that House. I was a part of that debate that took place on the 19th August. There was a motion in that House. The motion did not demand a Commission of Inquiry. It was a different motion.

AN HON. MEMBER: But you started it.

SHRI GEORGE FERNANDES: Yes, I started it, because, Sir, I was a member of the Opposition in the year 1967 when I was elected to the Lok Sabha. I had to perform a certain duty... (*Interruptions*) We raised certain issues. And a3 Opposition members, we raised certain issues. In the course of the debate, in the course of the discussion, we presented a certain case. The present Prime Minister, who was then Deputy Prime Minister, Shri Morarji Desai, gave his version or gave his explanation, or call it clarification. And as far as I am concerned, the matter ended there.

SHRIMATI PURABI MUKHOPADHYAY (West Bengal): Sir, on a point of order. Have you allowed Mr. George Fernandes to give a personal explanation, or is he speaking on behalf of the Cabinet?... (*Interruptions*) If he is speaking, as a Cabinet Minister on behalf of the Ministry, does he admit that whatever charges he made as a member of the Opposition, have changed when he became a member of the ruling party? So, if he is giving this kind of explanation as a Minister, we will refuse to accept. If he is speaking as a matter of personal explanation, we are ready to accept that explanation.

SHRI GEORGE FERNANDES: Sir, I said that certain propositions were made and the then Deputy Prime Minister gave the explanation. To me the matter ended there in the year 1968, 19th August. As far as I am concerned, the matter ended. But as

[Shri George Fernandes]

far as the Opposition is concerned, I understand, their case did not end there. All right. Let us proceed.

Where does one start? Shall I start from August 1968 or shall we go back a little or shall we start from a subsequent date? In regard to which people do you start and where do you start? Now, my hon. friend, Mr. B. P. Maurya for whom I have such great respect and admiration because we have shared lathi blows together, I remember, made a speech at a certain point of time in Allahabad on the 19th of October, 1966. I do not know whether he would like me to quote it now.

AN HON. MEMBER: Please quote him. Mimic him.

SHRI GEORGE FERNANDES: I am sure that in fairness to me, in fairness to everyone concerned and in fairness to the House also, since we are going to take decisions on matters which, in my opinion, have been settled and since the case of the opposition and the case of the mover is based on when did you change, Mr. Fernandes, I must quote him. I have said that for me the case got over on the 19th of August with that decision. As it does not change for them, where does one start? I want Mr. Maurya not to run away from this kind of discussion because we should all be enlightened as "to who is who. Now, for instance, this is a speech. This is Mr. Maurya's speech. He said:

"Indira Gandhi has purchased a mink coat. It was told on enquiry that it was purchased for 13,000 or 14,000 rupees. This coat was given to her in Moscow by Dr. Teja. How long will you conceal these facts? How much your sons (asking her) spend? They go in night clubs, Kaul's daughter also goes there. Wherefrom that expenditure is given by Dr. Teja? There are receipts for these. He is the Secretary of Jayanti Shipping Company. Pandit Nehru spent thirty crores of rupees seeing

his (namely, Dr. Teja's) beautiful wife."

Where does one start? Shall we start with Dr. Teja? Shall we start with Jayanti Shipping Corporation? Shall we start with Jawaharlal Nehru? Shall we start with Indira Gandhi? Shall we start with the sons of Indira Gandhi? Where does one actually start? (*Interruptions*) One might say that this speech was made in Allahabad. Now, on the 21st of March, 1967...

SHRI SAT PAUL MITTAL (Punjab): He is quoting Jawaharlal Nehru's name. Shame to you and shame to your party.

SHRI GEORGE FERNANDES: This is Mr. Maurya's speech and not mine. This is not my speech. One might say that this speech was made in Allahabad and not in this House. I would suggest that we go into the proceedings of this House. On the 21st of March, 1967..

श्री बुद्ध प्रिय सौर्य : डा० लोहिया की
स्पीच मेरे नाम पर क्यों डाल रहे हैं ?

श्री जार्ज फर्नेन्डीज : डा० लोहिया के नाम
से आपको कब से आपत्ति होने लगी है ?

श्री बुद्ध प्रिय सौर्य : जो मैंने कहा है
उसको कह दू तो आप परेशान हो जाएंगे ।

SHRI GEORGE FERNANDES: Sir, in this House, on the 21st of March 1967, there was a debate. It was in this House, in the Rajya Sabha. A number of issues were raised, partly based on what Mr. Maurya had said and partly based on what M.O. Mathai had said, not said but written to a person called Miss Padmaja Naidu. It is a part of the record of the House. It talks about a lot of things. In fact, I would like someone to go into it today.

SHRI KALP NATH RAI: Sir, how is it relevant?

SHRI GEORGE FERNANDES: It is very relevant.

SHRI KALP NATH RAI: Is it relevant?

SHRI GEORGE FERNANDES: I am only submitting, that the hon. Members of Opposition go through those proceedings and then decide.

SHRI PILOO MODY: The relevancy is the credibility of the accuser.

MR. DEPUTY CHAIRMAN: How is it relevant?

SHRI GEORGE FERNANDES: The relevance is, Sir, where does one start?

SHRI KALP NATH RAI: I can also quote so many things...

SHRI GEORGE FERNANDES: If my hon. friend can produce an iota of evidence of any statement, he is most welcome. If I said something wrong, I would like to assure the hon. Member that I will have always the courage to admit my mistake. Always. If I have said something that is right, I shall stand by it, no matter what price I have to pay. This is what I have done also in the Baroda dynamite case. I stood my ground. I stood by democracy in this country when all of you behaved like rats. I don't run away. (*Interruptions*) I fought to the very last.

SHRI ANANT PRASAD SHARMA: He is a Minister of the Government. Shame to this Government. The dynamite case accused, who confesses on the floor of the House, is a Minister of the Morarji Desai Government.

श्री कल्प नाथ राय : उपसभापति महोदय,
मैं पूछना चाहता हूँ कि जार्ज फर्नान्डी ने
राष्ट्रीय स्वयं सेवक के खिलाफ, मोरारजी
देसाई के खिलाफ क्या कहा है ? क्या कहा है
उन्होंने कांति देसाई . . .

आई वांट क्लेरिफिकेशन आफ दिस ।

SHRI GEORGE FERNANDES: Sir, when the debate took place in the other House—and my friend, Mr. Salve, relies on the statements that

we made in that House—there was the Prime Minister at that time who intervened in that debate. And my friend, Mr. Piloo Mody, has quoted from the then Prime Minister's speech, a simple statement, a very simple statement: "I think, the charges are as irrelevant as they are ridiculous". Someone made a speech later my friend, Mr. Antulay, and felt that perhaps when she made a statement of that nature, she was not fully informed. And something of that nature.

SHRI PILOO MODY: Or intoxicated.

SHRI GEORGE FERNANDES: Sir, Mrs. Indira Gandhi was the Prime Minister till the 21st or 22nd of March, 1977. The debate in the Lok Sabha was on the 19th of August, 1968. Mr. Salve, a great champion of Mrs. Indira Gandhi, today comes with this Resolution. And I have read the speeches of the Congress (I) Parliamentary Party proceedings. Obviously, this is an issue on which they are greatly exercised, including their supreme leader, the one and the only supreme leader. At what point of time did the supreme leader discover that the decision she took on the 19th of August, 1968 was wrong? One may say that Mrs. Gandhi is not here and how could you say this. But this question is very relevant. Mr. Antulay quoted the British Law, the Lords and the Viscounts.

SHRI ARVIND GANESH KULKARNI: How can you call her the supreme leader? The supreme leader is Hitler. She is a democratic leader.

SHRI GEORGE FERNANDES: At what point of time? Sir, at what point of time did Mrs. Gandhi discover it between 19th 1968 and the 21st March, 1977, a period of nine years, when she was not only the Prime Minister, but she was also the Home Minister and she had every investigating agency of the Government under her personal thumb. We are discussing a situation in the context...

SHRI KALP NATH RAI: What about Shri Charan Singh?

SHRI PRANAB MUKHERJEE: In 1968 Mr. Chavan was the Home Minister and Shrimati Indira Gandhi was not the Home Minister. He should stand corrected.

SHRI GEORGE FERNANDES: I said Mrs. Gandhi was the Prime Minister and also the Home Minister and I said Mrs. Gandhi had all the investigating agencies of the Government under her personal thumb. I know that Mrs. Gandhi was not always the Home Minister but I am aware that in 1971 when she decorated herself with the Bharat Ratna, she was the Home Minister. When letters went out, when circulars went out from the Home Ministry that Muslims must not be employed in key positions in public undertakings, she was the Home Minister.

SOME HON. MEMBERS: Shame, shame.

SHRI GEORGE FERNANDES: My submission is that the Prime Minister is the head of the Government. The Prime Minister has access to all the information. Even if at a certain period of time Mrs. Gandhi was not the Home Minister, she had access to all the information and this is what she said in that speech and it is interesting. I think the House should know what she had to say. She said: I have no reason to doubt that the Deputy Prime Minister has assured himself of this, namely, that anything that has been said about his son and his dealings, was not correct. That is number one. And, then she makes a very profound statement, a very profound observation before she sums up and she says: Public life imposes a heavy burden of duties...

AN HON. MEMBER: Are we depending on 1968 only?

SHRI GEORGE FERNANDES: Because you are only depending on 1968.

SHRI ANANT PRASAD SHARMA: No, no.

SHRI GEORGE FERNANDES: She said: Public life imposes a heavy

burden of duties and responsibilities on us all and none is more onerous than being called upon to sit in judgment over the actions of one's colleagues and specially of those whose lives have been spent in public service. And, then, Sir, my colleague, the Deputy Prime Minister, as many Members have pointed out, has to his credit, many years of devoted and dedicated public service. He has, through the years, come to occupy a position of eminence in public life. No one has cast aspersions on his personal integrity and I am accused of dereliction of duty in not calling upon the Deputy Prime Minister to resign. I am bound to ask what points the hon. Members opposite have made out which should impel me to oblige them and to part with a trusted colleague. The statement made by the Deputy Prime Minister clarifies the context in which he had made the earlier statements and she sums up in her statement thus: I submit that the motion before us is mis-conceived and deserves to be rejected (*Interruptions*).

SHRI KALP NATH RAI: What about corrupt Ministers?

SHRI GEORGE FERNANDES: Now, Sir, my submission is that you must protect us. These are their manners. He was going to teach me good manners and now at every sentence of mine he goes on ejaculating. (*Interruptions*), I know it hurts Shri Kalp Nath Rai. But this is something where he should learn to take that much of attack. Now, Sir, the point I am making is that at some point of time, perhaps, Mrs. Gandhi discovered it. Now, at what point of time? Was it after she went out of office or it was during the period she was holding the office? Mr. Antulay made a very significant observation. If Mrs. Gandhi discovered that what she had then stated was wrong, then it was her duty to go to the Parliament and correct herself. It is not enough to quote British Lords and Viscounts on commissions of inquiry and the legality and otherwise of it. We have our own laws but we also have something called Parlia-

[Shri George Fernandes] mentary procedures. If we make a mistake, if we make a wrong statement in the House, it is the contempt of the House if it is a deliberate wrong statement...

SHRI KALP NATH RAI: That you are doing.

SHRI GEORGE FERNANDES:... and one would expect and I would like Mr. Salve to tell us at what point of time did he or his supreme leader discover that what they said and what they did in the Lok Sabha on the 19th of August 1968 was wrong, because this is not a matter where...

SHRI A. R. ANTULAY: I never said that Mrs. Gandhi arrived at an incorrect conclusion. I said even if she had arrived at the correct conclusion, still people are not going to be satisfied, because there should be impartial inquiry. I think Mr. George Fernandes did not understand.

SHRI GEORGE FERNANDES: 'She came to a correct conclusion or she came to an incorrect conclusion; one cannot play with words. Here, Sir, we are discussing something very serious. We are discussing the future of this country. Everyone, is exercised over morality, over integrity. Everyone is concerned about public morality and integrity. One cannot say 'either 'or', either Mrs. Gandhi was speaking, the truth and she behaved very truthfully between 1968 and 1977, or...

SHRI KALP NATH RAI: What about the corrupt Ministers?

SHRI GEORGE FERNANDES: Which corrupt Ministers, Mr. Kalp Nath Rai? (*Interruptions*). Ask a positive question: I am prepared to give a positive answer. What is the use of saying this kind of thing?

SHRI ANANT PRASAD SHARMA: 'You ask the Prime Minister.

SHRI GEORGE FERNANDES: Prime Minister is present here and

he will reply. He is capable and competent to answer all your questions and he will. Have no doubts about him. But when you make a point that we did make a mistake, at that time you tell us what mistake and when we made. You cannot have both, and say: now we are coming after ten years to rectify that mistake. Mr. Salve, you were in that House. You participated in the debate in that House. You may not have spoken; but nevertheless you participated by voting. There were two motions in that House. Mr. Salve, you voted on those motions. Now, which Mr. Salve was right? Which Mr. Salve was honest? Which Mr. Salve was truthful? Was it the one in that House or the one who is sitting, here now? All circumstances point to the contrary to the statement, Mr. Salve, that you are now making. When did you discover your mistake? When did you discover that you were wrong? When did you discover. . . (*Interruptions*).

SHRI DEVENDRA NATH DWIVEDI: At what point of time you stood corrected? ... (*Interruptions*).

SHRI GEORGE FERNANDES: Mr. Fernandes stood corrected on the 19th of August, 1968; at the end of the debate. I want to know when did Mr. Salve... (*Interruptions*)... got his new wisdom.

SHRI ANANT PRASAD SHARMA: You stand corrected today.

SHRI KALP NATH RAI: Janata Government is the shadow of corruption and you have corrupt Ministers.

SHRI GEORGE FERNANDES: Therefore, the point is, hon. Members of the Opposition, particularly, those who follow the Supreme Leader, are not concerned with integrity. My friend, Mr. P. Ramamurti, has already raised the question about the integrity that you people have. I do not think, after that, you would have anything to say; not after Mr. P. Ramamurti has spoken. But Sir, there is a method in all this. This morning, in

this House, Mr. Makwana tried to get up and make a statement that when he and some other Member of Parliament belonging to his party were walking in the street, someone came with a knife from behind, one was in pyjama, one was in Kurta, that they came with a knife and told him 'Will you produce the papers? Be careful, take care'. This is an old fascist trick, Mr. Makwana. Hitler at least knew how to bomb the Reichstag. You only lie. You only lie. He bombed the Reichstag. This is the style. You go on speaking lies; go on creating an atmosphere. Hitler perfected this game. You are very junior followers of that game; junior players.

Sir, so far as the Prime Minister is concerned...

SHRI YOGENDRA MAKWANA (Gujarat): You are spoiling the case of the Prime Minister.

SHRI GEORGE FERNANDES: At Bhavnagar, the Prime Minister made a speech. At Bhavnagar, in that speech, and subsequently, in a clarificatory statement issued from Delhi, the Prime Minister emphatically said: 'Produce evidence; you set up a commission; any three people and make an investigation'. The Prime Minister took a correct stand. There was nothing more for the Prime Minister to say.

Much is made of the letters, Sir. I know the letters have been seen by the leaders of the Opposition. But since they are secret documents, obviously, we cannot discuss them in this House. But...

श्रीमती सरोज खापड़ें : चौदरी चरण सिंह ने आरोप तो लगाए हैं ।

SHRI PILOO MODY: He has always a weakness for women.

AN. HON. MEMBER: He is yielding to you.

1022 R.S.—13

SHRI GEORGE FERNANDES: If I do not yield to her, who else will yield to her? They are feeling upset that I have yielded to you.

Therefore, Sir, so far as the Prime Minister is concerned, the Prime Minister has made his position very clear. So far as the total perspective behind this Motion is concerned, there is nothing in this Motion because the points that have been brought out in the Preamble of this Motion have not been sustained by anything that the mover of the Motion has said. Therefore, Sir, my submission is that, despite the fact that this Motion has been admitted and is being debated either, the Motion should be rejected as being out of order, or else, this Motion should be rejected because it is based on charges that do not survive, that do not exist.

SHRI KALP NATH RAI: The Government is under the shadow of corruption. Mr. Fernandes, you have not given the names of the corrupt Ministers.

श्री सीताराम केसरी : उपसभापति जी, मेरा प्वाइन्ट ऑफ ऑर्डर है । जार्ज फर्नेन्डीज़ के यह शब्द सुने जाएं । मेरा यह कहना है कि जार्ज फर्नेन्डीज़ साहब का यह शब्द एक्सपोज़ कर दिया जाए कि उन्होंने किस लहजे में स्वर्गीय जवाहरलाल नेहरू और स्व० पद्मजा नायडू के सम्बन्ध में आपत्तिजनक भाषा कही है । उसको एक्सपोज़ कर दिया जाए, नहीं तो आप जानते हैं कि... (Interruptions) इसलिये मैं चाहता कि इसको एक्सपोज़ कर दिया जाए ।

श्री कल्पनाथ राय : उपसभापति महोदय, चालीस आरोप हैं चौदरी चरण सिंह के... (Interruptions)

SHRI DINESH GOSWAMI: Mr. Deputy Chairman, Sir, today we are discussing a subject which is vibrating in the whole country. It is a subject of tremendous importance and I for

[Shri Dinesh Goswami] one and my party will not like to approach this subject from petty partisan or mere party considerations. (*Interruptions*),

MR. DEPUTY CHAIRMAN: Order
_ please.

SHRI DINESH GOSWAMI: Mr. Deputy Chairman, Sir, I was submitting that we are discussing today a Motion which is of vital importance, at which the whole country is looking with tremendous interest, a motion the like of which has never been discussed in this House. I for one and on behalf of my party I can assure the House that we do not want to approach it from petty party angles or from partisan view points or even from narrow party considerations. But when I heard Mr. Pilloo Modi and Mr. George Fernandes, I felt pity for them. I could feel their unhappiness as they would have liked to sit on this side and speak. What did they say? They completely evaded the subject matter and tried to approach it from party considerations, from petty considerations and tried to go away from the vital subject. (*Interruptions*) From your side it was said that somebody should reply Mr. Fernandes at the end, that he should not be interrupted. I hope you will give us the same consideration.

I can assure from our party that we have approached the subject from two fundamental stand-points. The first standpoint is that in this country we are today standing at a cross road of history, where peoples' confidence in the entire political system and political personalities are fast eroding. People are feeling that every politician is a polluted person and, therefore, what is most important today in this context, that if we want to maintain the cherished goal of our Parliamentary democracy, is to create an atmosphere in which we can convince the people of this country that the political atmosphere is an atmosphere of purity and atmosphere in which there is no corruption. It is one angle from which

we have approached this subject matter. In this context, I would like to refer to the famous words of Ivor Jennings; he wrote in his book "Cabinet Government":

'Cabinet conventions: The most elementary qualification demanded of a Minister is honesty and incorruptibility. It is however, necessary not only that he should possess these qualifications, but also that he must appear to possess it.'

The latter part is more important. The country is today getting an impression, unfortunately from the behaviour of the Janata Party itself that the Prime Minister and the Home Minister—at least there are apprehensions—and not honest, they are not incorrupt. Therefore, we have approached it from this angle. Then, Sir, we have also seen that there is a tendency growing, and we do not like that, that often mud is thrown at the politicians with the hope that at least some mud will stick. Therefore, Sir, as a political party and a true believer of parliamentary democracy we have approached the subject from that angle also. On the one hand we would want to maintain the purity of atmosphere in this country and on the other we want that the political personalities should also be safeguarded from mud-slinging. Here again I am reminded of a famous quotation of Lord Denning, when in an enquiry he has said: "Public men have become more vulnerable since scandalous information is a marketable commodity which has buyers." Therefore, we have approached this subject matter from both these angles. We have not approached it to gain petty political advantage. We do not want to gain or derive political advantage because temporarily we may derive political advantage being in the Opposition, but when we go to the other side we may be the victim tomorrow. In that context, we want that the whole approach to the subject matter should be rational. Today, Sir, nobody can deny that the Government is not under clouds. Nobody

can deny that the Janata Party is under a cloud. Nobody can deny that the Prime Minister is under a cloud. What is the common man speaking? You say your Prime Minister is honest. But who has made the allegations? Forget about the allegations of Mr. Salve. The allegations have come from No. 2 of the Prime Minister's Cabinet.

SHRI MANUBHAI PATEL: Not against the Prime Minister.

SHRI DINESH GOSWAMI: Against the Prime Minister's family members. And you will agree that corruption by family members is considered to *~be* corruption by the Prime Minister or the Minister.

SEVERAL HON. MEMBERS: No, no.

SHRI DINESH GOSWAMI: Should I quote reports? Should I quote what the Das Commission Report has said? This point has been settled. Why do you want to go back? The Das Commission in its report has said:

"Once the knowledge was proved, the duty to warn and to prevent abuse of the Minister's position by members of his family immediately arises. Allegations publicly made are a fair warning to the Minister and if he chooses to ignore them, guilty knowledge must be presumed".

This is the report of the Das Commission. After all who has made the allegations? It is not that important that the No. 2 has made them; the most important thing is that he is the Home Minister. Who is the Home Minister? Our whole life, our whole liberty depends upon that man. He has the twin responsibility of punishing the criminals and safeguarding the innocent. If the ex-Home Minister, Mr. Charan Singh, was such a person that he could have made wild allegations against the Prime Minister, may I ask Mr. Morarji Desai one question? Did you not make a gross dereliction of duty by putting such a man at the helm of affairs of Home

Department? Can I not reasonably ask him: What is the guarantee that during his time as the Home Minister, many a innocent person did not suffer? Can't Mrs. Gandhi today complain: look here, in the similar way the complaints are being made against you, those complaints were made against me? If his contention is correct that the allegations are false, for choosing a man who has no amount of responsibility as the No. 2 man in his Cabinet, he owes an explanation to this House. And what is the explanation, Sir? I could have understood if even after that the Prime Minister would have said: He is an irresponsible man; I sack him. He is not fit to hold office. But I hear Mr. Fernandes and Mr. Biju Patnaik continue in mediating efforts. And you are saying to him: Withdraw the allegations and I shall take him back into the Cabinet. It is as if a barter deal is going on. If he is an irresponsible man who can make allegations against the Prime Minister, are you not behaving in the same irresponsible manner when you say: "Withdraw the allegations and I take you back"? Does it not mean that the allegations are there. The only fact is that if he withdraws the allegations, he becomes clear, you become clear and both of you become mates again? What is the answer of the Prime Minister to this? The atmosphere of the whole country has become cloudy.

I do not want to go into the allegations made. A complaint has been made that these are allegations of pre, 1969 period. But Mr. Salve also made some allegations after Mr. Morarji Desai came to power. Therefore, when we discuss the allegations which came—and to which Mr. Salve has drawn the attention of the House—after Mr. Morarji Desai came to power, if these allegations are proved, if there is some substance in them, obviously we cannot brush aside the fact that there is also a suspicion as to what happened during the earlier period.' Therefore, the whole thing must be taken in that context and in that background. Sir, I am surprised

[Shri Dinesh Goswami]

and I am shocked when I hear from the Prime Minister words to the effect that an attack on Kanti Desai is an attack on him. May I remind him that similar statements were made and by whom by Mrs. Indira Gandhi when she said that an attack on Sanjay was an attack on her. What price she had to pay to for this? The people of India rejected her outright. You hear the sort of statements the man in the street is making. "What is this, is it for this that in 1977 we brought the Janata Party into power to be a substitute for what happened during the period of emergency?" I think the time has come when the Prime Minister shall have to make a choice between Kanti and country or "Kanti" and "Kranti". There is no other way out. If the people of India rejected Mrs. Indira Gandhi because they could equate India with Indira, the people today are not prepared to equate Kanti with Kranti or country. The letter "R" is a stumbling block in both these cases.

The Prime Minister says there is no *prima facie* case. And we have been given a long lecture about the rule of law. I ask the hon'ble Prime Minister and Mr. Shanti Bhushan who is the legal expert wherefrom do you get this basic fundamental principle of rule of law that a person against whom or against whose family charges have been levelled can be made the judge whether there is a *prima facie* case or not. We are experiencing a new Janata sense of justice where one man combines the role of the prosecutor, the judge, and the accused. Is there any case in the entire legal history to support such a principle? Nobody can be a judge of his own case. Our resolution does not say that you hold an enquiry. But are you the competent man to say when there are allegations against your family members that there is no *prima facie* case. Will you give this opportunity to others also? If you ask Shrimati Indira Gandhi whether there was a *prima facie* case against her or not for refer-

ring this matter to the Shah Commission would she have said "Yes, there is a *prima facie* case." Will you give the same concession to your subordinate Ministers when there is a complaint against them to decide whether there is a *prima facie* case or not. May I remind you that up till now there have been 22 enquiries. And the persons against whom charges were framed when asked pointed out that there was no *prima facie* case against them, and in a majority of cases subsequently it was found out that there were *prima facie* cases. Therefore, what we are asking is a simple thing. I have given an amendment in one form and *Mv. Dwivedi* has given it in another form. Look here we are not interested in a pound of flesh of the Prime Minister. But we want that in this country purity must be brought back to the political atmosphere of this country. Let not people continue to whisper and tell Mr. Morarji Desai's son is guilty. Let an independent person judge him. We have suggested a Supreme Court Judge, a Jurist for the Commission Let him judge whether there is a *prima facie* case or not. And that, I think, is the rule of law that one cannot be the judge of his own case.

The Prime Minister referred to the Lokpal Bill. May I remind him that even in the Lokpal Bill originally the Prime Minister was made the competent authority. But the Select Committee turned it down and said that the Speaker must be the competent authority because the Prime Minister cannot be the judge of his own case. We are asking for enforcement of a very, very elementary principle of rule of law. All that we want is that the cases should be given to a competent man, an impartial man. Let him judge. If he says that there is nothing, we will be the first person to say that the Prime Minister deserves our congratulations. At the same time we will ask one more thing. Now number 2 of your Cabinet made the allegation against you. But some action should be taken against him because if your reputation of a man in public

life is to be safeguarded either one must be found guilty or else action must be taken against one who makes such positive allegations.

Mr. Fernandes asked wherefrom we should start. I say, why not you start from Mr. Charan Singh himself? Let Mr. Charan Singh be the starting point. Let the matter go for a preliminary investigation to an independent body. We are not asking for something new. I will give some important illustrations.

Let us look to Mr. Krishnamachari's case. In 1965 Prime Minister Lal Bahadur Shastri referred the charges made against Mr. Krishnamachari. Mr. Krishnamachari asked the Prime Minister to decide whether there was *prima facie* case or not. And what he said were historic words which, I think, one should follow. He said:

"Of course, the conclusion that there is no case for enquiry must be reached in such a manner as will carry conviction with the people and the Parliament. This could be done by taking the preliminary opinion of a person who can be relied upon to be independent, objective. Such an opinion would help me in reaching the final decision of the need for an enquiry."

What did we ask for? To take the opinion of an independent man so that it carries conviction with the people and Parliament. Mr. Prime Minister, if you say that there is no *prima facie* case, well it carries no conviction with me because the allegations are against you. I want them to be "inquired into by an independent man. If he gives a clean chit, we will be the first persons to congratulate you and we will undoubtedly even condemn those who have made allegations.

Let us also refer to another very important case in this context, the case of R. N. Singh Deo. On 26th June, 1967, the Leader of the Opposition of the Orissa Assembly submitted

a memorandum to the then President, Mr. Zakir Hussain alleging various charges. The President referred the matter to the Home Ministry, the Home Ministry referred the matter to R. N. Singh Deo—I am drawing a parallel—and R. N. Singh Deo wrote back to the Home Ministry that there was no *prima facie* case, similar to what the Prime Minister is saying. But I must congratulate R. N. Singh Deo that he rose to the occasion when he said that in his opinion, there was no *prima facie* case, but he felt that when allegations were against him, they should be inquired into by an independent man. Then the Home Ministry referred the case back to R. N. Singh Deo, saying: Look here, you yourself decide to whom the case should be forwarded. R. N. Singh Deo rose to the occasion and appointed Mr. Justice Mundalkar to make preliminary investigations, and Mr. Justice Mundalkar ultimately found that there was a *prima facie* case which led to the constitution of the Surjo Prasad Commission of Inquiry, about which Mr. Biju Patnaik must be knowing very intimately. These are the precedents. We are asking you only to follow precedents. I can give a number of other cases. The same procedure was followed in 1971 when the Retired Judge of the Punjab and Haryana High Court was asked by the Government of India to inquire into whether the memorandum submitted by some members of the Goa Legislative Assembly disclosed a *prima facie* case. It was even at a time of the former Prime Minister. Therefore, what we are asking for is not a pound of flesh. What we are asking for is not to take a political advantage. But we feel that when the Prime Minister comes under cloud, then the entire system of parliamentary democracy comes under cloud, we also come under cloud, because if the Head of the Government or the man who is No. 2 does not command the confidence of the people, Members of Parliament do not carry the confidence they deserve.

Therefore, we want that the cloud should be removed. And may I

[Shri Dinesh Goswami] remind that at least even the President of India today has made a very pertinent comment when he said that it is the duty of everyone now to restore norms of conduct of public life and resist erosion of moral values. This is the statement which the President of India has made today. I do not know for whom it is meant. After all, when the President of India has made this statement, I do think that the Ruling party will concede that he has not made it from the narrow partisan angle, from the narrow political angle, or in order to derive some political advantage. An impression has been created in the highest man of the land that there has been erosion of moral values, that the norms of conduct of public life have gone down; and it is the duty of all of us to restore it. That is why, Sir, we have given amendments to this Motion. We have asked for an impartial body to judge about the existence or nonexistence of a *prima facie* case. If you feel that you do not want to go to a commission of inquiry, let this matter be decided by an independent impartial body. And there is another reason for which we have suggested this. Even if it is found that there is a case for a commission of inquiry, we do not want to embarrass the Prime Minister for framing the terms of reference. Firstly, there is a possibility that subsequently somebody may say against him that in the terms of reference he had avoided the cases where he could be complicated or implicated and he had given the terms of reference in cases where there was no evidence. Secondly, it will be equally improper, as a man cannot be a judge of his own case, he can also not frame the terms. Therefore, we have said: Let the entire papers go. Let there be some sort of a semi-Judicial inquiry. After that, let an independent opinion of the Supreme Court judge be obtained. 'After all, the Janata Party has the greatest confidence in the Supreme Court Judges and' if it found that there is a case

for preliminary inquiry on any allegations, let the allegations be referred to a commission of inquiry. Therefore, Sir, I hope that this demand that we consider is the minimum demand for creating an atmosphere of purity, will be accepted by the Prime Minister. If not, I have got my doubt or I am sorry to say that the people of this country will carry the impression that the Prime Minister is not prepared even to send it to an impartial man for an enquiry or a preliminary investigation because he feels that many skeletons which are in the cupboard may come out. Thank you Sir.

SHRI G. LAKSHMANAN: Mr. Deputy Chairman, Sir, this "commissions of enquiry" has become a fashion" of the day. We would call India which is Bharat, instead, "commissions of enquiry." The British system of administration that was left, is responsible for these commissions of enquiry. In the 200 years of the British rule, how many commissions of enquiry were there? Today in the 35 years or 32 years of independent rule in this country, how many commissions were appointed? At least each year one commission has been appointed. What will the international people think about us? The political approach to a problem brings down our culture, civilisation, language and everything internationally. What do the people think today? They say that, as Mr. Churchill said, the Indian people cannot rule themselves, that they are a set of corrupt people, that they can never rule this country, and that that was why they did not want to give independence to this great country of ours. Of course, our own independence struggle was there. Churchill was not there. Attlee was there to give independence to this country.

Today every now-and-then at the State level and at Parliament level at all-India level, everybody speaks of corruption, everybody talks about corruption. You know how the Sarkaria Commission was appointed against a very decent government, a

very good administration, in Tamil Nadu.

SHRI U. R. KRISHNAN: That was a corrupt Government.

SHRI G. LAKSHMANAN: Mr. U. R. Krishnan says that it was a corrupt Government. Mr. U. R. Krishnan has given his house on rent of Rs. 1,200. I am taking the responsibility. I take a challenge.

SHRI U. R. KRISHNAN: I am taking a challenge.

SHRI G. LAKSHMANAN: He has given his house on rent of Rs. 1,200. Your house.

SHRI U. R. KRISHNAN: I am ready to take the challenge.

SHRI G. LAKSHMANAN: I take the responsibility. I know you. Please do not talk.

SHRI U. R. KRISHNAN: I am ready to take the challenge. I am ready to accept the challenge. If it is otherwise, is he ready to quit?

SHRI G. LAKSHMANAN: He has given his house on rent of Rs. 1,200.

SHRI U. R. KRISHNAN: Otherwise, he should resign his post.

SHRI G. LAKSHMANAN: He has rented his house. That is a different thing. Sir, these people talk about corruption. That is how we are talking about other things.

SHRI U. R. KRISHNAN: He must withdraw that. The Chair should give a ruling.

SHRI G. LAKSHMANAN: I can prove it tomorrow. I have told you specially that this information I wanted to give. I will give information about all your Members of Parliament. (Interruptions).

SHRI U. R. KRISHNAN: He must withdraw his words, (Interruptions).

DR. (SHRIMATI) SATHIAVANI MUTHU: Sir, he says he will tell about all our Members. I am chal-

lenging him: let him tell about all the Members. (Interruptions).

SHRI G. LAKSHMANAN: I make the statement—I take the entire responsibility for it—that all the AIADMK Members of Parliament have given their houses for not less than one thousand rupees here. I can prove it tomorrow if the CBI comes with me. That is the position. We are talking about corruption here. How far does it affect the culture of our people, the civilisation of our people? I do not say that we must not bring forth any corruption charge against anybody.

Therefore, Sir, here as far as our country is concerned, this is taking a very nasty approach. As a matter of fact, I would have appreciated if the Congress (I) people had themselves prepared a memorandum and presented it to the Government. Bring a resolution here then. But what is being done here is with a view to defeating the Government, to put an end to the Government, which has been democratically elected, without allowing them to function for five years. Defeat them after the five-year period. But these interim things, things like interim injunctions, are coming here and they are saying Morarjibhai is corrupt and, if he is not corrupt, his son is corrupt. Then I would ask: if Mr. Charan Singh is so sincere that corruption should be removed from the public life of this country, who prevents Mr. Charan Singh from risking everything and going to Parliament and making the charges against Mr. Morarji Desai? But he does not do it. He must be bold enough to come before this House if he is convinced that Morarji-bhai's son is corrupt. But he does not want to do it. Still he wants to continue as Deputy Prime Minister or Home Minister. Therefore, Sir, these are all with a political background. One man wants to override the other man. It should become the Prime Minister; so bring a bad name to Mr. Morarji Desai.' That is what is.

[Shri G. Lakshmanan]

happening here, and about this we are discussing. What will the U.K. Parliament or the Russian Parliament or any other country think? They will think that the Indian people, on all the 180 days of Parliament, are discussing only about corruption; they are only discussing about misrule. One Minister has earned so much; another Minister has earned so much. Therefore, how long are we going to tolerate these things, exposing our own culture and civilisation internationally; So we have got to think over it very seriously. It is not a question of some corruption charges against Mr. Morarji Desai's son or against Mr. Charan Singh's family. It is a question of an Indian citizen who is in public life. If this discussion is going to be useful, let all of us, as Members of Parliament, put our hands on our hearts and decide, "I shall not earn even a single pie more than what I am entitled to earn." Can any Member of Parliament come out and say this? No. Because he has to spend Rs. 5 lakhs at least on his election. What is the amount allowed? The amount allowed is Rs. 30,000. But he spends definitely Rs. 5 lakhs. Where from does this money come? Therefore, when there is political corruption in this country, any kind of resolution, any kind of commission of inquiry—you may appoint fifty commissions—is not going to solve the problem. The question is how we are going to free ourselves from this political corruption. Once in five years, I require Rs. 3 to Rs. 4 lakhs. But I am expected to spend only Rs 30,000. I spend more than that. How do I get that money? I cannot get that money by being the Prime Minister or by being a Member of Parliament. Therefore, all these discussions and debates are nothing but a fraud on the people of this country. Therefore, let us take a decision in this House. I am not interested in saying that a particular man is to be charged and another is to be free. But, how are we, the parliamentarians, going to discharge our duties to the public at

P.M. & former Home Minister

large? Periar Ramasamy, the greatest reformist, in whose honour a stamp is going to be released on 17th September,—Mr. Sezhiyan knows him; he was his guru—said 15th August 1947, the day when we got our independence, was a day of mourning. That is what Periar Ramasamy said, because Indian people cannot rule themselves; Indian people v/ill fU'tit with one another. He was thinking of the days before the British came. But Annadurai, the former Chief Minister of Tamil Nadu, differed from him. He said, when the Britisher leaves us, we shall celebrate it. Therefore, he differed from him and formed a party, called the Dravida Munnetra Kazhagam, to which I have the honour to belong. What is happening now? What Periar had thought hp become true today. In every legislature, in Parliament, almost 50 per cent of the days we are discussing only about corruption; How are we going to put an end to this corruption? How are we going to put a stop to these corrupt practices? We are not going to root out corruption until and unless we bring about electoral reforms in this country and we make an ordinary peasant a Member of Parliament. Government has to take the responsibility to spend money for the ordinary peasant's election. No rich man, no vested interests, should be allowed to spend their own money. If such a situation is brought about, then alone I think will there be no corruption charges for discussion here; nothing will come before the House. Therefore, you must strike at the root of the problem. Even after 30-31 years of independence we are not able to arrive at a solution. Jawaharlal Nehru, Lal Bahadur Shastri and Mrs. Indira Gndhi, all ruled the country; yet they have not brought any change. All this discussion is only going to be personal. We all know what kind of commissions of inquiry are going to be appointed. Everyone of us, belong to every political party, knows how these commissions are appointed out of political vendetta, not based on justice. Therefore, all this talk here

is of no use. Now Congress-I wants to send the Janata Party out of office by bringing in these corruption charges. If they really want to fight the Janata Party, then allow them to rule for five or six years; if they are not able to bring this amendment, they will continue for six years; otherwise, five years. After these five years or six years, whatever it be, when they complete their tenure, then you must expose them. Compare the per capita income in this country when the Congress ruled with the per capita income during the Janata rule. How far has the Janata Government solved the unemployment problem? How far did the Congress Government solve the unemployment problem? It is only on these issues that we must fight our opponents, whoever it might be, not on all this rubbish which is against the culture of our country, not on this rubbish that we are a corrupt people. I would only make an appeal to all my colleagues in this House. Let this be the last opportunity, Let us all take a resolution not on the appointment of a commission. Let everyone of us, with our conscience, say that no parliamentarian shall earn a single pie more than his TA, DA and his salary. And even if he has got a property, he shall make a trust of that property and he shall not touch it. We should see if we can have that code of conduct. The Lok Pal or any other committee—like thing will again bring a bad name. Therefore, until and unless we make this code for ourselves first, we cannot solve this problem. This has become the fashion of the day. Within one year the Congress people have found that Mr. Morarji Desai is corrupt. Mr. Morarji Desai was considered to be corrupt even ten years ago. Now, when Mr. George Fernandes started reading something, Mr. Maurya from there was saying, don't open all those subjects. In these 30-31 years we have been discussing this problem, from the highest level to the lowest level. This is the position. Even if we have this discussion for two days, for three days or

even five days, we politicians are not going to solve this problem. We are all watching this debate. There are people filling the galleries watching us. Visitors' galleries, every gallery on the top, are filled with a large number of people watching us today. What about the officers sitting here? We have to decide the fate of these people. When we ourselves are corrupt, what will they think of us? People will begin to speak and a time will come when they will take stones in their hands and hit any parliamentarian or MLA. Therefore, let us not waste our time. Let all the Members of all Parties join together. After all what is our culture? What is our civilisation? We have a culture and civilisation which is of 5,000 years old. We taught civilisation to the Greeks. Russia came only after India. When was America discovered? And to such a country we go with a begging bowl. Why are such things taking place 35 years after our independence? What is the present condition of our country? The economic system in this country is basically capitalist. The Congress was responsible for it. Sixty to seventy percent of our people are below poverty line. Should this be the fate of our people? We have to change their fate? That is why we have all come here. Therefore, my appeal to our Congress friends is this. Let us not take up this Resolution and waste our time. You can defeat this Government and capture power. But certainly not through this method. You should go to your constituencies and tell the people that Janata Government has failed them and 'therefore they should support you.

As far as *my* Party is concerned, ours is a small Party in this House. But our Party has proved to be one of the best Parties in India. We do not say this man is corrupt or that man is corrupt. That has become the fashion of the day. I cannot blame anybody for that. 'When the Sarkaria

TShri G. Lakshmanan] Commission was appointed, I told Mrs. Gandhi that it was sheer political vendatta. When Mrs. Gandhi brought in a measure to postpone the election by one year, I told her—if I may boast myself, I was the only person to say so—that it was nothing but political prostitution. I was comparing the Members of Parliament with ladies; and democracy with the husband. These ladies have got to marry democracy once in five years. Therefore, I told her that the Act to postpone election was a political prostitution. We have raised the question about the release of George Fernan-des and Morarji Desai. What is the position of our Party today? If I can boast myself, ours is the only Party which fought against the emergency and we will continue to fight emergency. The situation in Tamil Nadu today is...

SHRIMATI PURABI MUKHOPADHYAY: Is it relevant?

SHRI G. LAKSHMANAN: To me it is relevant. Therefore, as far as my Party is concerned, a permanent solution should be found. We Parliamentarians must sit together and find out a permanent solution. I am sure that under the leadership of Shri Morarji Desai we can find out a solution and stop this nonsensical attack on politicians saying that they indulge in corrupt practices.

MR. DEPUTY CHAIRMAN: Mr. Maurya wants to say something by way of personal explanation and after that the Prime Minister will reply...

AN HON. MEMBER: There are some more speakers.

MR. DEPUTY CHAIRMAN: As I said earlier, there must be some time limit. I think every Party has enough time. If we do not keep any time limit, how can we work at all? Are we to sit for the whole night?

SHRI VIREN J. SHAH: Upto what time?

MR. DEPUTY CHAIRMAN: I said that Mr. Maurya will say something.

After that the Prime Minister will speak. In the end Mr. Salve will reply.

श्री बुद्ध प्रिय मौर्य : माननीय उद्योग मंत्री जी...

SHRI SRIMAN PRAFULLA GOSWAMI (Assam): Sir, You have allowed so many irrelevant things to be said. (Interrupts). I do not know why you have allowed him. What is this? I cannot understand? Are we in Parliament? (Interrupts).

"I wonder where we are going. I myself do not know and I happen to be the

श्री बुद्ध प्रिय मौर्य : माननीय उद्योग मंत्री श्री जार्ज फर्नेन्डीज़ ने अपने राजगुरु डा० राम मनोहर लोहिया के शब्द मेरे कण्ठ से उतार दिये। इसके लिये मैं उनका विरोध करूँ या धन्यवाद, यह मैं समझ नहीं पा रहा। जहाँ तक मेरे इलाहावाद, अलीगढ़, फरख़ाबाद और लखनऊ में जिन मेरे भाषणों पर डी० आई० आर० लगा था और दस महीने की जेल मुझे कांग्रेस के राज्य में काटनी पड़ी, वह लिखतम, पढ़तम अदालत में मौजूद है। एक मंत्री होकर इतना झूठ बोल सकता है यह भारतवर्ष के लोकतन्त्र में चल सकता है, दुनिया के किसी लोकतन्त्र में नहीं चल सकता।

श्रीमन्, मैं (7interruptio?is) बर्चा करने से पहले...

श्रीमन् मैं इस बहस में भाग लेते समय राष्ट्र के सर्वश्रेष्ठ स्थान पर बैठे हुए राष्ट्रपति के उन विचारों को यहाँ कोट करने के आगे चलना चाहूँगा जो उन्होंने हाल में ही कहे हैं:

President. I want Mr. Rajnarain who is present, to convey my grief to the other members of the Cabinet."

"As scandals are heaping, President Sanjiva Reddy is reported to have taken a serious view of the

DR. RAM KRIPAL SINHA: Sir, is this a personal explanation?

DR. BHAI MAHAVIR (Madhya Pradesh); Sir, is it any personal explanation?
(Interruptions)

DR. RAM KRIPAL SINHA; Sir, is this a personal explanation?

"As scandals are heaping, the President,

श्री बुद्ध प्रिय मौर्य : श्रीमन्, यह कुछ
(Interruptions) इन में इसलिये रखे कि...

8 तथा 22 अप्रैल
 के विलेज में यह दिशा है। श्रीमन्, मन्त्रीय
 प्रधान मन्त्री मोरारजी भाई देसाई ने
 गोपनीयता की *(Interruptions)* पर मन्त्रीय
 सदस्य ...

मैंने तो कम से कम एक हफ्ते से तैयारी
 की है श्रीमन्...

Mr. Sanjiva Reddy is reported to have taken a serious view of the goings-on in high circles. According to reliable information, he has asked the Prime Minister to make a thorough inquiry into all these aspects to sustain the fair name of the Janata Government."

SHRI HAMID ALI SCHAMNAD (Kerala): How does the President come into the picture, Sir? *(Interruptions)*.

SHRI N. P. CHENGALRAYA NAIDU (Andhra Pradesh): Sir, is this any personal explanation? I am sorry to say that he is making a speech.

DR. RAM KRIPAL SINHA: Why are you allowing it, Sir?

SHRI BUDDHA PRIYA MAURYA: I have to speak. *(Interruptions)*.

SHRI N. P. CHENGALRAYA NAIDU: What is this you are allowing? What is this, Sir? *(Interruptions)*. Does he want to make another speech? *(Interruptions)*.

DR. BHAI MAHAVIR: What is this, Sir? How are you allowing this? *(Interruptions)*.

SHRI N. P. CHENGALRAYA NAIDU: Sir, what is it that is going on in this House? *(Interruptions)*. I want some order in the House. *(Interruptions)*.

MR. DEPUTY CHAIRMAN: Order, please. You first sit down. There are a few Members ahead of Mr. Maurya who have to speak. But Mr. Maurya was given priority because he wanted to make a personal explanation and that was why Mr. Maurya was called. Mr. Maurya, if you have finished with your personal explanation, then you resume your seat.

श्री बुद्ध प्रिय मौर्य : एक हफ्ते से मैं
 तैयारी कर रहा हूँ। यह पत्र-व्यवहार का
 मसला उठाया ही मैंने था.... *(Interruptions)*
 ... मैं ही तो यह उठाने वाला हूँ।

DR. RAM KRIPAL SINHA: You only permitted him to give a personal explanation... *(Interruptions)*.

SHRI N. P. CHENGALRAYA NAIDU: Sir, this was only a personal explanation. But...

MR. DEPUTY CHAIRMAN: You need not remind me every time. This is not the way to proceed----- *(Interruptions)*.

SHRI MANUBHAI PATEL: Ten minutes are over..

MR. DEPUTY CHAIRMAN: This shall not go on record.

(Shri Manubhai Patel; Continued to speak).

MR. DEPUTY CHAIRMAN: I am trying to find out a solution to wind up the debate.

(Interruptions)

श्री बुद्ध प्रिय मौर्य : मैं प्रस्ताव रखता हूँ कि समय बढ़ाया जाए। मैं एक हफ्ते से तैयारी कर रहा हूँ। (Interruptions) श्रीमन्, मैं 15 मिनट में खत्म कर दूंगा।

श्री उपसभापति : आप 15 मिनट में खत्म करेंगे लेकिन तरतीब से चलिए। किस वक्त वोटिंग होगी, क्या होगा, सब कुछ तय करके चलना होगा। 6 बजे का समय तय था, अभी आठ बजे से ऊपर तक हो गया। अगर ऐसा रहा तो 10 बजे तक चलेगा अगर आप अभी समाप्त नहीं करते हैं...

श्री भोष्म नारायण सिंह : हम लोगों ने मुझाव दिया था कि मण्डे को रख दीजिए।

(Interruptions)

श्री कला नाथ राय : हमने तो बोलना है... (Interruptions) ... सदन की राय ली जाए।

श्री उपसभापति : हर चीज में सदन की राय लेना चाहें तो बात दूसरी है। 10 यूँ ही बज जायेंगे। इसलिए अब प्रधान मन्त्री जी को बोलने दीजिए।

श्री बुद्ध प्रिय मौर्य : श्रीमन्, मैं निवेदन कर रहा था अपने देश में...

(Interruptions)

श्री उपसभापति : प्रधान मन्त्री जी को बोलने दीजिए। उनके बोलने का समय 8 बजे था। देखिए, मैं पहले कह चुका हूँ कि सदन में कोई तो तरतीब से काम करना पड़ता है। यह तो नहीं कि आखिरी तक बैठते रहें।

(Interruptions)

SHRI SRIMAN PRAFULLA GOSWAMI:
Sir, I have no personal grudge against you
But, with all respects, this is not the way.
As a

protest, I will not participate, and walk out.

(At this stage, the hon. Member[^] left the Chamber).

श्री कमलापति त्रिपाठी : श्रीमन्, दूसरे सदस्यों की भी बातें हो जाएं। प्रधान मन्त्री आखिरी में बोलें। अगर सब लोग बोल नहीं सकेंगे, और वह (प्रधान मन्त्री) बोल लेंगे तो दूसरा काम कैसे चलेगा। आप हाउस को चलने दीजिए... (Interruptions) ... बोलने दी श्रीमन् जी को वं

श्री बुद्ध प्रिय मौर्य : श्रीमन् मैं 3 मिनट में 3 नुक्ते रख दूँ...

श्री लाल कृष्ण झाडवाणी : उपसभापति महोदय, इस विषय में शाम से कई बार चर्चा हुई है। सदन में बोलने के लिए जितना समय प्रत्येक दल को दिया गया था उससे कहीं अधिक एग्जस्ट हो चुका। एक बार पीने 6 बजे का तय हुआ, उसके बाद 7 बजे का तय हुआ। इस वक्त नाहूँ 8 बज गए हैं। प्रधान मन्त्री जी बोलने वाले थे परन्तु चूँकि कठिनाई बताई गई इसलिए समय बढ़ाते गए। चूँकि आपने कहा पर्सनल एक्सप्लेनेशन के लिए मौर्य जी ने अनुमति मांगी थी इसलिए आपने अनुमति दी थी और पर्सनल एक्सप्लेनेशन के नाते आप उनसे कुछ कहलाने देना चाहते हैं। जहाँ तक इस चर्चा का सवाल है आपने जैसा घोषणा की है, प्रधान मन्त्री जी का भाषण होना चाहिए।

श्री अनन्त प्रसाद शर्मा : प्रधान मन्त्री बोलेंगे तो उसके बाद हम बोलेंगे, उसका जवाब कौन देगा? ... (Interruptions)

श्री उपसभापति : या तो आप यह निर्णय कर लें कि मौर्य जी आखिरी बक्ता होंगे... (Interruptions) यह व्यवस्था स्वीकार नहीं है तो प्रधान मन्त्री जी बोलेंगे।

SHRI ANANT PRASAD SHARMA: yNow, the Prime Minister has to reply. It never happens that the Prime Minister intervenes when the other Ministers have already intervened.

श्री उपसभापति : मौर्य जी, आप को पर्सनल एक्सप्लेनेशन देना ही तो आप बोलें ।

श्री बुद्ध प्रिय मौर्य : मैं पर्सनल एक्सप्लेनेशन ही दे रहा हूँ ।

(Interruptions)

श्री उग्रनाथपति : इसे आज खत्म करना है...

(Interruptions)

श्री अनन्त प्रसाद शर्मा : आप ने कहा कि इसे आज खत्म करना है । जब तक हमारे सारे लोग बोल नहीं लेंगे यह खत्म नहीं होगा ।

SHRI BHAURAO DEV A JI KHOBRAGADE; Just now, an Independent Member has staged a walk-out. Although 29 minutes were allotted to the Independent group, no one from that group has been called. "How can you allow Mr. Maurya when the time of his party has been exhausted? I would request you to call the Prime Minister to intervene.

MR. DEPUTY CHAIRMAN: Let me , clarify the position regarding what Mr. Khobragade has said.

(Interruptions)

PROF. SOURENDRA BHATTACHARJEE (West Bengal): We have been ignored in all matters.

MR. DEPUTY CHAIRMAN: On what Shri Khobragade said, I would like to keep the record straight. These 29 minutes were allotted for Independents, D.M.K., R.S.P.; F.B. and P.W.P. out of which Shri Lakshmanan has spoken. It is not correct to say * that no one out of those who were allotted these 29 minutes has spoken.

SHRI VTRTN J. SHAH: He has already marie his personal explanation.

He had said that he would not make a speech. The personal explanation is for the speech which Mr. George Fernandes referred to. Well, Mr. Maurya said that he had not made that speech. The matter is over.

PROF. SOURENDRA BHATTACHARJEE: I have certain material which I would like to place before the House. But you do not call me.

SHRI S. W. DHABE (Maharashtra): Let

श्री कमलापति त्रिपाठी : मेरा यह प्रस्ताव है कि आ (Interruptions). यह बहस चलनी चाहिए ।

श्री भीष्म नारायण सिंह : आप इसको सोमवार तक चलाइये ।

श्री लाल कृष्ण आडवणी : आप अपना निर्णय दीजिए । उसके अनुसार कार्यवाही होगी ।

कुछ माननीय (Interruptions). सोमवार तक चलने दीजिए ।

श्री उपसभापति : कैसे सोमवार तक चलने दें ?

श्री भीष्म नारायण सिंह : तो फिर आज 11 बजे तक (Interruptions) .

the Prime Minister speak. There should be no time extension. We cannot sit up to 11 o'clock. Let the Prime Minister reply to the speech and then the Mover will reply.

MR. DEPUTY CHAIRMAN; Now, let the Prim. Minister intervene since you have finished your personal explanation. (Interruptions).

(Interruptions).

श्री बुद्ध प्रिय मौर्य : मुझे तो अभी पर्सनल एक्सप्लेनेशन देना है ।

श्री उपसभापति : उससे मतलब क्या है ? आप तो अपनी बात कह चुके ?

श्री बुद्ध प्रिय मौर्य : श्रीमन् मुझे खत्म करने दें। आप कहें तो प्राइम मिनिस्टर से इजाजत ले लूँ। मैं एक मिनट में पर्सनल एक्सप्लेनेशन दे दूँगा . . . (Interruptions)
डा० राम मनोहर लोहिया ने कहा था—आप सरकार में, बेटा व्यापार में, देश भ्रष्टाचार में। ये डाक्टर राम मनोहर लोहिया के शब्द हैं। यह जो आपने (Interruptions)

श्री जार्ज फर्नेंडीज : मेरे कहे हुए वाक्य अगर उनके न हुए तो मैं हट जाऊँगा। अगर उनके वाक्य हैं तो उनको बट जाना चाहिए . . . (Interruptions)

श्री बुद्ध प्रिय मौर्य : यह मुझे मंजूर है। अगर जो मैं कह रहा हूँ वह गलत हो तो मैं राजनीति से सन्यास ले लूँगा। मुझे यह नहीं मालूम कि ये राजनीति से सन्यास लेंगे . . . (Interruptions)

श्री जार्ज फर्नेंडीज : हमें मंजूर है . . . (Interruptions)

श्री बुद्ध प्रिय मौर्य : इन्होंने जितना मेरे बारे में बोला है, जो लोहिया जी का कहना था वह मेरे गले किया। लोहिया जी का कहना था—आप सरकार में, बेटा व्यापार में, देश भ्रष्टाचार में। मेरा कहना केवल यही है कि आपके ऊपर मैं आरोप लगाता हूँ कि आपने सीमेन से 10 करोड़ की रिश्वत लेकर देश को (Interruptions)
गिरवा रखने का साजिश की है (Interruptions)
. . . राहुल देश का सर्वनाश किया है . . .

THE PRIME MINISTER (SHRI MORARJI R. DESAI): Mr. Deputy Chairman, Sir, I have been listening

with great attention to what has been said during this debate, and I do not want to say anything against any- ^ body. I shall, therefore, only reply to the Motion that has been moved and the arguments of my friend, Mr. Salve and some others.

It seems to be a deliberate choice of Mr. Salve to move this Motion on behalf of the Opposition because he is an expert in accounts and, therefore, he knows how to use figures. And nothing can lie more than figures sometimes. Now, let us see what he said and what I am asked to do or what the Government is asked to do: That there should be an inquiry under the Commissions of Inquiry Act against my son, not my son, but it is said against the family members of the Prime Minister and the family members of Shri Charan Singh. Why? Because it is said that both of us have charged each other with corruption. Now, is this factually true? That is what we have got to examine. If I did not put those letters on the Table of the House, it was not because I was worried by the contents. I am sure, if they had been put, nobody would have had to say anything. But I cannot set a precedent in the matter of working of the Government for all future times by a wrong precedent. It is, therefore that I have borne with patience all the adjectives given to me in this matter. But portions of these letters have been published, as they themselves admit; and I know they are published in some way or the other. I do not want to say how because I do not want to create further controversies. But it is on public record that Shri Charan .Singbji has said that he has no information of any kind with him, no papers, no complaints, no material against my son. And, yet, he has said that it would have been better if an inquiry is made to clear the air. And, then 4 an injuiy is demanded against the family of the Prime Minister. my family is not confined only to my son. Why bring in family, I do not

know. And I have not made any charges against Shri Charan Singhji. I have only said that there are people who make charges, which I reject because there is nothing before me. It has been my experience in public life of this country for many years past that some people have an irresistible tendency to circulate rumours against people in public life; more than anything else, and it has been free from such attacks. Even Mahatama Gandhi was not free, let alone anybody else. There has not been a single leader who has been free from it, if I may say so. I do not want to recount all that but this is a fact of history in this country. All this is so because we have become very weak in this matter having suffered from fear for centuries and when a person is afraid he indulges in this kind of satisfaction by running down somebody else and that is what has happened in this country. It is, therefore that one has to be very careful in dealing with such matters.

It is argued that I cannot be the judge of a *prima facie* case. I do not want to judge a *prima facie* case. That has not been my intention at all. It was argued here that I consider that an attack on my son is an attack on me. I have not said that. I have said that this is all done in order to attack me through an attack on my son. That is all that I have said. Even that is perverted. Is this politics? Is this morality? I do not understand it and yet one has to suffer it and I have been suffering it for more than 25 years in this manner. But I have no quarrel with it. That is part of public life. It has not happened now. It happened very early. It all began in 1950-51. Then a Gujarati wrote to me that my son was doing business in Bombay and that because he is my son, he gets all the sales orders and they are deprived of them. I was not then the Chief Minister but I was the Home Minister.

ter. I asked him as to how he had got this business and from whom? He named the millowner. I called the millowner and asked him whether it is true that he has given him this supply contract for ail MG stores? He said, it was all nonsense. He only gave my son one particular tender because his was the lowest and the quality was better than anybody else's. I wrote again to the gentleman who had written to me saying that these were the facts. Then he said, it is all right, but whatever the facts may be, my son should not come in his way, and that I should send him away by giving him Rs. 2000 salary away from Bombay, otherwise he will lose his business. And, he said, he will send this complaint to the Prime Minister. Pandit Jawaharlal Nehru. I wrote to him that he need not take the trouble, and I would be sending the whole correspondence to Pandit Jawaharlal Nehru and I did send it to him. And Pandit Jawaharlal Nehru wrote back to me saying : "Why are you becoming sensitive like this? It is all nonsense. Why should you be worried about it?" This is what he wrote to me when I had sent the complaint to him. Therefore, these things have been going on from that time onwards.

Then again, when I came to Delhi in 1956, somebody had written to Pandit Jawaharlal Nehru—a pseudo-nimous complaint—and he sent it to me for information. I replied to him immediately: "You may have been affected by this. There is nothing in it but you have a suspicion, I would not like to remain in the Cabinet. I would like to leave, because I cannot work under such a suspicion. You had better enquired through the police or any other agency that you may deem fit and take necessary action. This is what I would request you to do." Jawa-harlalji immediately wrote back to

[Sthi'i Morarji R. Desai] nie—some time in 1962 or 1963; I do not quite remember the date—saying: "I am very sorry that I have given you a wrong impression and a wrong feeling and caused undue pain. I could never mean it. I only sent it for information to show you how the people's tongues are wagging. I do not believe in it. It is all a lie on the face of it the way it is written. Therefore, do not worry and I am very sorry that I sent it to you, because I did not realise that you will take it to heart."

It did not stop there. It happened again when I came back to office. It does not happen when I am out of office. Nobody says a word then. But some of the things which are said here are at least of the time when I was not in office. It is a peculiarity of my hon. friends here. But this is what happened in 1968 and it was taken up in both the Houses by the hon. Members. My hon. friend, Shri Bhupesh Gupta, was one of them. And he had got a photostat copy of a letter which was in a CBI inquiry held against my son by the Home Minister in 1965 when I was not in office. So you can just see whether the inquiry was made against him or not. The inquiry was made against him and Shrimati Gandhi told me: "I have got these papers from the Home Minister without the Home Minister's knowledge. Therefore, he is very angry." I said: "Yes, he has every reason to be angry because you should have asked him and he could have given the papers to you." That was the time when I learnt that there were these letters. And she showed me one letter. All this has been on the record of this House. Therefore, I do not want to go into those details. I told her again: "You had better inquire if you have any suspicion, and if you have a suspicion now and even if you do not want to inquire, I do not want to be here; I cannot remain here under suspicion. I would, therefore, like you

to make inquiries in the best way you can." She said: "No, there is nothing. This is the only thing. There is nothing in it. Therefore, you need not worry about it." I said: "The worry comes when you say this and do not show it to me earlier." This was done after a few days. And then she made a statement in the House. I did not ask her to make it; she made it of her own accord. There were some people who made some uncharitable allegations even at that time that I had suggested to her that she should go to Teen Murti Marg or I agreed to her going to Teen Murti Marg and, therefore, she obliged me like this. Now, what am I to do with such people who can circulate such rumours and talk like that? This is what I learnt from persons close to her; not from her. But this is how things go on in this country.

Now, again, this has started; started from the very first day I came to hold this office. My son lives with me; it is true. I have one son. It is true, I have affection for him; he has affection for me. It would be unnatural for me to say that I have none. But I am not a sentimental person. If he gets angry with somebody, or otherwise, I tell him 'You should not do this'. If he gets angry with servants, I tell him off. This is what I do. He does not interfere in anything. He assists me only in social matters and in organisational matters; in nothing else. People go and see him. Some of the Members of the Opposition also go and see him. Now, what am I to do with it? When I see them going, I tell them 'Why do you go there?' They say 'No, we are friends and, therefore, we go'. I said 'all right'. These very people, some of them, talk outside something else. I was once told that they cannot get an interview from me except through him. I said 'Why don't you try it?'. They tried and then told me that they were wrong because they could

not get interview that way. He cannot arrange any interviews even for me. This is the care that I have taken. I do believe in public morality. I not only believe in public morality, but I also believe that private and public morality must be absolutely clean for people in office. That is what I believe in, and, to the best of my capacity, I have tried to behave that way. live that way. Some of my friends here even those who attack me, have begun to say that there is nothing against me. And yet, they do not hesitate to attack me by attacking my son. This is the most surprising part of it. I cannot understand it. But these are penalties which a man in public life has to pay.

When I come to the demand for inquiry made by Mr. Charan Singh may I say that he himself has publicly stated what I said earlier that he has no material? Would it not be a folly to appoint an inquiry commission in the absence of requisite material? Would it not be a folly to appoint any inquiry commission against anybody because somebody says something? I hear many things from many people. Everything circulates in this country. But I have made a rule not to believe in anything until I get proof for it. There are some people who come and tell me something against other people, immediately I tell him: "Are you prepared to repeat it in his presence?". And there, the man goes away. When I tell him: I don't believe what he tells me about <some one, I then confront him with the other person and the truth is found out. That is how I deal with these matters. I do not say this to show how pure I am. I cannot claim that I am the purest of persons. If I become the purest of persons. I will be realising God. That I know. Therefore, there will always be something left incomplete. But if it comes to my notice, I have never

hesitated to accept it and to atone for it. That is the only way one can go ahead. That is what I believe.

Therefore, what are these charges? I would like to know. I notice that 32 charges have been recited by Mr. Salve here. Charge made by whom? He' is very careful, because he is very clever. He says that he has no proof; he has not enquired; he has not investigated. This is what lie in a journal read. Now, does that amount to making a charge? Can such a thing be enquired into? If there is a charge, some person should make it so that he is required to prove it. I do not say that I will

judge it myself but specific 9 P.M. charges should be there. Then

the complainant would be responsible for his complaint and if it is disproved, something can be done against him. I would like to examine the law of defamation. It is not quite helpful in this matter. Many a time it becomes too costly and sometimes difficult for an honest person to prove in a court of law. The person who defames gets the benefit of doubt for *bonafide* purposes.

I know of a case of a journal from where it has been amply quoted here. He has been doing this for the last 30 years against me. I have known that journal but I do not touch it. I do not like to touch yellow papers because if I throw stones in dirt, the dirt recoils on me. I do not like to touch them with a pair of tongs. Let them have full play and let the people judge them ultimately. I have never gone against him. I have never utilized my powers to touch him. I do not do that even now. But I do not see them. That is their grievance. He has seen me when I took charge. He came and saw me and said, he was

[Shri Morarji R. Desai] sorry for what he had written in the past. He has now become a disciple of Sai Baba and he has improved. This is how he has become the disciple of Sai Baba. I saw him then I give him an interview also because I do not believe in keeping a grudge against anybody. I would like to enable him to improve. But soon after I found that he is incorrigible. Next time when he came and wanted to see me, I said, I am not going to see you. This is not the way to behave. But this is how such people become angry and they try to blackmail and bully. Well. I am the last person to be blackmailed or bullied. I do not want to do that to any person and I won't suffer it from any person. But these are the charges which are brandished here. And what are the charges? Let us see them. It is said: Exercise of extra-constitutional power and interfering in the working of RBI, Air India, nationalised banks' and the Central Board of Direct Taxes. He has no connection with these whatsoever and yet this is alleged. Where is his power? Show me where it is utilized. I am prepared to condemn him first. I am prepared to separate if that happens, not keep him v/ith me and not live with him. That is what I will do. But nobody wants to take responsibility and assert that he said this. If he says this outside then certainly he will be prosecuted for defamation. Then everything will be known. But that is what they do not do. They all do this in a protected manner. Therefore, it is very difficult to take action. That is what is not realised. And see how imagination runs riot. There is some Boeing scandal of pay off. It was even said that he has some connection with it. By no stretch of imagination his name has come up in any of these enquiries. Some people have been arrested and there is not a breath of scandal against him. But this is that is alleged. Anybody can do that. Next time it may be said that I am also responsible for it.

Why not? Nothing is lost in saying such things. But this how these lies are circulated. Then acquisition of land in Baroda was referred to. Is not a citizen free to buy land . openly, properly? Because he happens to be my son, is he not free to do his business or transact his business? He has gone out of it ever since he has began to serve me personally. Within two to three years, he got rid of every thing and the last thing that was remaining, he got rid of it also. Pie was an Adviser in a company in London. He got rid of it last year. Nobody can say that he has this kind of connection. Should he not have any house? I do not have any house. I do not believe in having property. I do not believe in leaving anything to my children. And yet I cannot, say that my son should have no house. And if he builds a house openly within the law... (*Interruptions*) He has not many houses. These are also lies. If he bought a house and sold it, it is done openly. It is not done clandestinely at all. And it has all been accounted for in Government records also. Income tax has been accounted for completely. When I was not in office in 1964-65. his account was re-opened by the Finance Minister who wanted to harm me. And he could not do anything. He found that there was nothing. Now it is circulated that the files are missing. Files are there. I have found that one officer was meddling with them and supplying all this information in a wrong manner. That also I have found out. But that is a different matter. But the files are there. What is the use of saying this kind of a thing? Is it argued that when I was not in office, he would have been left alone and he would not have been properly punished if he had done anything wrong. And I have been long out of office. His house was searched in 1976. and what happened? What was found? Nothing. This is how it is done. CBI inquiry was made in 1965 by the Home Minister and nothing was

found. And yet it is said that I must make an inquiry. There cannot be a more fantastic demand, or a more motivated demand than this. This is not only to hurt me. but it is to hurt the Janata Party that all this is done. There is no other reason. (*Interruptions*) What ebe could you do? What else can my friends do except this when they have no reply? They have no patience to even hear me properly. I have not interfered with anybody. And yet... (*Interruptions*) what you are showing is your own breeding. I cannot say anything else. This is not the way to go on in the House. What is being done ? Here is my friend, George Fernandes. He made the charge. It is said that it is wrong. He has offered that if it h proved w(rong, he will get out of office. Otherwise let the Hon. Member give up his membership. What more do you want? Charges are made against Ministers but no particular. Here Members go on saying. "corrupt, corrupt, corrupt Minister". Say it outside and you will know what the result of it is. Name the person and make the accusation and then you will get the result.

(*Interruptions*)

SHRI KALP NATH RAI: Mr. Chairman.. (*Interruptions*). He has refired to me. The Prime Minister has referred to me.

(*Interruptions*)

I am on a point of order. He says "outside"...

SHRI MORARJI R. DESAI: Yes, yes, outside. This is a protected place. That is why you can say what you like.

SHRI SHYAM LAL YADAV: Shri Charan Singh said in an interview that while he was in government he was surrounded by corrupt people. He said that in an interview.

SHRI KALP NATH RAI: Mr. Charan Singh said that.

SHRI MORARJI R. DESAI: That is what I have said. I am not saying that you said that. And I said that unless he withdraws that charge or proves it he cannot be inside. That is what I have said. I have not said anything else. Therefore, what is the use of saying that?

SHRI SHYAM LAL YADAV: Because Mr. Charan Singh has said that out of the House, you prosecute him. He has made that charge.

SHRI MORARJI R. DESAI: Even that he has explained that he has made no specific charge at any time. He has said that there is corruption everywhere. That is what he has said. I do not want to enter into that kind of argument in this matter. But this is all quoted.. (*Interruptions*) I am not going to take a long time. Sir, I have nothing more to say. I see that my friends are impatient. They do not like truth. And I can understand the reason of their impatience because that is their life. I cannot oblige them by doing a wrong thing. That is why I am against all the3e proposals of enquiry.

श्री कमलापति त्रिपाठी : मैं प्रधान मन्त्री मंत्री जी से नम्रता के साथ कहना चाहता हूँ हूँ कि उन्होंने कहा कि जो केस किया जा रहा है, वह जनता पार्टी को नुकसान करने के लिये है। मैं जानना चाहता हूँ कि क्या चीधरो चरण सिंह जनता पार्टी के सदस्य नहीं थे, क्या मोरारजी भाई के मन्त्रिमण्डल के वे दूपरे व्यक्ति नहीं थे और क्या यह सही नहीं है कि यह चार्ज चरणसिंह जी ने लगाया जो अखबारों में निकला है

क्या यह बात सही नहीं है कि उन्होंने यह कहा कि हमने

I am surrounded
by corrupt people.

[श्री कमलापति त्रिपठी]

करण को रोकने की कोशिश की, लेकिन पावरफुल सोर्सज थी उन्होंने हमें करण को रोकने नहीं दिया, क्या यह बात सही नहीं है कि उन्होंने कहा है कि :

I am surrounded by corrupt people.

क्या यह बात सही नहीं है कि उन्होंने कहा कि

"I am relieved that I am out of the Cabinet because I was surrounded by corrupt people".

श्री पीलू मीदी : शान्त रहो, कल्पनाथ

राय ।

420

corruption charges

SHRI VIREN J. SHAH: He should not speak after the Prime Minister's reply. He is making another speech.

श्री कमलापति त्रिपठी : मान्यवर, मैं प्रधान मन्त्री से पूछ रहा हूँ । . . .

(Interruptions)

Please do not disturb. I am talking to him. It is nonsensical.

मैं आप से पूछना चाहता हूँ कि जो अखबारों में निकला है—

Janata Party Government is working under the shadow of corruption.

यह चीजें अखबारों में निकल चुकी हैं, प्रधान मन्त्री जी के मन्त्रिमण्डल के जो दूसरे व्यक्ति थे उन्होंने यह चीजें छपी हैं । इससे जनता पार्टी की सरकार और जनता पार्टी को अगर कुछ नुकसान पहुंचा है तो सारा दोष हमारे सिर पर देना गलत है । मैं जानना चाहता हूँ कि प्रधान मन्त्री जी ने अभी कहा कि बाहर कहेंगे, तो मालूम होगा, तो क्या उन्होंने चौधरी चरण सिंह के खिलाफ कुछ कार्यवाही करने की कोशिश की है ।

SHRI MORARJI R. DESAI: May I say that my hon. friend is going at a tangent? He has not made any specific charges. He has said publicly against what... *(Interruptions)* How

former Home Minister

am I to tell him that he has not made any charges?

SHRI BUDDHA PRIYA MAURYA: "No nation can progress if its leader " is corrupt," says Chaudhry Charan Singh.

SHRI N. K. P. SALVE; Mr. Deputy Chairman, Sir, I shall deal first with my hon. friends other than the Prime Minister. I shall first take care of the other advocates who have tried to support what the Prime Minister has stated and who have tried to oppose the Motion. . . .

First and foremost, I shall *take* up what Shri George Fernandes has to say. Shri George Fernandes made a very powerful speech—a powerful speech lung-wise. Obviously, Shri George Fernandes has from a trade union leader become a Minister. He has no forensic background. He was allured into a trap I had left in my arguments. I could have explained as to way I included the allegations in the charges I have mentioned in respect of which Morarjibhai had been given a clean chit by Mrs. Indira Gandhi. I could have enumerated the rest of the allegations only and left the earlier ones *out* because I had myself studied the entire debate very careful^ meticulously, gone through word by word, and I had known that Mrs. Gandhi had cleared Shri Morarji Desai in respect of some of the allegations in 1968. Shri George Fernandes raised his voice and said Mr. Salve participated by voting. Yes. I did. And he further asked us: Whe_n did Mrs. Gandhi realise? When did I realise the mistake that in 1968 what we did wa_s an error? You want an answer to it. I do not know when Mrs. Gandhi realised, but I will tell you when I realised. I am grateful to him for giving me a'n opportunity. I realised this when I sa_w that after 1977, when Shri Morarji Desai came into power, large scale corruption was ; resumed by Kantibhai. There was corruption i_n purchase of power plants. There wa_s trip to USA which

was paid for by Air India. He was associated with Hinduja when we realised that there were Boeing payoffs. When we found that there were appointments in nationalised banks and public sector undertakings in which he was interfering directly and there were huge insurance commissions which Mr. Kanti Desai was receiving. Their exact figures I have quoted here. Not one figure has been challenged. There was tax evasion covered by bogus jack-pots. Nothing has been refuted about the jack-pots. I realised this when recently we found that there was tax evasion by bogus expenditure as brokerage of flat. I did allege concealment of the sale price of property. There was no allegation to that effect. The allegation was that there was a claim of bogus payment of brokerage which had been testified on oath by the broker himself. We realised this when we found that there was a compounding of Rs. 9 lakhs penalty for concealment of income confirmed by the Tribunal. You better know that Tribunal is the highest authority on question of fact for the purpose of the income-tax law; and when the prosecution was launched, it was compounded for Rs. 2.6 lakhs. We realised our error when there was help to CPMO company for repatriation of money, notwithstanding that large amount of taxes were standing against the CPMO company. And we realised our error when assistance was given to Dharam Teja. I have quoted what Mr. V. Shankar has written in a note. Not a word has been stated in rebuttal. Kantibhai is heading a caucus which includes Shri Shankar. Shri Dhawan has been aligned right, left and centre. I think Dhawan pales into insignificance and it appears that Dhawan is to Shankar what a mole hill is to Gauri Shankar. Then we find that a house in Ahmedabad has been constructed. It may be said: What is wrong in constructing a house? There is nothing wrong in constructing a house. The question is that people who have been filing returns of income in six figures can

never have four flats in Bombay and a palatial house in Ahmedabad. Mr. George Fernandes, do you have a house, a palatial house? Do you dream to ever have one? You have worked all your life. I never dreamed of having such a mansion. Properties in Baroda worth millions are registered in Kantibhai's name. Where has all this come from? We realised this when despite all that has been happening in the earlier years, despite the fact that his father has been facing ignominy disgrace all these years, you people have been after Morarjibhai's blood for several decades and we were trying to save him in honest belief that he and his son were not dishonest. It was a solitary example of Dodsall which was the issue in the 1968 debate. No more we thought that it was extremely vexatious. It was too trifling. It was a matter which was too small for a privilege matter. I do not know when Mrs. Gandhi realised the mistake of considering Kanti honest, if at all, but that I realised the mistake that we voted wrongly in the Lok Sabha after all that I stated came to light in last few months.

You were allured into asking this question. And now my reply clinches the issue. There are 19 charges which have nothing to do with the period when Mrs. Gandhi was in power. They relate to the period following the Janata Party getting voted to power.

I will explain to you that so far as Mrs. Gandhi is concerned, there is no point of casting aspersions on her which you are trying to do though she gave instructions for my speech. She is a great leader and every other leader is a pigmy in front of her. Take it from me, she has her own standards. When she is "out and down, people like me are with her because she symbolises certain philosophy, certain ideology, certain values of life, certain secular values of social, economic and political justice

[Shri N. K. P. Salve] That is why she is our leader. We are proud that she is our supreme leader. She is the Supreme leader of the nation. We are not going to sit in the lap of the R.S.S. or the Jana Sangh and barter away our conscience. I am not going into the question of marriage of convenience you are enjoying for the sake of power. The temptation of political kaveg and fishes will not allure us into having an unholy alliance with R.S.S., an alliance which will never stand the pressure of political corruption that is going on. This is so far as Mr. George is concerned.

So far as Ramamurtiji is concerned, I submit that this is a quotation from Ramamurtiji's speech.

"In the end, you may dismiss this whole question, but you cannot get away from the fact that the image of this Government and the Deputy Prime Minister himself before the people of the country, is thoroughly sullied. Because of this, if you want to continue with the sullied image, go with it, to hell with you. What can I do? After all, I can only point out it is a mire. Do not get into the mire. How can I prevent people who are determined to go into the mire? I cannot prevent them. But it is in your interest to see that the image that is already sullied, does not get further and further sullied, and it is high time that from that point of view on his own volition Morarji Desai withdraws from this Government. It is from that point of view that we support this motion."

At that juncture, having gone this far, is it fair that he wants a preliminary enquiry to be made before a commission is appointed? At that time you were warning Morarjibhai that his image was sullied, that he should get out or stay out. At the moment you are not saying that because you are bound by an unholy alliance with reactionary elements.

May I come to what the Anna D.M.K. had to say? I was really unhappy that such double standards should have been shown by the Anna D.M.K. Poor Karunanidhi pleaded far more fervently than Morarjibhai that the demand of commission by Anna D.M.K. has no legs to stand on. I can submit to you that the tremendous political saintliness which Morarjibhai has shown today or flaunted, is almost par with the saintliness which Karunanidhi pretended. Karunanidhi said that the allegations were fake, that the charges were general, that that happened and advised not to fall a prey to what an actor, the MGR, said. He pleaded fervently that there should be no enquiry because the allegations made by Mr. Manoharan and Mr. Vishwanathan, the members of the Anna DMK, were worthless, that no particulars were given and that there was no basis. Still a commission of enquiry was appointed. The same Anna DMK is today supporting Morarjibhai and saying that no commission is needed. (*Interruptions*) Are you not adopting double standards? I shall read the letter written by Mr. Karunanidhi to Prime Minister Indira Gandhi, dated the 14th December, 1972 (*Inter alia*, it said:

"I need not say how painful it has been to write my comments on the extremely frivolous, vexatious and false allegations made maliciously in the petitions. After going through my comments, you would be more than convinced how hollow and baseless the allegations are. But Ramachandran, the actor that he is, has truly enacted a political stunt both at Madras and New Delhi on the eve of his presentation of the petition to the President of India. The political Machiavellism of the Communist Party attempted to lend a colour of realism and respectability to this political gimmick.

The petition itself is clothed in intemperate and vile language.

Obviously, hollow falsehoods need such hyperbolic expressions in order to prop them on paper, viz., the expressions used therein "J'allian-walah Bagh", "Terrorism' Police Raj" and the like.

With all the earnestness at my command, I would like to impress upon you, respected Prime Minister, that what is now in question is not which party should be in power. The question is, should the great institution of democracy be made a mockery of by a handful of wily political adventures having no scruples what soever? Strangely enough, the anti-democratic forces are combining and conspiring to subvert the structure of democracy in the State. The people of Tamil Nadu are definitely not in a mood to be fooled by these base attempts of mud-slinging and by the cries of "corruption". But certain sections of the press, which is in the hands of the reactionary forces, put out headlines misrepresenting that the handful, who are attracted by the actor Ramachandran and who are prone to indulge in acts of violence on the slightest pretext represent the masses of Tamil Nadu who are said to be against this Government! Only in February 1971..." etc., etc.

SHRI U. R- KRISHNAN: For your information, Mr. Karunanidhi was also a cinema story-writer and stage actor.

SHRI N. K. P. SALVE: I want you to search your hearts. It is a matter of conscience. I want to remind you, Anna DMK members, that you gave a memorandum which was utterly vague and equivocal. There is a decision of the Madras High Court when the validity of the constitution of the commission was challenged by Karunanidhi, *inter alia*, on the ground that it was ultra vires section 3 of the commissions of inquiries Act. They said that the

charges were so vague and general that they did not in any manner.... The gracious lady has come. I have never seen her as feminine as when she was violent today. That lends colour to the House, Madam. One of the pleas taken before the High Court was that the allegations were baseless, that not even names were mentioned, that no dates were given, no particulars were given, that the memorandum written by Mr. Manoharan and Mr. Viswanathan had merely said that the Ministers had indulged in self-aggrandisement, that they had amassed wealth, etc., etc. But the Madras High Court held that this is not necessary and further said that if a certain allegation is honestly believed and the allegation is that a Minister is corrupt, then it constitutes a definite matter of public importance. The Sarkaria Commission was thus appointed. Is it not virtually the same argument of Mr. Karunanidhi that Morarjibhai has advanced today? And what was the finding of the Sarkaria Commission? Did it not find that Mr. Karunanidhi was not as innocent and as clean as is made out in this letter? Therefore, search your hearts—it is a matter of conscience—and then vote accordingly.

I would only submit in the end—where is Atal Bihariji Has he gone out?

SHRI SITARAM KESRI; He is there.

SHRI N. K. P. SALVE; Despite the great divergence, the great difference in ideology between us, he is one person whom we cannot help loving and respecting because there are certain norms he follows. He is a tremendous orator in Hindi. He unnecessarily tries to speak in English. I do not know why. He is a great orator in Hindi, a great scholar in Hindi. I heard his speech in the United Nations. I felt so proud of my country and was proud

[Shri N. K. P. Salve]

of Atalji. We have always been fair to him and fair to his colleague, Mr. Advani. Therefore, for him to say that we tried to distort his speech is hitting below the belt. We never distorted it. We only find that because of the marriage of convenience in which he is tied with Mr. Morarji Desai at present his earlier speech against Morarji Desai for Agni Pariksha is embarrassing.

Now I come towards Mr. Morarji Desai. The long, labyrinthian arguments, arguments based on political saintliness in a matter like this have absolutely no meaning and carry no conviction. You have not dealt with the specific points that I raised. Mr. Morarji Desai knows what personal regard and respect I have for him and there is no hypocrisy in it. There is a personal letter I wrote to him in my own hand which I rarely do, when he escaped in the plane crash. I said in the letter that there is no human being to my knowledge who, in the valley of death, would act with such courage as you have done. Such is the regard I have for the Prime Minister. And for him to have imputed motives to me saying because I am clever, because I am an accountant I have been deputed to move this motion, is not proper. I gave notice of motion and it was admitted. Nobody ever asked me to do so. I have not had a word with Mrs. Indira Gandhi. She is far too dignified to go into this sort of a thing. I am saying this on oath. I am willing to put it on oath. I am making this statement in the House. If anybody proves that I have had a word with Mrs. Indira Gandhi, even one word with Mrs. Indira Gandhi about the charges I have made today, I shall resign from this House. (Interruptions). There is only one gentleman, one Member in this House — nobody from my party—there is only one Member in this House whose name I shall never mention— he belongs to the Janata Party—who had a glimpse of whatsoever was

written in the charges. Why are you imputing motives unnecessarily?

People have been coming to me, and Morarjibhai better knows that people have been coming to me and I have spontaneously offering information to me. Had I enumerated all the charges the total, would have been not less than 60 to 70 charges. But I culled out only some of them which I thought were speaking and important. So far as levelling of these charges is concerned, it was said by Morarjibhai that these charges could not be levelled outside the Parliament for fear of defamation. Whatever may be the method or manner of functioning of Rusi Karanjia, whatever may be his politics,—I do not also agree with all of them still there is something of which he can be very proud of. His papers investigate machinery. He has flaunted these allegations on the fact of Mr. Morarji Desai outside Parliament. Mr. Morarji Desai says, let somebody speak outside Parliament without protection of Parliamentary immunity and he will see the result of impossible allegation. That is the threat he flaunts in the House. But here I am quoting the Blitz of 20th May 1978:

"We have reports that whenever Morarji has been cornered on this sensitive issue, he has bewailed that his critics depend upon BLITZ for their information to call upon God to help them. Can the Prime Minister of this great nation seek to escape from the consequences of his son's alleged misdeeds by foisting the whole blame on BLITZ? If so, he stands in greater need of the Almighty's help than either his critics or BLITZ."

"So far as BLITZ is concerned, we most emphatically repudiate the PM's repeated charge of falsehood, to stand by every paragraph every sentence, every word and letter of the frontpage entitled "CHARAN INSISTS ON KANTI PROBE".

"We are willing to go further to wager the editorial charge of BLITZ

itself if Morarji Desai can prove its frontpacer, giving a digest of the communications exchanged between the PM and the HM, to be false or fabricated. Is Morarji, on his side, willing to stake his Prime Ministership on the veracity or otherwise of the BLITZ report?"

Sir, this man is not here in the House and it is not fair of the Prime Minister to have run him down, to run down a journalist who is not in the House to defend himself. But see the guts of the man. File a case against him if you dare -----

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): But that is only a letter.

SHRI N. K. P. SALVE: This is not a letter. (*Interruptions*) Prof. Dandavate, I never thought that you have become a sycophant of the Prime Minister. You are a socialist. We always considered you as a man of character. This is not a letter.

"If the Prime Minister is ready to prove his bonafides, then we suggest that some independent and exalted authority like the Union President, should judge the issue to decide whether it is the Prime Minister or the Editor of BLITZ who is guilty. We await Morarji's reply to this open challenge publicly thrown at his face."

It is no use running away from the bitter reality, these charges stare at you inside and outside the Parliament. You may vote the way you want to, but you cannot get out of this.

Here is an article in THE ECONOMIST, one of the most respected journals in the world. On matters of Economics this is one of the biggest opinion-moulders in the world, and this is what it has to say in its issue of August 5—11, 1978. This journal, I am sure, will not be accused of yellow

journalism. I am reading from page 1. I would like to quote from page 1 of this publication:

"Charan Singh claims that he is accusing Kanti of any specific irregularities, but merely thinks that the Prime Minister's son, like Caesar's wife, should be above suspicion."

That is what we are also asking Dr. If Caesar's wife has to be above suspicion, Kantibhai's father has to be above suspicion, this is the only course open to you. It goes on to say:

"But as Home Minister he persistently leaked sensational stories about Kanti to the press. Some of these, such as the story that all of Kanti's income tax files between 1962 and 1973 had mysteriously been lost, turned out to be pure fiction. But some other serious charges remain in the air."

One intriguing case is that of Mr. K. Maneckji, who was arrested last year for being an intermediary in alleged pay-offs by the Boeing Corporation. He was released on bail and never proceeded against. Charan Singh's supporters say this was because Mr. Maneckji threatened to disclose Kanti's role in certain aircraft purchases in the late 1960s when Mr. Desai was Finance Minister.

Another curious incident last year was the Government decision to liberalise imports of polyester yarn (which commands a huge premium in India) and its reversal 11 days later. The few importers who got import permits in this period made millions. It has been alleged in Parliament and elsewhere that Kanti, using his influential position as the Prime Minister's Private Secretary, was behind the scandal. But no positive evidence has ever come to light.

[Shri N. K. P. Salve]

The Prime Minister has always staunchly defended his son against allegations which have accumulated over the past 20 years. Kanti Desai started life in Air India, earning just Rs. 84/- a month but soon switched to business and rapidly became very rich...

Pausing here for a moment, there is nothing wrong in buying property, or selling property. But one who has hard-earned in come will only know how impossible it is to amass property worth more than a crore of rupees in such a short time. Is it possible for a man earning honest commission earned by hard work from policies of L.I.C. to amass huge property? There is nothing wrong for a man in buying the Baroda property. The question is where has he got the money from for buying this house worth Rs. 20 lakhs? He was also highly paid by Dodsal.

"One of his lines was selling insurance. He got so much business from certain industrialists that tongues began to wag. He also became a highly paid consultant for Dosal, a company specialising in real qualifications for the job, and continued to get what he called terminal benefits from the company even after he decided in 1964 to sever his business connections to the interest of his father's political future."

Now just last few lines.

"In spite of the lack of any firm evidence against him, he has become an embarrassment to the ruling party."

Shri says;

"In spite of the lack of any firm evidence against him, he has become an embarrassment to the ruling party....."

AN HON. MEMBER: Where is he reading it from?

SHRI N. K. P. SALVE: I thought I mentioned it. This is from *The Economist*. Not Indian Economist, but London Economist, published from 25, St. Jame's Street, London. It goes on to say:

"In spite of the lack of any firm evidence against him, he has become an embarrassment to the ruling party. Safeguarding Kanti's reputation is not a cause which pleases anybody but the Prime Minister, and the mud-slinging is not only tarnishing him but weakening the loyalty of his supporters in the party. Some Janata leaders feel that it is wise to send him quickly to Bombay. But so far the Prime Minister has insisted on keeping his son in Delhi to look after his personal affairs. The result is that a party returned on the platform of democracy now finds itself unable to get its own house democratically set in order."

You do not have to give many explanations. So far as you are concerned, to us you have been our esteemed leader and we have known you far too well and there is no allegation against you. It is very unfair of you to allege something against me and impute motives. There was only one allegation against you and that was with reference to jeeps. Is there any amongst us who has contested an election to the Lok Sabha and can say that he has not used jeeps? Can he further say that these jeeps were not owned by businessmen, for so many jeeps cannot be owned by any Member of Parliament. If you have used jeeps, I don't think there is any infraction of the law, of any law, either the Company Law; or any other law whatsoever. But you have a set of nincompoops in your Law Ministry and a set of weak-kneed people and that is why you have gone ahead and are going ahead with the question of constitution of special tribunal in the Supreme Court. You have bartered away Parliament's authority to the

Supreme Court. If we can perform judicial function Supreme Court cannot usurp legislative function. It violates basic feature of our Constitution. We shall not allow this. And mind you, if the Supreme Court were to opine, it will get hell and fire from the Parliament if it proceeds to opine. We know what is going to be the outcome in Supreme Court. But that is not the issue at present. Sir, I am completing. I urge upon Mr. Morarji Desai the esteemed Prime Minister of our country, a great Gandhian, not to be taken in by complacency or obstinacy. We do not say that allegations are proved and that is not the requirement of law. Why don't you accept simply this? Why don't you say that you are going to accept Mr. Bhupesh Gupta's amendment? Accept that? 15 people of this House could sit and go into the veracity of the allegations. If it is only rumour-mongering, nobody will be happier than all of us and we will only say, "Three cheers to you". Once again you will realise that what we had done in 1968 was wrong and what we are doing today is right and until that is done, it is absolutely certain that what Mr. George Fernandes had done then was wrong and what he is doing today is absolutely worse. (*Interruptions*).

Sir, only one word and I would finish. Morarjibhai stated, "I know that this is against the Janata Party; I know that this is motivated against the Janata Party". It is unfair. It is unfair if Morarjibhai were to take it that we had the Janata Party in mind. The Janata Party is sinking by the weight of its own corruption and sins. (*Interruptions*). If at all you have the welfare of your party at heart, you should not reject our demand. We certainly do not have your party's welfare at heart. We feel that the sooner you are kicked out of power the better it is for us and the > country that so far as we are concerned. The people are going to do it soon. You have betrayed the goodwill and all the trust that the people had put in you. It is only a question

of time. It is very unfair of you and it is highly unjust of you to have stated that it was to take some sort of vengeance on the Janata Party, this politically motivated motion was brought. There is no politics at all whatsoever so far as the demand for Commission is concerned.

It is our personal appeal to you to realise that it is not enough if you are right and upright, but you must appear to be right and upright and, therefore, you must accept this and accept the Motion as it is.

Before I conclude, Sir, I would like to say that I have pleasure in accepting the amendment of Bhupesh Dada. With these words, Sir, I conclude my speech.

SHRI BHUPESH GUPTA: Sir, I have a submission to make.

(*Interruptions*)

MR. DEPUTY CHAIRMAN: Order, please. The Motion and the amendments were under discussion. (*Interruptions*). Order, please.

Now, the motion as well as the amendments were under discussion. Now we will proceed to vote on the amendments.

SHRI BHUPESH GUPTA: I have one request to make. With your per* mission, I would like to make a slight modification... (*Interruptions*).

SOME HON. MEMBERS: No, No.

SHRI BHUPESH GUPTA: My amendment says: A committee of 15 should be appointed... (*Interruptions*) Let me finish. He has given me permission. Sir, I would suggest the following change: This should be elected by the House before the termination of the current session. It reads like this:

"For the words 'of the House, to be appointed by the Chairman, Rajya Sabha', the following words may be substituted;

'elected by the House before the termination of the session'."

[Shri Bhupesh Gupta] This is my amendment. I want your permission to make this modification.

SHRI LAL K. ADVANI: Sir, the debate has taken place on the basis of motion, and several amendments have been moved. Now, you should call for the vote. The Prime Minister has left, because we are going to vote. At this stage no amendment can be moved. This is my submission.

SHRI BHUPESH GUPTA: I want your permission. The precedent in the House is that Government very often modifies its amendments... (Interruptions) .

SOME HON. MEMBERS: No, no...
(Interruptions)

SHRI BHUPESH GUPTA: It is for you to give the permission.

MR. DEPUTY CHAIRMAN: Since there is difference of opinion, about this, I do not think that it will be proper to accept the amendment suggested by Shri Bhupesh Gupta... (Interruptions).

SHRI BIPINPAL DAS (Assam): You have been kind enough to accept one amendment from one of the Opposition groups that is, Shri Bhupesh Gupta's amendment. We support that amendment.

(Interruptions) SOME HON. MEMBERS: The Lok Sabha Members may kindly be asked to leave the Chamber. They must leave the Chamber... (Interruptions). They are standing. . (Interruptions)... The Ministers must also leave the Chamber.

MR. DEPUTY CHAIRMAN: Now, I shall put the amendment of Shri Bhupesh Gupta to vote.

The question is:

1. "That in the Motion—

(i) For the words 'That this House is of opinion that' the following words be substituted, namely: —

'That having noted with regret and disappointment the refusal of

the Prime Minister to place before the House all the correspondence including the correspondence between him and the former Home Minister, Shri Charan Singh, and other documents in his possession relating to';

(ii) After the words 'family members of the former Home Minister' the word 'which' be inserted;

(iii) For the words 'and if the situation', the following words be substituted, namely: —

'this House is of the opinion that if the situation';

(iv) For the words 'recommends that Government should appoint', the following words be substituted, namely:—

'calls upon Government to seek forthwith the guidance and advice from a Committee comprising of fifteen members of this House to be appointed by the Chairman, Rajya Sabha, for appropriate and necessary actions to be taken on the allegations, or alternatively to straightaway appoint without delay'."

The House divided.

MR. DEPUTY CHAIRMAN: AYES 104; NOES 78.

AYES: 104

Adivarekar, Shrimati Sushila Shankar

Alva, Shrimati Margaret

Amarjit Kaur, Shrimati Amla, Shri

Tirath Ram Anjiah, Shri T. Antulay, Shri

A. R. Arif, Shri Mohammed Usman

Avergoankar, Shri R. D. Jagtap Balram

Das, Shri Banerjee, Shri Jaharlal Bansi

Lal, Shri

Barman, Shri Prasenjit
Basavaraj, Shri H. R.
Basheer, Shri T.
Bhagwan Din, Shri
Bhim Raj, Shri
Bhola Prasad, Shri
Chanana, Shri Charanjit
Chandrasekhar, Shrimati Maragftham
Das, Shri Bipinpal
Desai, Shri R. M.
Dhabe, Shri S. W.
Dinesh Chandra, Shri Swami
Dutt, Dr. V. P.
Dwivedi, Shri Devendra Nath
Gadgil, Shri Vithal
Gogoi, Shri Tilok
Goswami, Shri Dinesh
Gupta, Shri Bhupesh
Gupta, Shri Gurudev
Habibullah, Shrimati Hamida
Hashmi, Shri Syed Ahmad
Imam, Shrimati Aziza
Jha, Shri Kamalnath
Joshi, Shri Krishna Nand
Joshi, Shrimati Kumudben Manishan-
ker Kalaniya, Shri Ibrahim Kamble, Prof.
N. M. Kameshwar Singh, Shri Kesri, Shri
Sitaram Khan, Shri F. M. Khan, Shri
Khurshed Alam Khan, Shri Maqsood Ali
Khan, Shrimati Ushi Khaparde, Shrimati
Saroj Koya, Shri B. V. Abdulla Kumaran,
Shri S. Kureel, Shri Piare Lall urf Piare Lall
Talib Lokesh Chandra, Dr. Madhavan,
Shri K. K. Mahapatro, Shri Lakshmana
Mahida. Shri Harisinh Bhagubava

Makwana, Shri Yogendra Malik, Shri Syed
Abdul Manhar, Shri Bhagatram Maurya,
Shri Buddha Priya Mehrotra, Shri Prakash
Menon, Shrimati Leela Damodara Mishra,
Shri Mahendra Mohan Mishra, Shri Rishi
Kumar Mittal, Shri Sat Paul Moopnar, Shri
G. K. Moses, Shri M. Mukherjee, Shri
Pranab Mukhopadhyay, Shrimati Purabi
Mulla, Shri Suresh Narain Naik, Shri L. R.
Pande, Shri Bishambhar Nath Pant, Shri
Krishna Chandra Patil, Shri Deorao i Rai,
Shri Kalp Nath I Ranga, Shri N. G. Rao,
Shri V. C. Kesava Ratan Kumari, Shrimati
Reddy, Shri Mulka Govinda Roshan Lal,
Shri Roy, Shri Kalyan Sahu, Shri Santosh
Kumar Saleem, Shri Mohammad Yunus
Salve, Shri N K. P. Satchidananda, Shri
Sharma, Shri Anant Prasad Sharma, Shri
Kishan Lal Sharma, Shri Yogendra Shastri,
Shri Bhola Paswan Sheikh, Shri Ghouse
Mohiuddin Shyamkumari Devi, Shrimati
Singh, Shri Bhishma Narain Singh,
Shrimati Pratibha Sinha, Shri Indradeep
Sisodia, Shri Sawaisingh Soni, Shrimati
Ambika Sultan, Shrimati Maimoona Sultan
Singh, Shri Tilak, Shri J. S.

Totu, Shri Gian Chand Triloki Singh, Shri Tripathi, Shri Kamlapati Vaishampayan, Shri S. K. Venkatrao, Shri Chadalavada Verma, Shri Shrikant Yadav, Shri Ramanand Yadav, Shri Shyam Lal Zakaria, Dr. Rafiq

NOES: 78

Advani, Shri Lal K. Asthana, Shri K. B. Baleshwar Dayal, Shri Bhabhda, Shri Harishanker Bhagat, Shri Ganpat Hiralal Bhandari, Shri Sunder Singh Bhanu Pratap Singh, Shri Bbattacharjee, Prof. Sourendra Bhattacharya, Shri G. C. Chakraborty, Shri Amarprosad Chaurasia, Shri Shivdayal Singh Gopalsamy, Shri V. Gupta, Shri Ram Lakhan Prasad Jagbir Singh, Shri Jamuna Devi, Shrimati Jha, Shri Shiva Chandra Joshi, Shri Jagdish Joshi, Shri Jagannathrao Kakati, Shri Robin Khan, Shri Ghayoor Ali Khobragade, Shri Bhaurao Devaji Krishna, Shri M. R. Krishnan, Shri E. R. Krishnan, Shri U. R. Lakhan Singh, Shri Lakshmanan, Shri G. Latha, Shri Khyomo Mahanti, Shri Bhairab Chandra Mahavir, Dr. Bhai Majhi, Shri Dhaneswar Mallick, Shri Harekrushna Mathur, Shri Jagdish Prasad Menon, Shri Viswanatha

Mhaisekar, Shri Govindrao Ram' chandra

Mishra, Shri Kalraj
Mody, Shri Piloo
Mohanty, Shri Surendra
Mohinder Kaur, Shrimati
Morarka, Shri R. R.
Mukherjee, Shrimati Kanak
Muthu, Dr. (Shrimati) Sathiavani
Naidu, Shri N. P. Chengalraya
Narendra Singh, Shri
Nathi Singh, Shri
Nigam, Shri Ladli Mohan
Nizam-ud-Din, Shri Syed
Oza, Shri Ghanshyambhai
Parbhu Singh, Shri
Parikh, Prof. Eamlal
Patel, Shri Manubhai
Pathak, Shri Ananda
Pattanayak, Shri Bhabani Charan
Pradhan, Shri Patitpaban
Prem Manohar Shri
Ramamurti, Shri P.
Rameshwar Singh, Shri
Ray, Shri Rabi
Razack, Shrimati Noorjehan
Reddy, Shri B. Satyanarayan
Sahaya, Shri Dayanand
Saring, Shri Leonard Soloman
Sarup Singh, Dr.
Schamnad, Shri Hamid Ali
Sezhiyan, Shri Era
Shah, Shri Viren J.
Shahedullah, Shri Syed
Shahi, Shri Nageshwar Prasad
Shanti Bhushan, Shri
Sharma, Shri Ajit Kumar
Sheikh, Shri Abdul Rehman
Siddhu, Dr. M. M. S.
Singh, Shri J. K. P. N.
Singh, Shri Ng. Tompok
Singh, Shri Shiva Nandan
Sinha, Dr. Ramkripal
Sujan Singh, Shri

Surendra Mohan, Shri Verma, Shri Mahadeo Prasad

The motion was adopted.

MR. DEPUTY CHAIRMAN: Now, we take up amendment No. 2 of Shri Dinesh Goswami.

SHRI DINESH GOSWAMI: Sir, I withdraw the amendment. I would only want to point out that we expected the Prime Minister to accede to the most reasonable demand that we made.

The amendment (No. 2) was, by leave, withdrawn.

MR. DEPUTY CHAIRMAN: Now, we take up amendment No. 3.

SHRI P. RAMAMURTI: Sir, it may be allowed to be withdrawn. It has no meaning once you accepted that.

***The amendment (No. 3) was, by leave, withdrawn.*

MR. DEPUTY CHAIRMAN: Now, amendment No. 5 of Shri Shyam Lal Yadav.

श्री श्यामलाल यादव : मान्यवर, हमारा जो अमैडमेंट है, उसको एक तरफ से मान लिया गया है। (Interruptions) लिहाजा मैं अपना दूसरा अमैडमेंट विद्वा करता हूँ।

tThe amendment (No. 5) was, by leave, withdrawn.

MR. DEPUTY CHAIRMAN: Amendment No. 6 by Shri Dwivedi.

SHRI DEVENDRA NATH DWIVEDI: Sir, I withdraw the amendment.

tThe amendment (No. 6) was, by leave, withdrawn.

*For text of Amendment, *vide* col. 290-91 *supra*.

**For text of Amendment, *vide* col. 291 *supra*.

+For text of Amendment, *vide* col. 291-92 *supra*.

tFor text of Amendment, *vide* col. 292 *supra*.

10 P.M.

MR. DEPUTY CHAIRMAN: Now I will put the amended motion to vote. The question is:

"That having noted with regret and disappointment the refusal of the Prime Minister to place before the House all the correspondence including the correspondence between him and the former Home Minister, Shri Charan Singh, and other documents in his possession relating to the allegations of corruption mad" by the former Home Minister, Shri Charan Singh, against the family members of the Prime Minister and the counter allegations of corruption made by the Prime Minister against the family members of the former Home Minister which have caused great disconcert in the country, this House is of the opinion that if the situation is not dealt with appropriately and with urgency it demands, it is likely to bring, not only the persons of high public standing to avoidable disrepute but also cause irreparable damage to the very credibility of public life in the country and, therefore, calls upon Government to, seek forthwith the guidance and advice from a Committee comprising of fifteen members of this House to be appointed by the Chairman, Rajya Sabha, for appropriate and necessary actions to be taken on the allegations, or alternatively to straightaway appoint without delay two separate Commissions of Inquiry under the Commission of Inquiry Act, 1952, one to inquire into the allegations of corruption made against the members of the family of the Prime Minister, Shri Morarji Desai and the other to inquire into the allegations of corruption against the members of the family of the former Home Minister, Shri Charan Singh, enjoining on the Commissions to undertake comprehensive inquiries and to report thereon expeditiously."

The motion was adopted.

447 *Inquiry Commission re.* [RAJYA SABHA] *against families of* 448
corruption charges *P.M. & former Home Minister*

SHRI BIPINPAL DAS: Sir, we want a division.

MR. DEPUTY CHAIRMAN: We can have a division only when my ruling is challenged. Since it is not challenged!, I take it that the amended motion has been accepted-

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

The House then adjourned at two minutes past ten of the clock till eleven of the clock on Friday, the 11th August, 1978.