

LOK SABHA DEBATES

(English Version)

First Session
(Tenth Lok Sabha)



(Vol. V contains Nos. 41 to 49)

LOK SABHA SECRETARIAT
NEW DELHI

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CONTENTS

[Tenth Series, Vol. V, First Session, 1991/1913 (Saka)]

No. 47, Monday, September 16, 1991/Bhadra 25, 1913 (Saka)

	COLUMNS
Re: Situation arising out of deployment of army in Assam	20-71
Papers Laid on the Table	71-81
Message from Rajya Sabha	81
Petition	82
<i>Re. Need for providing a Railway level crossing at Daund, District Pune, Maharashtra—Presented</i>	
Resolutions Re: Appointment of Joint Parliamentary Committee to review the rate of dividend payable by the Railway Undertaking to the General Revenue.	82-84
Constitution (Seventy-Second Amendment) Bill —Introduced	84-95
Motion to introduce	
Shri G. Venkat Swamy	84
Shri Guman Mal Lodha	84-85
Shri Chitta Basu	85-86
Shri Somnath Chatterjee	86-87
Shri Sharad Dighe	88
Shri Pawan Kumar Bansal	88-90
Shri Rangarajan Kumaramanglam	90-92
Shri Bhagwan Shankar Rawat	92-94
Dr. Laxminarayan Pandeya	95
Constitution (Seventy-Third Amendment) Bill—Introduced	95-97
Motion to introduce	
Shrimati Sheila Kaul	95

(ii)

	COLUMNS
Shri Guman Mal Lodha	96
Dr. Laxminarayan Pandeya	96-97
Pre-Natal Diagnostic Techniques (Regulation and Prevention of misuse) Bill	97-100
Motion to refer to a Joint Committee	
Wild Life (Protection) Amendment Bill as passed by Rajya Sabha	100-144
Motion to consider	
Shri Kamal Nath	100-105
	137-143
Prof. Rasa Singh Rawat	106-109
Shri Laeta Umbrey	109-111
Shri Syed Shahabuddin	112-114
Shri G.M.C. Bala Yogi	114-115
Shri Sukhendu Khan	116-118
Shri Vijoy Kumar Yadav	118-120
Shrimati Vasundhara Raje	120-123
Shri Sriballav Panigrahi	123-126
Shri Bolin Kuli	126-127
Shri Ayub Khan	127-129
Shri Vijay Naval Patil	129-130
Shrimati Girija Devi	130-132
Dr. Asim Bala	132-134
Shri Gopi Nath Gajapathi	134-136
Shri Mohanlal Jhikram	136-137
Clauses 2 to 52 and clause 1	143-144
Motion to pass	
Shri Kamal Nath	143-144

Cancellation of General Elections in Punjab Bill	144-162
Punjab Budget 1991-92—General Discussion	165-232
Demands for Grants of Account (Punjab), 1991-92	
Motion to consider	
Shri K. Vijaya Bhaskara Reddy	144-146
Shri Madan Lal Khurana	150-159
Shri Pawan Kumar Bansal	159-162
Shri Chandra Shekhar	165-171
Shri George Fernandes	171-174
Shri Krishan Dutt Sultanpuri	175-184
Shri Saifuddin Choudhury	186-189
Prof. Prem Dhumal	189-194
Shri Bhogendra Jha	194-198
Shri K.P. Reddaiah Yadav	198-204
Shri Anna Joshi	204-210
Shri Chitta Basu	210-213
Shri Shantaram Potdukhe	213-215
Shri Rangarajan Kumaramangalam	216-221
Cancellation of General Elections in Punjab Bill	221-230
Clauses 2 and 1	165-232
Motion to Pass	230
Shri Rangarajan Kumaramangalam	230
Shri Bhogendra Jha	231
Dr. Kartikeswar Patra	231
Demands for Grants on Account (Punjab), 1991-92	231-232
Statement by Minister	162-164

Induction of Army in aid to civil authorities in certain districts of Assam

Shri S. B. Chavan

162-164

Punjab Appropriation (Vote on Account), No. 2 Bill, 1991

232-234

Motion to introduce

Shri Shantaram Potdukhe

232-233

Motion to consider

Shri Shantaram Potdukhe

233

Clauses 2, 3 and 1

233

Motion to Pass

Shri Shantaram Potdukhe

233

Matters under Rule 377

234-240

- (i) Need to Look into the grievances of the workers of Orient Paper Mills at Brajaraj Nagar in Orissa**

234

Shri Sriballav Panigrahi

- (ii) Need to provide compensation to the adivasis and others killed by naxalites in Bastar district of Madhya Pradesh**

235

Shri Mankuram Sodi

- (iii) Need to construct shades on railway platforms at Bareilly Junction (Uttar Pradesh)**

235-236

Shri Rajveer Singh

- (iv) Need to develop Sitamarhi as a tourist place of national importance**

236

Shri Naval Kishore Rai

- (v) Need to ensure payment of family pension to the dependents of workers under Family Pension Scheme**

236-237

Shri Haradhan Roy

(v)

COLUMNS

(vi) Need to open a Branch Post Office at Kadupissery
in Iringelakuda

237-238

Prof. Savithri Lakshmanan

(vii) Need for regular air service between Rajkot and Delhi

238-240

Shrimati Bhavana Chikhli

LOK SABHA DEBATES

LOK SABHA

*Monday, September, 16, 1991/ Bhadra 25,
1913 (Saka)*

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER In the Chair]

[Translation]

(Interruptions)

SHRI MADAN LAL KHURANA (South Delhi): Sir, similar to the incident that occurred outside the house of hon. Shri Advani, some shots were fired outside the house of the Chief Justice two days ago.

(Interruptions)

My contention is that the person who fired the shots was drunk... (Interruptions)

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Sir, please allow the members to speak one at a time.

MR. SPEAKER: I shall allow everyone to speak by turn and I shall start with the back benches.

(Interruptions)

MR. SPEAKER: Please sit down. Whatever you have said will not go on record. I shall invite you to speak later.

(Interruptions)

Please sit down. Don't compel me to say anything more. I shall call the Members one by one.

[English]

I will come to you

[Translation]

(Interruptions)

SHRI RAM NARAIN BERWA (Tonk): Sir, I would like to draw your attention towards Tonk district. Despite being abundant in national resources, this district is counted among the industrially backward districts. Step can be taken for the development of this region. (Interruptions) Due to the negligible number of large and medium scale industries, the per capital income in the region is very low and majority of the population is facing poverty and unemployment. In such a situation the development of ancillary and small industries is also not possible. At present, artisans and craftsmen of the carpet and 'beedi' industry are earning their livelihood through middlemen. Due to the closure of the Rajasthan State Tannery, Tonk, artisans and craftsmen of the carpet and leather industry dependent on the former are facing acute hardship.

Therefore, I request for the setting up of a growth centre in Tonk district so that local entrepreneurs get special benefits and industrial development can take place in the district.

SHRI RAM SAGAR (Barabanki): I would like to draw attention towards an important matter. Sir, recently in this House, a member of our party Shri Uday Pratap Singh raised an issue regarding security provided to Shri Mulayam Singh Yadav. The hon. Home Minister had given an assurance that the National Security Guards provided to Shri Mulayam Singh Yadav would not be withdrawn. But today's newspapers report that the Government is withdrawing the National Security Guards and will take a final decision within 15 days.

Sir, by that time this Session will come to a close and we will not be able to discuss the matter. We must have a specific statement from the Government on the steps proposed to be taken to provide security to political persons.

Sir, some days back the former Minister Shri Sharda Prasad Rawat was murdered. Now the security arrangements for ex-MPs of the State are being withdrawn and lesser security is being provided to ex-MLAs. The Government's attitude towards U.P. seems to be vengeful. The Government must clarify as to what steps it proposes to take for providing security to Shri Mulayam Singh Yadav. We need a specific assurance from the Government. *(Interruptions)*

We want to know the Government's reaction.

MR. SPEAKER: You have been given time to speak. Now please let others also speak.

SHRI RAM SANGAR: Sir, this matter was raised earlier also. How shall we know about the Government's reaction now that the Session is going to end day after tomorrow. *(Interruptions)*

MR. SPEAKER: You have been given a chance to speak. Now you are not letting others speak.

SHRI RAM SAGAR: Sir, Shri Uday Pratap Singh, Shri Chhotey Singh Yadav and myself are also getting the threatening letters. *(Interruptions)*

MR. SPEAKER: You are misusing the opportunity given to you for speaking. You should not do this.

(Interruptions)

MR. SPEAKER: Please sit down. Let others speak. You can discuss this matter with the Home Minister.

SHRI SYED MASUDAL HOSSAIN *(Murshidabad)*: Sir, I want to draw attention towards the flood situation in West Bengal. Five districts of West Bengal, particularly Murshidabad, Malda and West Dinajpur are in the grip of floods. Nearly 40 lakh people are affected. The loss to crops is inestimable. Some lives also been lost. Wheat is

required to be distributed as a relief, but the stocks of wheat are so low. What it is hampering the relief operations. Day before yesterday a discussion was held with the hon. Agriculture Minister to request him to take special steps for the supply of wheat to the area. The hon. Minister is present here. He is requested to explain what steps are being taken. Assistance would be needed for the reconstruction of houses after the flood waters have receded.

Sir, maximum problems are being caused by the soil erosion that is taking place on the banks of rivers, particularly on the western side. Most of the erosion has taken place between Farakka and Jalangi in Murshidabad while the maximum erosion has taken place in Aakhinganj. This is a very dangerous development. Central assistance is needed in this situation and I request the Central Government to send a team over there.

Sir, some reports have appeared in newspapers although I am too sure as to the authenticity of these reports. I have high regard for the hon. Prime Minister. The newspaper reports say that Kumari Mamata Banerjee has gone there with some funds on behalf of the Prime Minister. If the reports are true, then this is not the proper way. The financial assistance should be directed through the State Government so that it can be used judiciously. Such a method would be more beneficial. *(Interruptions)*

[English]

It is not aspersion against any Member or any Minister.

[Translation]

Sir, Central assistance should be directed through the State Government. A Central team should be sent there for an immediate on-the-spot assessment of the extent of damage and the type of relief required. Financial assistance should be given immediately for relief and rehabilitation purposes, for rebuilding and repairing damaged houses

and sowing of crops etc.

[English]

SHRI BASU DEB ACHARIA (Bankura): Sir, Food Minister is here. (*Interruptions*) He should assure this House that there will not be any scarcity of food in West Bengal.

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI TARUN GOGOI): I will discuss with you. (*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRES AND SPORTS AND THE DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT) (KUMARI MAMATA BANERJEE): Sir, I am the first MP- not as a Minister but as an MP-, to speak to the Prime Minister. I told him that in West Bengal, some districts are totally out off because of floods. Many people did not get even food. Due to scarcity of food, medical assistance and other things, the people are suffering like anything. More than 50 people have died. When I got the information, I passed it on immediately to the Prime Minister. I told him to kindly give some assistance. Then I met him. He has given some money for the victims. But I have handed over this money to the District Magistrates and not to any party men. A District Magistrate is a part of the Government.

I personally went to the district and handed it over to the District Magistrate so that people could get it from the District Magistrate. They should get it immediately. If we hand it over to the Chief Secretary or to the Chief Minister, it will take more time. Moreover, he is not here. He has gone abroad. Should I go abroad to hand it over to the Chief Minister? He should have come back. (*Interruptions*)

SHRI NIRMAL KANTI CHATTERJEE (Dum Dum): We understand the concern of our energetic Minister from West Bengal.

But she should remember just two things. This is a request to her. She is quite right that she has not behaved in a partisan manner because she handed it over to the District Magistrate.

But the point is that in West Bengal, there is a panchayati system. And we are trying to function through such elected representatives.

MR. SPEAKER: Mr. Nirmal Kanti Chatterjee, you please allow the backbenchers to speak.

(*Interruptions*)

MR. SPEAKER: You have been speaking in Zero Hour, Question Hour, everywhere. So, it is not necessary now

(*Interruptions*)

MR. SPEAKER: This is not just a social distribution of time. (*Interruptions*)

MR. SPEAKER: Please take your seat.

(*Interruptions*)

MR. SPEAKER: When I am standing, Mr. Pal, you should sit down.

(*Interruptions*)

Please sit down now. Mr. Basu Deb Acharia, you promised to me that you will allow only one Member.

(*Interruptions*)

MR. SPEAKER: This is not the way. There are many others who want to speak.

If the condition is serious, well, certainly the Food Minister has said that he would like to talk to you and he will certainly talk to you.

Kumari Mamata Banerjee has done well in giving the money. Probably she remembers her tenure as an MP in the House and, so, she spoke. It should be welcome also.

[Translation]

SHRI VISHVESHWAR BHAGAT (Balaghat): Sir, the Malanjhand Copper Project is situated in the adivasi areas of Balaghat district. The Banjar river flows near the project area. This river serves the Adivasis living near the area. The effluent released into the river by the Malanjhand Copper Project has proved fatal for the cattle owned by the Adivasis. This situation has arisen because the project has not installed a pollution control system.

I request that a pollution control system be installed immediately and compensation be provided to farmers for losses suffered in terms of crops and cattle.

SHRI RAM TAHAL CHOUDHARY (Ranchi): Mr. Speaker, Sir, Chota Nagpur and Santhal Pargana in Bihar are rich in minerals like coal, copper, iron, bauxite and mica. But it is unfortunate that development works could not be undertaken in the area and because of this there is lot of resentment among people. Area of the region is 46 per cent of the total area of Bihar and population is around 12 crore. 40 percent of the total minerals of the country are found in this region. This region is also rich in forest wealth. A number of rivers originating from hills flow through the region. It is surprising that the region rich in natural wealth is quite poor. This is the reason why on 17-9-90 a memorandum for constitution of a separate State, consisting of Chota Nagpur and Santhal Pargana, was presented to the President by the State unit of the Bharatiya Janata Party. Memorandum was jointly signed by 6 MPs and 22 MPs of BJP. Just 5 per cent area of the region has been electrified. The number of local and tribal people in employment in Bokaro Steel Plant and in the industries in Hatia, Sindri, Jamshedpur, Fatratu and other cities is negligible. Provision for only 7 per cent has been made in the region. There is shortage of schools and colleges. Transportation facilities are also inadequate. Similarly, Ranchi, Hazaribagh, Kodarma and Giridih have not been connected with railway lines. Since British rule

the region has been neglected. Culture of the region is also distinct. Only because of the aforementioned factors it has been demanded that a separate State consisting of Chota Nagpur and Santhal pargana be formed. Unfortunately, the Government of India is not taking interest in according State status to the region, whereas several other demands raised later on for formation of new states have been acceded to. So the people of the region will be compelled to come on the streets in support of the demand for separate State, making the current situation worse. Therefore, I urge that a separate state consisting of Chota Nagpur and Santhal Pargana be constituted before the situation takes a turn for the worst, otherwise the BJP will be compelled to take constitutional measures. In Chota Nagpur life can be totally paralysed and the responsibility for it will rest on the Government. The Government is not paying attention to the situation in which hundreds of people have lost their lives or are dying of cholera in Ranchi and Chota Nagpur. So the Government should take up remedial measures on an urgent basis.

I would like to draw the attention towards one more thing. In the region because of Shortage of electricity and water, 'rangari tax' and goondaism factories have closed down. Therefore, it is requested that the Government should make available electricity and water in the region. From Gola to Ichagarh via Silli, national highway No. 23 is under construction for 25 years and is still nowhere near completion. I thank you for giving me the time to speak.

[English]

PROF. K.V. THOMAS (Ernakulam): Sir, postal articles are airlifted from Bombay to Cochin by three Indian Airlines flights. But for the last one month, postal articles are airlifted from Bombay to Trivandrum and then to Cochin by flights which causes a delay of three to four days. So, my request to the Government is as per the earlier practice, the postal articles from Bombay should be directly airlifted to Cochin so that postal

articles can be distributed either on the same day or the next day.

[Translation]

SHRI HARISINH CHAVIDA (Banaskantha): Mr. Speaker, Sir, my constituency Banaskantha is on Pakistan border. It has not received rains. For lack of rains agriculture has adversely been affected and nothing has grown in the area. Situation in the area is bad. Bav, Tharaj, Radhanpur, Santalpur Diudhar and Dhanera tehsils of the area did not receive rain at all. Underground water derived through wells and tubewells is saline and is not potable. Though the State Government made arrangements for supply of drinking water through taps but all the villages have not been provided with the facility. Therefore, for months at a stretch water is not available for drinking and bathing purposes. So there is need for supply of drinking water.

Sir, for lack of industries there is lot of unemployment in my constituency. Fodder is not available for cattle. In the prevailing conditions, the State Government or the Government of India should make arrangements for drinking water and fodder for cattle. Jobs are to be provided to unemployed. If these are not made available to the people then starvation conditions will be created in the area. Therefore, through you, I urge the Government of India to make arrangements for providing drinking water and jobs for unemployed, to save people from starvation.

SHRI HARADHAN ROY (Asansol): Mr. Speaker, Sir, in my constituency Asansol there are more than 150 coal mines. In my Constituency consisting of seven assembly segments public sector iron, steel and rail factories are located. It is big commercial and industrial area, but the telephone facilities are not satisfactory. Telephones have not been functioning properly for months together which has affected trade and business adversely. In response to my correspondence on the issue the hon. Minister hinted at the possibility of setting up of a digital exchange in the area soon, but the

work has not yet started on the exchange. Telephone system is not likely to improve without Commissioning a digital exchange there. Therefore, it is requested that a digital exchange may be set up soon. And till digital exchange is set up, telephone system is not going to improve. I also request that an improvement should also be brought about in the functioning of telephone system in Asansol, Durgapur and Burdwan districts.

SHRI LAKSHMI NARAIN MANI TRIPATHI (Raiserganj): Mr. Speaker, Sir, I thank you for giving me the time to speak. Through you, I would like to draw the attention of the hon. Minister towards non-regularisation of services of employees who have been working for a long time in census department, of Uttar Pradesh. Despite order of High Court on the writ petition of these employees, their services have not been regularised.

Sir, through you, I request the hon. Minister of Home Affairs to regularise the services of those employees working on casual basis for long time like bonded labourers. First the services of these employees be regularised and only after this the remaining vacant posts be filled through fresh recruitment.

[English]

SHRI DWARKA NATH DAS (Karimganj): Mr. Speaker, Sir, I am to draw your attention that for the last 8 years, growing of 'Buro Paddy' in the low-lying areas of Karim Ganj District, Assam suffered serious set back due to drought and floods; specially in 1990-91, the loss is so heavy that the farmers could not sustain it and as a result they are in a miserable plight. The matter has been referred to the Hon. Prime minister, Government of India initially on 11.4.1990 and subsequently to the Government of Assam, Despair for appropriate action. But to this day, nothing has been done by the State Government to ameliorate the sorrow of the farmers. Through Agriculture is mainly a State Subject, Centre cannot shirk its responsibility altogether. I propose that a

through survey be made in this respect. Will the hon. Minister take suitable steps so that the farmers of Karim Ganj District of Assam are relieved of their miseries?

[Translation]

SHRI CHANDULAL CHANDRAKAR (Durg): Mr. Speaker, Sir, I am a member from district Durg in Madhya Pradesh and yesterday democracy was murdered in my constituency. The building of only local newspaper "Amar Kiran" published from my district has been demolished by the local Municipal Corporation. First they believed that the newspaper was unregistered and was located in a building constructed on unauthorised land but later on it was found that the building was constructed with legal permission. That building has been demolished. It is the only newspaper of that area. Chief Editor of the newspaper was arrested and released on bail of R. 5,000. This is a great injustice. It is the murder of democracy in my district which has taken place.

SHRIMATI SHEELA GAUTAM (Aligarh): Mr. Speaker, Sir, a report on lock industry of Aligarh has appeared in newspapers with bold caption. In the column 'Khas-Khabar' in 'Jansatta' the same report has been published today i.e., 16.9.91. In this connection, I would like to know from the Government why the world famous 130 year old lock industry of Aligarh is breathing its last. The main reason for the lock industry being on the verge of closure on the one hand is the communal riots in Aligarh and on the other hand is the faulty industrial policy of the government. Till date no concrete measures have been taken by the Government for the development and promotion of world famous lock industry of Aligarh. Due to this workers employed in lock industry in Aligarh are switching over to other industries. The industry is now virtually confined to house and because of this the workers are suffering from several diseases.

The number of child labourers and woman labourers is considerably high in it. Contractors do not pay full wages to them

Since the financial condition of the labourers is not satisfactory they have to work and get less wages. Communal riots are very usual in Aligarh due to which the city remains under curfew most of the time. Small workers manufacture their goods themselves but due to the curfew imposed in the city they are unable to sell them in the open market. As a result they have to sell their goods to the contractors or the capitalists at cheaper rates who sell them in the market under their own trade marks at higher rates. Therefore, I would like the Government to take the following concrete measures in order to revive the lock industry of international repute in Aligarh.

1. A separate town outside the city should be developed for the lock industry.
2. Lock industry should be declared as a cottage industry.
3. Loans from bank should be made available at easy instalments and at low interest rate to lock industry.
4. Housing facilities in the areas adjacent to the factories should be made available to the labourers at cheaper rate.

SHRI UPENDRA NATH VERMA (Chitra): Mr. Speaker, Sir, on September 9, police, some Government officials and musclemen of forest Mafia beat adivasis in Palia-Piparia village near Bankheri under Piprahi Tehsil of Hoshangabad district in Madhya Pradesh. 24 Adivasis have been put behind the bars for their involvement in the case. However, five days have passed since the incident took place but neither any higher authority such as collector or SP, or Commissioner, nor any legislator or parliamentarian have visited the site. Kisan Adivasi Sangathan - Samta Sangathan which has been working for the welfare of Adivasis for a long time is being dubbed as naxalities by police. The practice of illegal felling of trees in connivance with forest mafia has

been going on for the last many years. These mafia people get political patronage and have their approach to the Government officials. That area is disturbed and outside musclemen are not eschewing attacking people there. Is the Government ready to constitute a committee of Members of Lok Sabha to get it investigated?

SHRI SURYA NARAYANA YADAV (Sahasra): Mr. Speaker, Sir, I have received an information that atrocities are being committed on the students of Scheduled Castes and Scheduled Tribes in the campus of the College of Medical Sciences. Mr. Speaker, Sir, it is a serious matter...

MR. SPEAKER: No, not in this manner.

(Interruptions)

SHRI SURYA NARAYAN YADAV: Can a matter be more significant than this? *(Interruptions)*

SHRI SUKDEO PASWAN (Araria): Mr. Speaker, Sir, the incidents of atrocities on the people of Scheduled Castes and Scheduled Tribes in every corner of the country come to light every now and then. But on the 12th of this month some students committed atrocities on their fellow students belonging to Scheduled Castes and Scheduled Tribes in the campus of the College of Medical Sciences in Delhi itself. The nose and ears of a student were chopped off, he was stripped off and beaten in a brutal manner. Dozens of students have been injured. I would like the Government to think over the matter seriously and take stringent measures against those students who were involved in it. Adequate assistance should also be provided to the student whose nose and ears were chopped off.

(Interruptions)

SHRI SURYA NARAYAN YADAV: Mr. Speaker, Sir, it is a very serious and important matter. The Government should make a statement forth with in this the House.

(Interruptions)

[English]

SHRI SRIKANTA JENA (Cuttack): Sir, we would like to have a Statement from the Minister. *(Interruptions)*

SHRI CHANDRA JEET YADAV (Azamgarh): Sir, I think this discrimination, particularly against the weaker section of the society, should be stopped. Something must be done in this regard. *(Interruptions)*

SHRI SAIFUDDIN CHOUDHURY (Katwa): Sir, this is most shocking news. Why do not you hear this?

SHRI SRIKANTA JENA: I would like to know whether the attention of the Minister has been drawn to this or not. *(Interruptions)*

[Translation]

MR. SPEAKER: Please let other Members also speak. Please...

(Interruptions)

MR. SPEAKER: It is a sort of injustice to the Members who speak very rare in the House. Please don't do this.

(Interruptions)

MR. SPEAKER: Please sit down. When I do not call you, I call others. What is wrong in it?

SHRI SURYA NARAYAN YADAV: All these incidents have been taking place under the very nose of the Government and it is a matter of shame for all of us. *(Interruptions)*

[English]

MR. SPEAKER: Please respect the feelings of other Members. Supposing, you have raised one issue, many Members want to speak on that issue and you want the response also, in this way you are consuming the time of the House. Other Members

are naturally not getting the time and they are campaigning that only those Members who raise their voices get the chance and others do not get the chance to speak. Please, respect their feelings also. Here is a Member, who has stood up for the first time. You should allow him to speak. This is not correct.

(Interruptions)

MR. SPEAKER: At least in this House we should respect the feelings of those Members who are following the rules and who are not speaking unless they are called. So, what kind of picture will you be presenting, if you do not allow them to speak?

*(Interruptions)**

MR. SPEAKER: Only Shri Chowdhary's statement will go on record.

*(Interruptions)**

MR. SPEAKER: Shri Chatterjee, of all the Members, it is not proper for you to stand up and speak.

(Interruptions)

MR. SPEAKER: Shri Chatterjee, I take strong exception to your standing up and speaking. Because you should respect the feelings of other Members also. If you want any response from the Government, you please come regularly under the rules and then I will ask the Government to make the response and all that. Please respect the feelings of other Members. Only two days are remaining. On the last day, I am allowing those Members who have not spoken and yet you are not having any respect for their feelings. This is not correct. Please do not do this.

SHRI NIRMAL KANTI CHATTERJEE: After the backbenchers we will raise it again.

MR. SPEAKER: You raise it, according to rules and not without rules.

(interruptions)

SHRI K.V.R. CHOWDHARY (Rajmundry): Mr. Speaker, Sir, in our constituency, almost all the villagers belonging to all communities are struggling with fear of inter-caste feuds which are a common feature now-a-days. A few persons are encouraging caste wars. Unless, we take steps to prevent them at the grassroot level, several Tsunduru type of atrocities may take place. The Government should use its iron hand to give protection to the people by identifying the culprits - whichever the caste or religion they may belong to - and giving them severe punishment. We will gain nothing by speaking vehemently that atrocities are committed on this community or that community. In our own village, a harijan boy embraced a girl of twelve years of Kapu Caste in a broad day light and the other caste retaliated. The peaceful atmosphere was vitiated and tension was created.

I humbly request the House to take immediate steps to see that peaceful atmosphere prevails.

[Translation]

SHRI SATYA PAL SINGH YADAV (Shahjahanpur): Mr. Speaker, is due to wrong policies adopted by the Government of Uttar Pradesh, we have been facing acute shortage of fertilizers. All the hoarders and big cultivator have hoarded a huge stock of fertilizers due to which fertilizer are not available to the needy persons. A fertilizer unit under the name of Bindal Agro Fertilizer Limited was proposed to be set up in Shahjahanpur, the foundation stone of which was laid by late Shri Rajiv Gandhi three years ago. But due to the non-availability of foreign exchange the unit was refused to be given import licence. The result was that thousands of acres of land acquired from the people for setting up the factory has been

lying useless. The farmers have not only been deprived of cultivating their land but they have not been paid any compensation for it also. Therefore, they have staged a dharna in front of the office of District Magistrate.

Mr. Speaker, Sir, through you, I would like to submit to the Central Government that they should ass. to overcome th shortage of fertilizers. They should also make provision for the availability of foreign exchange to Bin Agro Fertilizer so that the unit is established in Shahjahanpur and the people who have been deprived of their land may get compensation. Had the unit been set up, not only the farmers would have got adequate compensation, but one member of each family would have been employed and thus they would not have been in such deplorable condition. Today, they are unemployed while the Government of Uttar Pradesh have been showing apathetic attitude and they have not been thinking over the matter. Not only the fertilizer unit should have been set up by now but the production should also have started but the unit has not yet been set up. I would again urge upon the Government to help Bindal Agro Fertilizer to get import licence immediately.

[English]

DR. KARTIKESWER PATRA (Balasore): Mr. Speaker, is through you, I want to draw the attention of the august House regarding a political under and atrocities on Scheduled Caste people in Korai Police Station under Cuttack district of Orissa.

One Shri Anand Chandra Palei of Tulasipur under the Korai Police Station was killed brutally on the evening of 8.8.91 when he was returning from Jaipur Road after attending a Case No. 107. And on the way he was attacked with sharp weapons and brutally murdered. One hearing the noise his mother went in his support. There were so many eye witnesses also. But till today the

Police of Torai Police Station have note taken any action. They have not arrested the culprits.

MR. SPEAKER: Please take your seat now.

DR. KARTIKESWAR PATRA: His wife Sundari Dewa approached several authorities. But nothing has been done so far.

MR. SPEAKER: It is not clear how it comes under the jurisdiction of Parliament. Please sit down.

[Translation]

SHRIMATI SUMITRA MAHAJAN (Indore): Mr. Speaker, Sir, I would like to draw the attention of the House and the concerned Minister to a very important matter. Bombay Agra National Highway No.3 passes through Indore city. Now Indore has developed so much that a number of schools have been opened and colonies developed in the area adjoining this national highway keeping this fact in view a scheme to construct a by pass in Indore was formulated many years ago. Indore-Dewas four lane was also proposed to be constructed. But the concerned Ministry has not been paying any attention to it. I have been raising this issue again and again and also met the hon. Minister several times. Due to the negligent attitude of the Government almost one accident takes place everyday, everyday a mother loses her son or a wife loses her husband in a sense that highway has become a 'killers corner'. It has created a lot of resentment among the people of that area. A minor child was killed only two days ago 'Chakka Jam' has also become order of the day but no attention is being paid to to solve the problem. Even today, students are sitting on hunger strike. Again and again the Government asserts that the scheme comes under Package -2 and will be implemented only when world Bank provides aid and thus it will take sometime. I would like the Government to at least widen the road; besides efforts should be made to fulfill the agreement signed between the World Bank and

our country under Package-2 so that the work to construct by pass may be started at the earliest. The hon. Minister may kindly look into the matter sympathetically.

[English]

PROF. UMMAREDDY VENKATESH-WARLU (Tenali): Mr. Speaker, Sir, I have been trying to bring an important matter to the notice of the Government for the past five days, but could not get the opportunity. It is unfortunate that one more Dalit youth, Mr. K. Anil Kumar has been killed on 10th September in Chundur, a village in my constituency, which has been in news since the brutal carnage took place on the 6th August, 1991.

When the Police were accused of their connivance in the 6th August carnage and their failure to take action on the 10th August incidents, they themselves were involved directly in killing Mr. Anil Kumar in firing, when he was on a hunger strike demanding justice to the victims. This clearly testifies a that the Police administration have thoroughly failed in protecting the people and the State Government has become a silent spectator and reached a stage of inertness.

I raised the issue in this august House successively on the 8th, 9th, 12th and there 14th August 1991 and expressed my concern over the carnage duly demanding immediate probe into the incidents and action against culprits. I have also paid a personal visit to the village on the 10th August 1991, met the members of the bereaved families and condemned the barbaric event.

When that is the concern I have shown, an honourable colleague in the other House here made an irresponsible and baseless statement a few days ago saying that I used my relatives in Chundur carnage. It is a mere politically motivated concoction and a deliberate attempt to implicate me and I summarily condemn it.

Since now it is proved beyond doubt that the present State Government in Andhra

Pradesh does not have the political acumen and administrative grip to maintain law and order in the State, it does not deserve to govern the State and hence I demand once again that the State Government be dismissed forthwith and a fresh mandate invited before further allowing the law and order situation to worsen in the State of Andhra Pradesh and claim some more innocent lives and destruction of private and public property, besides demolishing the very social fabric.

Now I urge upon the Government to constitute peace Committees to restore normalcy and instill confidence among all actions of the people besides expediting the inquiry process on the incidents which took place on the 6th and 10th August in Chundur and also the recent police firing on the 10th September, resulting in the death of Sri K. Anil Kumar.

While expressing my sympathies to the bereaved family, I demand payment of Ex-gratia to the next of kin of the deceased.

11.53 hrs

RE. SITUATION ARISING OUT OF DEPLOYMENT OF ARMY IN ASSAM

[English]

DR. JAYANTA RONGPI (Autonomous District): Mr. Speaker, Sir, through you, I want to draw the attention of the Government and also the House regarding a situation arising out of deployment of the Army in Assam.

Sir, probably you are also aware that there are still seven hostages with ULFA now and the deployment of the Army will endanger the life of those hostages. Our prime concern is that the hostages must be released without any loss or injury or harm to them. It is already 32 hours that the Army is in deployment. Till now, the Army could not release the hostages. Sir, in today's news-

paper it has come out that ULFA has again threatened to kill the hostages. I would like to know from the Government whether the deployment of the Army will ensure the safe release of the hostages.

Sir, one hon. Member of the Assam Legislative Assembly belonging to the Communist Party of India, Shri, Pramod Gogoi, was engaged to negotiate with ULFA by the Assam Government, as per the newspaper report. He was in the Upper Assam. Now, without consulting the negotiator, suddenly the Army has been deployed. Sir, this morning I have got a phone call from Guwahati that even now the very position of the hon. Member belonging to the CPI is in danger.

Another thing I would like to bring to the notice, through you, Sir, of the Government is that this will further alienate the people of Assam from the mainstream. Here, I would like to reiterate our stand that we are for a united and a democratic India. And to ensure that, we must not employ the Army, which will only alienate the people of Assam from the mainstream. The Government should try for a political solution to this. And because of the deployment of the Army, the non-combatant citizens, the peace-loving citizens will suffer.

And if we go through the experience of the "Operation Bajrang" 3,596 persons were arrested in that Operation. Everyday the nation was told that the Operation was done with success. Sir, the Government was saying that many ULFA cadres were arrested. During the President's Rules itself, out of the 3,596 persons, who were arrested, 2,833 persons were released because there were no sufficient grounds against them. This shows the quality of the military operation. And during the Operation Bajrang, the Governor had to release these persons...*(Interruptions)*

MR. SPEAKER: Please be brief. You are making a very long speech.

DR. JAYANTA RONGPI: Sir, this is a

grave situation. It will further push the peace-loving people of Assam away from the mainstream. So, immediately the Army should be withdrawn and the Government of India should try for a political solution.

Sir, the situation which has arisen now is not because of ULFA alone, it is because of inapt handling of the situation by the Government that is there. The results of the elections were out on 16th June. But the Chief Minister took Oath only on 30th June. And thereby the precious fourteen days were lost, during which, this group had time to regroup and on the very first day when the Saikia Government took Oath, they struck by kidnapping many people. The kidnapping took place on 1st July and till 5th August, the Government could not contact ULFA people. This was the statement made by the Chief Minister on the floor of the Assembly. So, for one month and four days they could not contact ULFA people...*(Interruptions)*

MR. SPEAKER: You should make use of the chance given to you. You should not misuse it.

DR. JAYANTA RONGPI: I am using it. It is a very important point. For one month and four days, the Government could not contact ULFA people. But at the same time, everyday, the Central Government was reposing faith in the Chief Minister who could not contact the ULFA to release the hostages for one month...*(Interruptions)*

MR. SPEAKER: I would like to say that this is an important issue. I am allowing one Member from each party to speak.

(Interruptions)

MR. SPEAKER: I have said that I am allowing one Member from each Party. Please hear me.

(Interruptions)

MR. SPEAKER: I really do not know whether you want to speak or you want to make noise. I am saying that I am saying that

I am going to allow you to speak.

(Interruptions)

MR. SPEAKER : Please take your seat.

(Interruptions)

MR. SPEAKER : It seems that you are very much excited. You please speak first. And when I say sit down, please sit down.

SHRI MUHI RAM SAIKIA (Nowgong) : In Assam it is a problem and it should be approached politically. But instead of starting the political process to solve this problem, the Government of India in collusion with the Government of Assam, started Armed Forces operation known as "Operation Rhino". Since Independence the Government of India wanted to suppress the people of Assam. On every occasion, either on this plea or that plea, Army help is taken. Terrorism is nothing but a manifestation of accumulated grievances. Instead of solving the problem, they are dealing with the symptoms and not with the causes of the disease. That is the problem.

Again, during this period, the law and order situation has deteriorated and 39 prominent persons have been kidnapped. Their lives have been threatened. Therefore, I demand the resignation of the State Government because in similar situations in the past on the plea of failure of law and order, the Bamala Government in Punjab was dismissed. And similarly, in the case of Kashmir, on the same plea, the Farooq Abdullah Government was dismissed and the Assembly was suspended.

Again there is a demand from the people of Punjab and some political party to hand over the administration to the Armed Forces, but the Government of India has got no guts to do so. But here in the case of Assam, the Government of India shamelessly wants to take the help of the Army to suppress the people there. The other day, the Hone Minister invited Assam MPs to his chamber and asked for their advice and suggestions.

We repeatedly asked him whether he had anything in his mind for Army operation. He denied that. Rather he said that he would take in the consideration our advice and suggestions. But on the same day, at midnight, like thieves and dacoits, in collusion with the Government of Assam, the Army operation was started in Assam.

Sir it is a national problem and a political problem. It is not a Congress Party problem. The crux of the problem is that this Government of India has taken this problem as a party problem and they want to solve it through the help of Army. Sir, through you, I want to ask the Government of India to come to their senses and to have an all-party meeting for consensus and try to solve this problem politically and not through brute force; otherwise Operation Rhino would further alienate the people of Assam from the national mainstream. This would have adverse impact on the unity and integrity of the country. Again I like to remind through you the Government of India not to consider it as a party problem but as a political problem and solve it by taking initiative for direct dialogue with the militants.

SHRI CHANDRA JEET YADAV (Azamgarh): Sir, I fully admire the strong feelings of our colleagues from Assam. I think the situation in Assam as serious as in Punjab and Jammu and Kashmir, rather it is becoming more and more serious. My only concern is that the present Assam Government and the Chief Minister, they have not learnt any lesson from the past experience. Already Operation Bajrang was done in Assam and that did not succeed. The situation continued to be serious, people are being kidnapped, still they are being kept hostages. There is an atmosphere of total fear. As has been raised in this House also, the non-Assamese from any part of the country, who have gone there, are the special targets of the ULFA extremists.

The new Chief Minister of Assam, after the last election, perhaps in a good faith, took some initiatives and took into confidence all political parties of Assam. That

was a welcome step. And he was making some efforts with the consensus of all political parties. But, the situation went out of hand. And, I think, the Assam Government, all of a sudden, became panicky. My objection is that when all parties were cooperating with the Chief Minister of Assam in finding a solution on such a serious national problem, why did he seek the help of the Army? What we read in the newspapers is that on his request the Government of India decided to send the army. My objection is that when all political parties were cooperating on such a serious matter, why did he not take into confidence all political parties? Why did the Government of India send the Army which is now called Operation Rhino there without taking into confidence the political leader here in Delhi when our units in Assam were cooperating with the Chief Minister on such a serious national issue? When the Operation Bajrang did not succeed, it was rightly said that this is a political problem. We are fully aware of the seriousness of the situation. Unfortunately, in our country, such situations may develop where army has to be sent. But, when a method was started and when all political parties were cooperating and when a consensus was reached if they back out all of a sudden from this kind of act, a political act, it complicates the situation much more.

12.00 hrs.

Therefore, my request is that the Prime Minister should now take another initiative and immediately, today or tomorrow, he must call here a meeting of the leaders of all political parties and take them into confidence. My fear is that ULFA has given another ultimatum that by six p.m. today, they will execute all the hostages who are with them. That will become very serious. Before six p.m. today, I think if the Prime Minister calls such a meeting here, perhaps that may create some situation to find a solution. This is my request. Through you, Sir, I want to request the Prime Minister that he should take immediate initiative on this issue.

SHRI SAIFUDDIN CHOUDHURY (Katwa): Mr. Speaker, Sir, I wonder if this Government has any policy in regard to Assam. Just for quite some time, we have been agitating in the House. We have raised the issue of ULFA, the kidnapping, killing and harassing the innocent people there, and we demanded stern action against the ULFA secessionists in Assam. But the position taken by the Government in Assam and also which was ratified by the Central Government, was to give general amnesty and to make it appear to the people of the country that nothing serious is happening there. That was one kind of extreme position taken by the government. Yesterday another extreme position they have taken, that is, deployment of the army. How can we reconcile these two? On the one side they have given general amnesty and, on the other hand, a different kind of situation is being adopted, in total reversal of the earlier situation, and the army is being deployed. What kind of feeling the people of this country will have and how will they understand what the policy of the Government is?

In this, I must condemn the attitude of the Central Government when earlier they were saying that on every matter the State Government of Assam was taking the Opposition into confidence, but on this, as mentioned by Shri Chandra Jeet Yadav, they forgot to talk to the political parties. Neither they talked to the political parties in Assam nor did they talk to the political parties at the Centre. We are principally opposed to deployment of army to tackle an internal situation, though I know that with this ULFA question, foreign links are also there. They are getting support from Pakistan, from Bangladesh, from Burma and all that. So, this is a very serious matter. It has very bigger dimensions. We are all for taking stern measures to tackle and to really put an end to the ULFA menace in Assam but I condemn, this is not the way to tackle a very sensitive issue. They should now start to take people into confidence, talk to the political parties and see how quickly they can withdraw the army from Assam and also bring back the situation to normalcy and help

the people live in peace there.

SHRI IMCHALEMBA(Nagaland): Mr. Speaker, Sir, I also would like to speak a few things only regarding deployment of army in Assam.

We are all aware that the situation is very serious and will become much more serious after the deployment of the army.

MR. SPEAKER: This is a very important issue and the hon. Members should be allowed to speak and suggest views on it.

SHRI IMCHALEMBA: Sir, it is not only the deployment of army which is serious, but it is the consequence of the deployment of army which is more serious. If at all there is some initial success, let us not forget that is only temporary and we should not be swayed away by that. But the long-term implications and the effect which this military operation will have on the people, I think that is more important...*(Interruptions)*.

MR. SPEAKER: I hope on the Government side also the points are being noted.

SHRI IMCHALEMBA: Only the other day, on the 14th September in the Parliament, the Minister of Petroleum has said that negotiations are going on for simultaneous release of the hostages and also the detainees. I am surprised that that very night, a signal was given for the army operation. If this is the way in which we have to deal with the situation, I tell you that things will become more serious and the thrust will be lost.

Even with the adversaries, there has to be certain confidence, certain trust, before any dialogue and if this is the way we deal with the present case, other militant outfits will doubt us and will lose trust in the Government and this with Chamber any future negotiations. If we say something now and say something else few hours later, how will they trust us? Militants who by nature are extremely suspicious will lose confidence in us. The question of winning over would become more difficult. So, that is one thing

which I would like to say.

I would also like to say why 'Operation Bajrang' has failed last November. If the present military operation is conducted on the basis of the reports of the Intelligence Bureau, I am telling you that we are heading for trouble. In the case of Operation Bajrang, IB had reported saying that they clearly knew where the ULFA leaders were concentrated. When the army went there, they found that the camps were empty and deserted. If this operation is conducted on similar reports, I am telling you very frankly that it is going to fail. We know how IB and SIB are run in the country and also what are their inherent weaknesses. I tell you that the underground outfit ULFA and other outfits in the North-East region know much better the weaknesses and shortcomings in this system of functioning than us. Also let us keep in mind that any decision that they take, they take after serious consideration. If we take decisions merely on the basis of these intelligence agencies' reports, I tell you we can never solve this problem and succeed in our objectives. That is why I want to tell very frankly that if the ULFA have said that they are going to kill the hostage they are going to kill because they are very serious. Underground outfits are not like us. They are quite different. They do not take decisions easily. They do it after long consideration of all aspects and when they finally decide on something they carry them out. That is why I say that still there are a few hours left. From my thirty years experience in the North-East about such situations in Nagaland and in other North-East areas from that experience I am telling you that their threats are not empty.

MR. SPEAKER: You have to be very brief.

SHRI IMCHALEMBA: From my thirty years, experience I can say that whatever threats they are giving, they will carry them out also.

I also want to know from the Government that by carrying out the operation,

whether any of the hostages held by ULFA could be rescued or not. What is the fate of the hostages whom they are keeping? If after thirty hours of military operation, they could not be rescued, I can say very well that this Operation has endangered their lives much more than even before has failed.

I would like to say that in our country, whether it is in Punjab, Kashmir or North-East, we are facing a situation in which, by deployment of army, it is not the militants who suffer, but it is the innocent people who suffer the most. That is why, as far as possible, we should avoid it. It is no use one political party accusing the other for the situation. That will not help us. We have to see it from the national perspective and work out which will be the best way. Let us not involve ourselves in small disputes like AGP condemning Congress and Congress condemning AGP.

MR. SPEAKER: You should appreciate that there are other Members also who want to speak. This is an unlisted item.

SHRI IMCHALEMBA: Sir, since you are insisting again and again that, I should end my speech. I will do so but before that let me say frankly that we do not take time just for the sake of saying something. Whatever I few things we say we do so after due consideration and with seriousness keeping in mind the national interest. That is why I would say that the few things I have spoken should be noted. I hope this will be kept in mind and something will be done immediately.

[Translation]

SHRI SURYA NARAYAN YADAV: Mr. Speaker, Sir, our area touches the border of Assam. We are well aware of the fact, which Shri Chandrajit Yadav also mentioned that the decision to send Army there has been taken in haste. The ULFA extremists has threatened to kill all the hostages. I would like to submit that there is still time and the Government should discuss it with all the parties and act according to the unanimous opinion, only then, such an unfortunate

incident, which is going to happen, can be avoided.

I would like to give a clear suggestion that the Army operations should be stopped and a decision taken in the all party meeting should be implemented. ULFA will also accept it.

[English]

SHRI PETER G. MARBANIANG (Shillong): Sir, A few days ago the question of Assam had come up in this House. This is a very important political issue. As responsible leaders of this House we cannot blow hot and cold simultaneously. The Operation 'Rhino' has been taken up because there was a demand from this very House that some effective steps should be taken. 'Operation Rhino' is not only to look for the hostages....(Interruptions)

'Operation Rhino' is not only to look for the hostages. It has many other objectives like assisting the civil authorities etc. I know that from the borders of Arunachal Pradesh, Assam and Nagaland, many volunteers have been recruited and sent to the foreign countries to be trained as armed rebels. We should, therefore, take strong steps on the problem.

I know that we cannot blow hot and cold at the same time. The Government of Assam, in consultation with the government of India, had taken this action. I wish it can also seal the borders so that the recruited volunteers cannot come and go and they cannot have training from the other side. I have nothing else to comment on army deployment. This is what I have to submit. Thank you.

SHRI KIRIP CHALIHA (Guwahati): Mr. Speaker, Sir, I thank you for giving this opportunity to speak on Assam. I represent the capital city of Assam. I have promised to my constituency people that the first question that I will raise in Parliament will be why the Assamese boys have taken up the arms.

The present situation is very grave. This has to be looked into. I am getting a chance to speak on Assam; but at the same time, I am sorry.

The situation in Assam is very sensitive and we have to be very cautious while handling it. While it is true, and I agree with Shri Chandra Jeet Yandav, that there should be a consensus to tackle the Assam situation, it is also true that the Congress Party Government have tried their best to come to an understanding with the ULFA youths. Unfortunately the killing of the hostages and subsequent Lawlessness and the breaking down of negotiations have resulted in the inevitability of Army being called.

Sir, the Army is going there. Power is being given to them, as though India is going outside to conquer Assam. Assam is part of India. Anybody who is preaching secession will not be tolerated by the people of Assam.

Everybody in the House is saying that what is happening in Assam is not correct and suitable steps should be taken. Now, all of us, should cooperate to find out ways so that the Army should stay there for the shortest possible period and a solution should be found so that peace is restored to the State.

I would request each and everyone in this House and outside, not to be guided by emotions and there should be no politicisation of this issue. The other day, in the meeting of the Members of Parliament from Assam with the Home Minister, great concern was expressed about the present situation in Assam.

I only appeal that all of us should work unitedly to see that peace is returned in Assam.

SHRI UDDHAD BARMAN (Barpeta): Mr. Speaker, Sir thank you for giving me this opportunity to say something regarding Assam. The situation in Assam, which is already grave, is made graver with the deployment of Army in the State. We are against the violence, killings kidnapping etc. By the ULFA.

We have been campaigning against the secessionist demand of ULFA. We have seen that the State Government of Assam is given a free hand by the Central Government to handle the ULFA situation and it has made a mess of the entire situation. They are not taking others also into confidence and because of this the situation has further deteriorated. The situation is already grave, and it is made graver with the deployment of Army. The lives of not only the hostages, but all the people in the State are in danger now. That is why, I demand from the Central Government, particularly the Home Ministry, a statement on the situation in Assam and on the deployment of Army in Assam.

The people of Assam are against secessionists and for peace. During the last election more than 70 per cent of the people cast their votes and election was also peaceful. So, the unity of Assam and the unity of India must be maintained. The State Government which is given a free hand by the Central Government has created a mess and that mess in further made explosive because of the further deterioration in the situation. The policy of the Congress Government has created and is creating similar problems in different parts of the country. That has to be stopped, and that is why I appeal to all the Members of the House that to save Assam, India is to be saved, and to save India, Assam is to be saved, and towards that end steps are to be taken.

[Translation]

SHRI ATAL BIHARI VAJAPAYEE (Lucknow): Mr. Speaker, Sir, it is a very serious matter in itself if Army has been called in any part of the country, even if, it has been called to assist the civil administration and the House should be taken into confidence in this regard. The Army will also not like to be frequently used in this way. The Minister of Defence has himself said that it is not a good practice to use Army like this. As our friend has just now said, I also want that the Home Minister should give some details about the present situation in Assam and the immediate cause of taking the deci-

sion to call army there. The army cannot remain there for ever. But, there are problems and these are arising not only in Assam, but in the other parts of the country also.

Recently, I had been to Jammu. The terrorists and the extremist had found a way to get their accomplices released. They kidnap people and then on gun-point make demands to release their accomplices, who are responsible for several murders. They are successful in getting them released. I don't want to go into the history of this practice. In Assam, a Soviet engineer was murdered and another O.N.G.C official, Shri Raju was also killed. The employees of O.N.G.C. went on strike. Such a danger also arose that the country may face oil crisis. I am not blaming the entire police, but the police of Assam has such elements that either they are afraid of the extremists or they are having some links with them.

The Army was called during 'Operation Bajrang', the extremists had the information before hand. Even then, there was some effect of the Army operation, but the arrested persons were later released by the new Government. This will happen again. The Army will arrest the extremists, but in name of finding a political solution, they will be released. I will be happy if any political solution is found. By asking for a solution from our side, you have put us in a difficult situation.

[English]

MR. SPEAKER: The House should guide the Government and the nation also.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir we are ready to guide the Government, but they are getting misguided.

MR. SPEAKER: Please tell, what is that guidance?

SHRI ATAL BIHARI VAJPAYEE: This

Government lacks both foresight and direction. Atleast it has no policy with regard to Assam. The elections were held and there was an elected Government. But as one of our friend said that in the intervening period, made the situation of Assam out of control. There is always a little uncertainty during the elections, but in the case of Assam, it was much longer. The Saikia Government was formed and whatever action the Army had taken under "Operation Bajrang" came to naught. ULFA cadres again organised themselves and today they are challenging us. Today I have read in the Newspaper about it. I would like to ask the House how any country or any Government can tolerate - that a handful of armed people are compelling it to accept their demands and are setting a dead line for releasing the terrorists, otherwise they will kill the hostages. What type of politics in this? This is a politics of killings. Should we surrender before it? I accept that political efforts should be made. But when the situation goes beyond control. I don't know whether such has happened in Assam or not, but I do not have any faith on the Saikia Government. The present Congress Government is responsible for the situation in Assam.

I don't want to go in the old details. When I visited Assam, a peaceful and cultured State for the first time the people told me that they do not do anything in haste, so don't make haste. Assam, which was so full of natural beauty, is striving with problems today. Is it not the result of infiltration from Pakistan and Bangladesh? The situation is grave. This complaint is true and I would like to repeat it that neither the Prime Minister nor the Home Minister ever held talks with the Opposition parties regarding Assam. If we demand any stringent measures, we are told that our party has accepted the amnesty in Assam and it may accept the calling of Army also. It is known to everyone under what pressure the political parties are working in Assam. But what is the Centre's objection in discussing the issue with all the parties. Instead of calling the Army, there could have been another way also that the command of the Border Security Force, the

Central Reserve Police Force deployed there and the Assam Police have been put under an Army Officer at the instance of the civil administration. There was no need of bringing Army directly into the picture. That officer could have co-ordinated the forces and the intelligence should also have been put under his control. But, as the Army has already been called, we want that it should remain there for the shortest period possible. It should control the extremists and the terrorist and along with it, the Government should start a political initiative. There can be no objection in this regard. But it does not appear that this issue going to be solved only through political initiative.

Mr. Speaker, Sir, I don't know how much truth is there in the Statement given by the Chief Minister of Assam, in which he had stated that a lot of people are being killed and China is also behind the training imparted to the terrorists. This is a very serious statement. I would have no objection if it is being said that Pakistan is behind such activities. It can do so, because it is always prepared to create problems for us. But so far as China is concerned, they had helped the Naga rebels also. They gave a statement about it later on.

[English]

SHRIMATIMALINI BHATTACHARAYA (Jadavpur): We want the Army to be withdrawn from Assam.

SHRI ATAL BIHARI BAJPAYEE: If it were so simple there would have been no need for me to speak. I do not have easy solution like you have. I am not speaking here to make political capital out of it. My approach is different. The country is going to hell because of this present political approach.

[Translation]

MR. Speaker, Sir, this is a very grave issue. It is very easy to say that deploy Army in Assam or withdraw Army from Assam. But according to the situation, it is not easy to say

both the things. If the administration and police of the State... I am again speaking about Jammu-Kashmir. Mr. Gupta was kidnapped in Kashmir. He was an officer in Jammu. He was working in the Punjab National Bank at Srinagar. Security men were posted at the bank. But instead of challenging the terrorists they were pointing towards Bank Manager. I will be happy, if this is proved wrong. On 14th of August, the flag of Pakistan was hoisted at Lal Chowk in Kashmir in the presence of Kashmir police. Actually the police was in collusion with them. On whom you will rely? That is why, the need arises to call the Army. But it should not have arisen. Therefore, the hon Lady Member should not ask such question. I was not in favour of sending the Army. I also did not want that such situations should arise, which will comp us to send the Army. We have not given rise to such situation. This is the result of our collective sin. For God's sake, no more political should be done on this issue. But the politics of the ruling party are not ready to leave politics. If the Congress will not stop playing political games, the opposition parties will also play that game. God knows, what will happen to this country?

SEVERAL HON'ABLE MEMBERS: We would not act that way.

SHRI ATAL BIHARI VAJPAYEE: Sometimes, I feel rather disheartened about the state of affairs, and all the debate seem quite meaningless to me. Mr. Speaker, Sir, I have been associated with Parliament either as a member of Lok Sabha or as a member of Rajya Sabha for the last thirty-three years. What have we accomplished? One honourable member has rightly pointed out just now, that it is a symptom that demands deployment of army as its corrective measure but that is not the cure of the problem. For the time-being we would be able to contain terrorism, but it would rise up again. The nation has to stand up and rise and exercise its will-power for the cause of integrity. We often waste our energy in petty quarrels so I do not know whether we will ever be able to stand or not. I do not see any

such possibility. We are too much engrossed in our own trivial matters as to pay attention to the interests of the whole country. The coming generations would not excuse us for such major errors — but still there is time that we should sit together and try to work out a polity to solve these problems. If we succeed in this then we must execute it into action with honesty and firmness—but nothing of this sort is in sight. The problems of this country are not viewed as a integral whole but they are viewed with political angle. This is no way of solving the problems of the country. Thank you.

SHRI CHANDRA SHEKHAR (Balai):

Mr. Speaker Sir, the problems of Assam is critical as well as distressing. Two factors further enhance the graveness of the problems. Firstly, as Shri Atalji has mentioned just now, is regarding a statement issued by the Chief Minister of Assam. Not only China has been included in the statement but it also mention Bangladesh and Pakistan. It is stated with astonishment and pain that neither Foreign Minister nor Foreign Ministry considered it proper to clear its stand on the issue. It is rather improper for a Government to sit cross-fingered on the statement of the Chief-Minister, if it wants to maintain good neighbourly relations. To observe silence on the issue is not correct. Our tendencies are rather forging us to the opposite direction. In pointing out the mistakes of others we consider the end of our duties. First it was only Pakistan, now Bangladesh and China have also been added to the list. May be the circumstances have taken a turn. To the best of my knowledge China has always maintained friendly relations with India. It has not interfered into our internal affairs. As the eastern region is concerned for the last few years China has not interfered. All this has been reported by the newspapers and even the reports of the foreign ministry confirm these facts. It is not known how China has suddenly become enemy of ours. Shri Saikya also said all this Foreign minister did not utter a single word and Prime Minister also preferred to keep quite.

Mr. Speaker, Sir, In this content, the

deployment of Army will be seen in a different way and this issue then won't remain a matter of internal affairs. We should take it seriously. If people holding responsible posts in Government of India continue to issue such irresponsible statements the situation will be out of our control.

I would like to seek one more information from the hon'able Prime Minister. According to the news report published by the newspapers, it seems that Chief Minister was not aware of the arrival of army there and Government of India says that it was the demand of the Chief Minister. He has stated that he had demanded the deployed of Army but he had no information regarding the time of its deployment. If there is such lack of confidence between prime-Minister, Home Minister and Chief Minister how can feeling of confidence can be created in the minds of the people of Assam. I don't know about if and do not want to comment on it. Government should give clear reply to these questions. Our friends from the Congress Party says that——.

Mr. Speaker, Sir you said as to what is the solution to the problems. There is no such problem which cannot be sorted out, there is only need for proper understanding of the problem. We are not aware of circumstances which forced the deployment of army. After holding the polls in Assam peacefully, you have not been able to from a Government even after three weeks. It is not known that under whose influence people in Assam were released. Nobody knows who initiated the talks Between Government and ULFA activists. Chief Minister says that the Central Government directed to release the ULFA activists and Central Government says that it was initiated by the Chief Minister. Mr. Speaker, Sir, it is very difficult for anyone to suggest something under such confusing circumstances. There is solution to these problem. If ULFA activists can help in holding the polls peacefully and stop their activities than what is the reason that ULFA activists have suddenly become so powerful as to challenge the sovereignty of the nation. We must analyse our deeds also from

time to time. There must be some faults in our working. If the Government prefers to keep quiet even in such grave circumstances and considers that matters can be postponed indefinitely or up to the session is over then we will be in much difficulty. We would rather land in deep waters. Prime Minister should explain the actual position of the problem in detail as to when did he come to know about the powers working against the interests of the country? How was the agreement worked out with ULFA? Who were the initiators. How this problem suddenly became so grave. If only the that some solution to the problem can be worked out.

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Speaker, Sir, I would like to submit that there should be no dilly-dallying on the matters told by Shri Chandra Shekar. Honourable Prime Minister should answer these queries in the House. It is a serious matter that invites the attention of the Prime Minister and as such he must answer the questions.

[English]

MR. SPEAKER: There is one point. We do not know who has made the statement.

SHRI SAIFUDDIN CHOUDHURY: Which one?

SHRI BASU DEB ACHARIA (Bankura): Which Statement? (Interruptions)

MR. SPEAKER: We do not know if he was having the information with him or not. Generally, we do not allege anything against or friendly neighboring countries.

(Interruptions)

MR. SPEAKER: Unless the authorised person has made the statement, we do not attach importance to such things.

(Interruptions)

SHRI GEORGE FERNANDES: I am not on that point. I am on the question of deployment of Army.

MR. SPEAKER: I am not reducing the importance of your statement. If there is something which has come on the floor of the House, probably the representatives of the Executive are sitting here. They might have taken note of it. They would know what to do in such matters. If the matters are coming outside the House in the newspapers, how much importance to be attached in such matters, that was the only point I was making.

(Interruptions)

SHRI MOHAMMAD YUNUS SALEEM (Katiyar): They can suggest to the Prime Minister or the Home Minister to give a statement today because the matter is a very serious one.

(Interruptions)

MR. SPEAKER: I have something in my mind.

[Translation]

SHRI HARI KISHORE SINGH (Sheohar): I had been in Guwahati yesterday and day before yesterday. I have returned here last evening. Many rumours were in the air adding to this unfortunate tangle. There rumours are posing a great threat to the unity of the country. So I would like to request you to constitute a all party parliamentary committee in this regard. All sort of photographs and advertisements are being published in the local newspapers there. Rumours are gaining ground that such and such members are holding accounts in BCCI, Dhaka etc. It is very essential to issue a statement to clear out these. An all party parliamentary committee should enquire into the details of all the aspects of this problem so as to face the threat posed to the unity and integrity of the country.

SHRI VIJOY KUMAR YADAV (Nalanda): Mr. Speaker, Sir Members belonging to our party have not been provided any opportunity to express their views. From our side, kindly allow Shri Bhogendra Jha to speak.

[English]

MR. SPEAKER: I am sure that the members are not only interested in making speeches but they are interested in the problem also. If the problem is properly highlighted and projected, let us seek the solution and let us not take pride only in speaking.

(Interruptions)

[Translation]

SHRI VIJOY KUMAR YADAV: Mr. Speaker, Sir, Members of all parties should be given an opportunity to express their views on such a critical matter. You have allowed the honourable members of all political parties excluding our party i.e. CPI.

MR. SPEAKER: Well, Shri Bhogendra Jha, if you have any new point then please come.

SHRI BHOGENDRA JHA (Madhubani): Mr. Speaker, Sir, Shri Chandrashekhar has rightly pointed out that the polls in Assam were held in a peaceful atmosphere though we had apprehensions of terrorists activities because elections could not be held during 1979-80. For this reason, we did not oppose the Assam Government for releasing ULFA activists. We were of the opinion that since situation has improved a little, therefore under certain circumstances some steps can be taken even if someris is involved. But that risk should always be taken in view of the present circumstances. The facts which have been brought in the light indicates now that the seriousness of the risks was not properly calculated. Therefore, I want to point out that there is no need of deployment of army there is no war like situation.

Therefore, I would like say that the Government intelligence agency is very inefficient and is not dependable. It has failed to provide correct information in regard to militants activities in Punjab and Assam etc. It is essential to have correct information through intelligence agency to

counter a particular situation. Otherwise the army is called to counter the situation arising out of murder etc.

MR. SPEAKER: Mr. Bhogendra Jha, You are trying to create the same tense atmosphere again.

SHRI BHOGENDRA JHA: Since the army has already been despatched there, no one has the courage to call it back. But I would like to know whether sending army there it was one of the conditions of the agreement which the Government had entered into to end the strike of ONGC personnel for a long period consequent upon the killings of their some engineers. If there was any such condition, was it proper to send the army there and was any political purpose served as a result of this. Is the Government making any effort to remove the genuine grievances of the people of Assam regarding the backwardness of the State. I emphasized it because this issue is now affecting Bihar also. More than twenty judicial Magistrates, two of them if our constituency, four of them of the constituency of Mr. Surya Narayan Yadav and four engineers of the constituency of Shri Ram Vilas Paswan have been kidnapped. One U.N. Singh has been murdered even. At Jhabua and Rohtas brother of a High Court Judge has been kidnapped.

MR. SPEAKER: Now in such cases our Parliament cannot play any effective role, because we do not take the issues seriously and speak for the sake of making speech only.

SHRI BHOGENDRA JHA: I am not speaking for the sake of making speech only. I wanted to know whether there are any interstate links behind all this. Here the names of countries such as China etc. were referred. The Chief Minister referred to China, so the Government must either confirm it or contradict it. A Chief Minister of a State cannot be entrusted with the responsibility of making a country a friend or a foe. This is the business of our External Affairs Ministry. It should either confirm or deny it because it is

difficult to believe that there is Chinese or Bangladesh's hand behind it. Since Bangladesh is today toddling on the path of democracy and struggling hard, so it is every difficult for me to believe that Bangladesh Government has any hands behind it. Therefore, either state the facts or refute it and this verdict must come from the Parliament that no Chief Minister can take the responsibility of implementing the foreign policy. A Chief Minister should not be asked to shoulder the responsibility of implementing the foreign policy.

[English]

SHRI RAM NAIK (Bombay-North): The House is concerned on this issue. There is only one remedy. Military has been sent to that State and the House is concerned. Either the Prime Minister or the Leader of the House or the Home Minister should have been present.

MR. SPEAKER: That point has already been made. There is no point in repeating it, and I have noted it. Do you add anything by repeating?

SHRI RAM NAIK: Had they been present, the time of the House could certainly have been saved.

MR. SPEAKER: But the time of the House is being wasted by repetition. Shri Ram Naik, you understand better than many others.

(Interruptions)

SHRI SOMANTH CHATTERJEE (Bolpur): Who is going to respond on behalf of the Government? I hope that the Government is going to respond. (Interruptions)

SHRI CHANDRA SHEKHAR: The situation is not that normal. The Army has been sent to that State and you say that foreign countries are instigating terrorism in that area. Is it not incumbent upon the Prime Minister or the Home Minister or anybody else responsible in the Government, to sit

here and give a statement? What more busy work are they doing today? I want to know, in what thing all the Ministers are busy, which is more important than the situation in Assam as it has developed today? Can there be a more serious situation today in the country which they are tackling than the situation in Assam? You say that let us wait and let him come whenever he likes. (Interruptions)

MR. SPEAKER: Shri Chandra Shekhar, all your feelings are respected.

(Interruptions)

SHRI CHANDRA SHEKHAR: Generally, I do not get up on these issues. But, this matter should not be taken very lightly. It is a very serious matter and if the Prime Minister cannot be present in the House, what else is he doing now? (Interruptions)

MR. SPEAKER: Your feelings will be respected. But, the notice was not given to the Prime Minister.

(Interruptions)

MR. SPEAKER: Please take your seats. I think you really want that this Parliament should be more effective. Please understand that whatever may be your wishes, they will be respected. If you just want to speak, then, I do not want to say anything.

(Interruptions)

MR. SPEAKER: Please take your seats. The feelings and the wishes of the hon. Members would certainly be respected. But, if you go to the extent of summoning like that then it does not appear good.

SHRI GEORGE FERNANDES: Sir, that is not the question. You mentioned about the respect and dignity of the House. Now, the house is in session. Such a great tragedy has been enacted in the North-East but, the Prime Minister is not present. (Interruptions)

MR. SPEAKER: It is only because of

this attitude, the effectiveness of the Parliament is reduced. Whatever you want to be done, will be done; but in a proper manner.

SHRIGEORGE FERNANDES: I beg to differ from you on this point. I have great respect from you. The respect of this Parliament is reduced by the Prime Minister by his not attending the House today. We have been made to look at people who do not matter. (*interruptions*)

MR. SPEAKER: Let us be fair to the Prime Minister.

SHRI GEORGE FERNANDES: With great respect to you, I beg to differ from you. (*Interruptions*)

MR. SPEAKER: Shri Buta Singh, I will allow you to speak later. Mr. Minister, I will also allow you later. Let the Members speak. Otherwise, they would again ask you to speak. The Minister speaks at the end.

Please understand that the issue has been very properly crystallised. Don't make it amorphous and don't speak if it is not necessary to speak.

SHRI YAIMA SINGH YUMNAM (Inner Manipur): For solving the Assam problem, I would like to propose that there must be a coordinated effort of the Chief Ministers of Assam, Nagaland and Manipur. It is very important because it is not only ULFA; but there are Naga Socialist Council, People's Liberation Army and Prepak of Manipur; all these are inter-related in the region. Although they are of different names, they all have a common objective. The coordinated effort of the three Chief Ministers will help in sealing the border from Assam to Nagaland and from Nagaland to Manipur. When Military is deployed in Assam, the ULFA people will take shelter in other areas.

MR. SPEAKER: It is not a regular speech that you are making. You are expressing your views on a point which has arisen. It is very well outlined here on the floor of the House. If there is anything that you can add

to this or make it more sharp, do it. Other wise don't widen the scope.

SHRI YAIMA SINGH YUMNAM: I am proposing for launching a coordinated effort of the Governments of Manipur, Nagaland and Assam. It is a new point that I am projecting.

MR. SPEAKER: Yes, it is a new point!

SHRI YAIMA SINGH YUMNAM: Many hon. Members have no idea about this region. These vast forest areas are not easily acceptable to the military people. But these extremists can easily reach any place because they are well acquainted with the area. These areas in Assam, Manipur, Nagaland have borders with China, Bangladesh and Burma. They easily cross over to that side where they can take shelter. I will be very difficult for the army people to identify ULFA extremists from innocent people.

I myself have been suffering for the last many years because of the army deployment in Manipur. So many innocent girls have been deflowered and many innocent people have been killed because the army personnel do not understand easily who is an extremist and who is an innocent person. The deployment of army will lead to the idea of military dictatorship in the country and it will be against the interest of the country. Because of the inexperience in dealing with the public the people have hardened their attitude against the army. So, this deployment will be against the interest of the country. I would recommend for withdrawal of the army deployment from this region.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI M.M.JACOB): Sir, I listened to some of the expressions from the hon. Members of the House about the deployment of army in Assam. The matter is really important and this Government considers it really an important issue and not a light issue. So the Government will be certainly bringing a state-

ment to the House today itself. I want to assure the House that we are coming with a statement on all aspects arisen. That is what I wanted to submit at this stage. Kindly wait for some time.

SHRISOMNATH CHATTERJEE: When will you make the statement?

SHRI M.M.JACOB: Today.

MR. SPEAKER: Can you give the time, so that the Members would know?

SHRI M.M.JACOB: Any time after 3.30 p.m. or 4 o' clock, I am ready.

MR. SPEAKER: Okay, the time fixed is 5 o' clock. I would also suggest to the Government that the Members have expressed their views on the Floor of the House and the Government representatives - executive - have heard what they have said. Let the statement and the replies to be given commensurate to what they have said.

SHRI CHANDRA JEET YADAV: The Prime Minister should come and make the statement.

MR. SPEAKER: It may be the Prime Minister or it may be the Home Minister. It is left to them.

[Translation]

SHRI PHOOL CHAND VERMA (Shajapur): Mr. Speaker, Sir, in order to set up four gas-based power plants in the North west area of Madhya Pradesh, State Government had sent its proposal to the Government of India through State Electricity Board. It was said that for this 8 million metric tonne gas would be required per day. But due to the non-allotment of gas these hopes have been shattered, whereas 1/3 part of the H.B.J gas pipe lines passes through Madhya Pradesh after covering the distance of 550 kilometres and on the other hand, the expansion work or gas-based power plant has been undertaken in Rajasthan from where only one of the branches of the Pipe line passes. This is

an utter injustice against Madhya Pradesh. At present Madhya Pradesh is facing about 18 percent shortage of electricity in Madhya Pradesh which will become 26 per cent during the Eighth Five - year plan. At present also, the State is facing great difficulty in meeting the power requirement. So, through you I would like to point out to the Government of India that the possibilities of the availability of gas have increased. Hence, for the proposed gas-based plant, gas should be allotted as early as possible so that plants be set up in Madhya Pradesh.

[English]

SHRIPALA K.M.MATHEW (Idukki): Sir, I rise to point out very urgent matter which if left unattended will spread to all parts of India. This issue has been raised in the House two weeks back.

The unknown fish epidemic in Kerala is becoming widespread in the fresh and brackish waters of the lakes and rivulets. Kuttanad, Vembanad parts of Kottayam, Alappuzha and Pathanamthitta districts are the worst affected areas. If this is not prevented in time, it is likely to spread to the reservoirs and water spread areas of Idukki district also. This is not merely the Kerala State issue; this epidemic has already crossed the national and international borders and has been spreading in Australia, Burma, Tripura, Indonesia, Meghalaya, Bangladesh, Assam and other places. Even though it is present at the moment in Kerala alone, it is very likely that it may spread to all parts of India if this is not prevented in time and if sufficient preventive measures are not taken.

The livelihood of thousands of fishermen, fish vendors and the position of the cooperative societies are in total danger and in deep trouble. So, immediate steps have to be taken to prevent this. This disease has destroyed all the fish wealth in the State which have already been affected. It is now striking at the core of inland water fish in Kerala. Kuttanad region alone accounts for the production of two lakh tonnes of fish every year, which is more than 40 per cent of

the total inland fish production in the State of Kerala. The present situation is alarming and the people have got panicky about that. So, I would urge the Agriculture Ministry, the Fisheries Department, the Central Marine Department, the Central inland Capture Fisheries Research Institute, the Central Institute of Fresh Water Aquaculture Fisheries Development Commissioner and other Government agencies concerned to take immediate steps.

I would request all these Government agencies, through you, to take immediate steps on a war footing so that this epidemic is cured and prevented from spreading further.

[Translation]

MR. SPEAKER: Smt. Mahendra Kumari. You wanted to say something yesterday. Do you want to say anything today.

[English]

SHRIMATI MAHENDRA KUMARI (Alwar): Sir, I would like to bring to the notice of the Hon'ble Minister of Health and Family Welfare that all the hospitals in the country are in a terrible state of affairs. Sometimes the doctors are not there. Sometimes only the 'Emergency' is open but the hospital is closed.

When you go to the villages, the doctors are not there. The doctors do not go to the villages because all the medical colleges are located in the cities. Even young doctors - men and women - do not want to go to the villages because there are no proper facilities. I would like to appeal to the Government to make the rules like those in the Army. The Army never goes on strike. Those doctors, who opt to serve in the villages, should get some more money.

The nurses are also generally hesitant to serve in the rural areas. Some nurses do serve in such areas. The villagers would come and plead that there is a delivery case.

Then, such villagers start harassing the nurses. In some cases, the nurses have even been raped. I would plead that always two nurses should be sent, instead of one, at a particular place in the rural areas.

Recently, some deaths occurred when old glucose drips were given to some of the patients in Delhi. So, old stocks of medicines should be discarded soon after their expiry date. I was also a victim. Fortunately, I did not die. I have also seen that medicines are sold in the market instead of giving them to the patients. The people concerned make fake entries in the registers and sell the medicines in the market. I would like the Government to be very strict, and also see that the doctors are happy, the nurses are happy so that there are no strikes.

[Translation]

SHRI RABI RAY (Kendrapada): Mr. Speaker, Sir, I would like to raise a question of great national importance. The question is regarding the Indian National Army set up by Netaji Subhash Chandra Bose and its fund. A strange problem has come up. On behalf of the Ministry of External Affairs, Government of India Mr. Amiya Nath Bose, the nephew of Netaji Subhash Chandra Bose and a renowned Barrister of Calcutta was informed by Regional Passport Officer, Calcutta on 22nd June as to what happened to Rs. 114 crore of the I.N.A., set up by Netaji Subhash Chandra Bose It all started when a question was asked in the House. The question was:

13.00 hrs.

[English]

" Whether the Government have received cash and assets amounting to Rs. 114 crores from the Government of Japan and other foreign countries on account of Azad Hind Government set up by Netaji Subhash Chandra Bose on 21st October, 1943."

[Translation]

It is a question of Rs. 114 crores. Does the Government have any information in this regard? When Shri Amiya Bose was asked to let the Government have any information in this regard, he said that the amount of Rs. 114 crores was collected by a team of officers of the Minister of External Affairs, Government of India from the Government of Japan at Tokyo in the year 1960. This money belonged to the I.N.A. Thereafter, the people of India are totally in dark whether that money had reached the Government of India or not. In fact, the matter was raised in the Parliament and Shri Amiya Bose had also made a statement before the Passport Officer of the Government. But the people of the country are totally unaware of its whereabouts. I am raising this question before you because this money belonged to the country and it is the money of Azad Hind Government. It should be brought to the country and deposited in the Consolidated Fund of India. But till now the country as well as the Parliament do not know the whereabouts of Rs. 114 crores. I would like to know why the Government of India is silent over the matter? After the statement of Shri Amiya Bose, it becomes the duty of the Government to make a statement to the public in this regard as to what happened to those Rs. 114 crores.

KUMARI PUSHPA DEVI SINGH (Raigarh): Mr. Speaker, sir, several deaths have occurred due to gastroenteritis in the past few days in my constituency, Raigarh in Madhya Pradesh. About 900 people have died within last two months. There is an acute shortage of medicines in the area. It is feared that as many as 500 deaths took place in Lailunga Development Block alone. Thousands of other people have also been affected.

My area is an Adivasi area. In the absence of sufficient number of doctors and required quantity of medicines from the Government poor tribals are constrained to go to exorcists.

In the recent past, such an incident took

place in pathalgaon village of Baigun Jharria Tehsil. An exorcist claimed that he should drive away diseases from the village. He beat many widows mercilessly. This man enters the villages along with a woman. Then the woman enters people's houses and acts as a 'tohnri' in that house. In our area women who make wrong use of their witchcraft causing harm to the village and people in the neighbourhood are called 'tohnis'.

It is a fact that in our areas Adivasis traditionally believe in such things to a great extent. The most important and painful thing is that even after such a long time thousands of people suffer from a single ailment for months but there is no arrangement from Government's side to provide them required quantity of medicines. The hospitals are packed with patients to their capacity. The patients are helpless to stay in the open around the hospital premises.

The State Government has totally failed to combat this epidemic. The people continue to die and the State Government is refusing to recognize it as an epidemic.

I urge the hon. Health Minister to send a team of doctors to Raigarh immediately and take stock of the situation. Besides, necessary medicines for treatment of gastroenteritis should be despatched to the area immediately.

SHRI ASTBUHA PRASAD SHUKLA (Khalilabad): Mr. Speaker, sir, the only fertilizer plant at Gorakhpur, the most backward area of eastern Uttar Pradesh, has been lying closed since 10th June, 1990 after the pipeline burst incident. Smt. Indira Gandhi, the then Prime Minister had inaugurated this naphtha based unit of the Fertilizer Corporation of India at Gorakhpur on the 20th April, 1968. The Plant since its inception has not only produced more than its installed capacity but also stood first among the public undertakings of the country. The production capacity of the plant has been 543 metric tonnes since its inception though only two units were functional. In view of the rate of consumption of the fertilizers in the area one

more unit was set up during 1975 at a cost of Rs. 19 crores. Thereafter, its production capacity has gone up to 950 metric tonnes. The production capacity of the plant is far in excess of its installed capacity of 815 metric tonnes per day. The plant produced 85 per cent of its installed capacity on an average from 1968 to 1975. But later, after ten years, i.e. in 1976, its capacity receded to about 55 per cent and in 1990 it became 8.8 per cent only. Thereafter, the plant ran at loss.

The Fall in the production capacity of this plant has been attributed mainly to outdated units, lack of facilities and new techniques, costly raw material, constant interruption in supply of electricity, irregularities in annual repairs and non-replacement of old machines.

Mr. Speaker, Sir, dozens of villages had been uprooted at the time of setting up of this Plant. The farmers had to give up their fertile land in the hope of getting some employment. The plant in a radius of 10 kms. had taken the shape of a city. It had developed into a beautiful and clean fertilizer city providing accommodation to about 1400 families. With the closure of this unit employees who have been working there for more than last two years have been rendered jobless. Mr. Speaker, sir, an incident took place on the 10th June, 1990. The pipeline of one of the units burst causing death to one of the Production Engineers. His son has been given a job compassionate grounds. In stead of repairing the pipeline, the management locked up the plant and started retrenching temporary employees and transferring permanent ones. Today, the situation is such that the land which was very fertile has become useless. Dozens of villages had been uprooted. Although the beautiful city exists there alongwith school, canteen, shopping centre, bank, post office, recreation centre, hospital and club but the area gives a dissolute look.

Sir, there was a plan to lay a gas pipeline upto Gorakhpur, a distance of 200 kms from Jagdishpur. It had been provided in the corporate plan of the gas Authority of India Ltd.

(GAIL) that the H.B.J pipeline should be extended upto Gorakhpur. Its construction involved an estimated cost of Rs. 800 crores. The Government is now spending Rs. 80 crores every year on transportation of fertilizers upto Gorakhpur. If we spend Rs. 800 crores on a Gas based Plant, the total expenditure could be recovered from the savings of transportation charges within a period of 10 years. Today, electricity charges of the project come to Rs. 70 to Rs. 80 lakhs per month. Rs. 90 lakhs are being paid every month towards salary to the employees. An amount of Rs. 2 crores is being paid as interest for the loan taken from F.C.I. Only interest constitutes half of the total expenditure of the company.

Mr. Speaker, Sir, therefore, I would like to submit that the factory which is lying closed should be revived immediately. The scientists are of the view that if the plant is run as naphtha based plant even by spending Rs. 19 crores, the factory can be run for 5 - 6 years. It would be very convenient if this plant is linked with the gas pipeline from Jagdishpur. It would take 5-6 years time and involve an expenditure of Rs. 800 crores.

Therefore, I urge the Government to implement the said proposal of GAIL at the earliest for the all round development of the area and for removing the backwardness of eastern Uttar Pradesh. Till such time it is done, this plant should be run as a naphtha based plant only incurring an expenditure of Rs. 20 crores on it.

[English]

SHRI ANBARASU ERA (Madras Central): Sir, I am very happy that this House has been, from the beginning, discussing very seriously the problem of terrorism. But at the same time, there is another very serious problem, to which most of the Members give less important perhaps due to preoccupations or they might have forgotten. I am referring to the problem of slumdwellers.

Sir, in India alone it is estimated that about 6 to 10 crores of people are living in

slums; on the pavements. In Central Madras, my own constituency, there are about 1500 slums where about 50 lakh people live. The Government should give serious thought to the pathetic conditions of the people living in these slums, especially in all the metropolitan cities, Madras, Calcutta, Bombay and Delhi. Government should come out with a comprehensive scheme to promote the welfare of these slum-dwellers.

My thanks to our late leader Shri Rajiv Gandhi who took keen interest to improve to living conditions of these slum-dwellers, living in Bombay. With the assistance of World Bank, he implemented Dharavi Project, a mammoth Project; to improve the lives of nearly 2 to 3 Million people.

I understand that in Calcutta, in places like Belyarghat Howra etc. about 5 to 6 million people live in these slums.

Growth of slums is a common phenomenon because of the industrialisation.

MR. SPEAKER: At this point of time you should be very brief.

SHRI ANBARASU ERA: Sir, the Urban Development Minister is here. Government should seriously think about the living conditions of these slum-dwellers, who do not have even the toilet facilities, leave alone the basic amenities. When I go around my constituency, I hang my head in shame. I am unable to help these slum-dwellers. Therefore, Sir, the Government should take up this problem on a war-footing basis. I urge upon the Central Government to bring about a comprehensive legislation to improve the lives of the slum-dwellers.

SHRI ANNA JOSHI(Pune): Sir, the textile industry in Maharashtra, which is having a prestigious position in the industrial growth of the nation, since for the last more than hundred years, is in doldrums today. Throughout Maharashtra in the last 20 years nearly hundred textile mills have been closed or declared sick one after another due to one

reasons or the other. The Government of India has taken over some of these closed or sick mills through N.T.C. But that cannot be the permanent solution.

Even now lakhs of workers have been rendered jobless. The mill managements have not paid their dues worth crores of rupees. Thousands of ancillary industries and trades have collapsed due to the closure of mills. Central, State and local self-Governments have lost revenue worth crores of rupees per annum. Therefore, the Central Government must look into the matter more seriously and solve the problem at the earliest.

SHRI SUDARSHAN ROY CHOWDHARY (Serampore): Sir, I would like to draw your attention to an urgent matter which affects not only my constituency but the entire Eastern region.

Since May this year, Standard Pharmaceuticals, one of the premier Penicillin producing factory, which is situated in West Bengal - in my constituency, Serampore - has been under closure. This factory was producing Penicillin since the 30s on the basis of our indigenous technology. In sixties the Sarabhai House took it over and then it was bifurcated into two parts; The Standard Pharmaceuticals and Opec Innovation in 1983. After that due to utter mis-management and lack of marketing discipline both the factories have started troubles.

In May this year the Sarabhai House declared closure of both these factories. Naturally, the production of Penicillin which is a basic requirement in any sort of therapy, has been stopped.

That is why I request the Government to look into the matter and also urge upon the concerned authority to re-open these factories immediately. Not only that these factories are to be amalgamated because both of these factories are like Simese twins; one cannot live without other.

[Translation]

MR. SPEAKER: Shri Jeswani.....

SHRI SHYAM LAL KAMAL (Basti): Mr. Speaker, Sir, I thank you for giving me an opportunity to speak. Sir my name is Shyam Lal Kamal.

[English]

MR. SPEAKER: My apologies to you.

[Translation]

SHRI SHYAM LAL KAMAL: Mr. Speaker, Sir, India is a backward country and 34.7 per cent of its population is living below the poverty line. The condition of Uttar Pradesh is pitiable as 45.7 per cent of the population is living below the poverty line. Basti is the most backward district of this poor State. Sir, I would like to put forth some facts about Basti district. Mudarka sugar mill is in Basti district. About a year back machines were bought for its modernisation but instead they were diverted to Etawah district.....

MR. SPEAKER: Hon. Member, not like this.....

SHRI SHYAM LAL KAMAL: Mr. Speaker, Sir, there are 4,000 handlooms but there is no spinning machine should certainly be provided there.

MR. SPEAKER: Hon. Member, please sit down. You have said what you wanted to say.

SHRI SHYAM LAL KAMAL: Mr. Speaker, Sir, I want to submit an important point. About 50 kilometres away from Basti the National Highway is likely to be damaged by soil erosion. I would like that efforts must be made to save the highway. There is no bridge on Saryu river near Toda though the roads at both the ends have been completed. I therefore, feel that the construction of this bridge is most important.

[English]

DR. K.D. JESWANI(Kheda): Recently many minority Hindu Pakistani Nationals have migrated to India as a result of the disturbed political and social conditions prevailing in Pakistan. Many more are still to come in the coming days. Out of these migrants many of them are medical doctors holding MBBS or other high degrees from Sind and Karachi Universities of Pakistan. They have migrated to India for permanent settlement.

At present, the above said degrees are recognised and included in the third schedule part II of Indian Medical Council Act, 1956. Accordingly, the holders of the above degrees require Indian citizenship for registration with I.M.C for carrying out medical practice. Now, the grant of Indian citizenship requires very long time. This long process is cumbersome to pass through.

My humble suggestion is that if the medical degrees are included in the II schedule of I.M.C Act, 1956 in respect of section 12 (3) of the said Act, then these doctors can be registered with the concerned State Medical councils without obtaining Indian Citizenship. In the past, similar considerations were made for the doctors from Bangladesh and Srilanka.

The Pakistani Hindu migrants are not allowed Long term Visas in the Banaskantha and Kutch Districts of Gujarat, since they are the border areas. There is a safety belt of 20 Kms in the border area. Beyond that they should be allowed to stay and citizenship should also be given to them. This is my request, Sir.

PROF. SUSANTA CHAKRABORTY (Howrah): Mr. Speaker, Sir, I like to believe that the Government of India is serious in the industrialisation of our country and is keen in catering to the infrastructural and financial needs of the industrial development of every region and every State of our country. But the fact, it stands today, is that there is discriminatory treatment in this regard. This

policy of the Government acts as a deterrent to the industrial development of the States of our country, particularly belonging to the eastern regions.

For example, the Credit Deposit Ratio of Nationalised Banks in West Bengal is only about 55 per cent as compared of the national average of 65 per cent.

The Industrial Credit and Investment Corporation of India, during the last thirty-six years of its existence, has sanctioned only Rs. 531 crore for industries in West Bengal compared to Rs. 3495 crore to Maharashtra. The Industrial Finance Corporation has sanctioned only Rs. 80 crore to West Bengal which is much less than other comparable States. There is a discrimination in the distribution of such finance to West Bengal and other States of the Eastern Region.

The *per capita* Central Plan Assistance to West Bengal during the Seventh Five Year Plan was the lowest compared to other comparable States. It was only Rs. 232.6. Besides this, there is the freight equalisation policy in respect of Iron and Steel of which we have been speaking for years together. A gradual phasing out of the scheme is very necessary. Finally, as regards the sick industries, the Government of India has placed importance to the functioning of the BIFR and in the Budget of this year too, a role has been assigned to the BIFR. The States have been demanding that in the interest of the industrial development, the regional units of the BIFR should be set up or if possible, States Units should be set up. That has not been done. What I demand is the reversal of the policy of the financial institutions, phasing out of the programme of freight equalisation and equitable distribution of Central Assistance to the States.

[Translation]

SHRI KALKA DAS (Karol Bagh): Mr. Speaker, Sir, I want to draw the attention of the Government to a matter of serious concern. There is a butchery near Idgah in Delhi. This was set up when the population of Delhi

in general, and those of non-vegetarians was very less. But today the population of Delhi has increased manifold and same is true about non-vegetarians. (Interruptions)

MR. SPEAKER: I think you are a vegetarian.

SHRI KALKA DAS: I am a non-vegetarian... (Interruptions)... It does not matter whether one is a vegetarian or a non-vegetarian. Thousands of animals are slaughtered and this butchery is in the midst of densely populated area. Many times the blood of animals spreads on the road and sometimes it trickles to the drinking water supply pipes. The carcass of animals could also be found on the roads sometimes. As a result there is hue and cry in the entire area and foul smell continues to emanate from the butchery. Earlier it was away from the densely populated areas but now it is in the midst of these areas. It has become almost impossible to live in the area. Not only this, because of dead animals lying here and there, there is heavy traffic congestion in the area and even the traffic police has written many times that the butchery should be shifted elsewhere where the density of population is less. This is a long standing demand of the people of the area and they are greatly agitated over it. Therefore, I would like to urge that this butchery must be shifted from there. Otherwise, there is every possibility of a law and order problem and things may deteriorate. It is likely that the patience of the people may give way. Therefore, I would like to draw the attention of the Government to this serious problem and would urge to shift this butchery to an area where the density of population is less... (Interruptions)

SHRI TARA CHAND KHANDELWAL (Chandni Chowk): When this butchery was set up the area was not as densely populated as it is today. I had paid a visit to the area about six days back. There is not even a single day when I do not receive less than 10-12 people from the area requesting me to raise this matter... (Interruptions)

MR. SPEAKER: You want to say that it

should be shifted immediately outside the city.

SHRI TARA CHAND KHANDELWAL:
That is what I want to say.

SHRI MOHAN RAWLE (Bombay South Central): Mr. Speaker, Sir, 'Hindi Divas' was celebrated on 14th September and Door-darshan and Akashvani gave programmes also on this occasions. But unfortunately, we have failed so far in making Hindi a national language. We have a national anthem, a national bird, a national animal and a national flag, but so far we do not have a national language. Even Babu Rajendra Prasad, the first President of India and one of Founding Fathers of our Constitution had remarked that gradually Hindi should be accepted as a national language and it should be not merely treated as official languages.

I, therefore, urge the Government, through you, to declare Hindi as the national language.

DR. LAXMINARAYAN PANDEYA (Mandsaur): Sir, there was a proposal to open many Kendriya Vidyalayas throughout the country which was accorded approval also. There was also proposal to open Kendriya Vidyalayas in Mandsaur and other places in Madhya Pradesh. The academic session has already commenced. There are hundreds of Central Government employees in Mandsaur who have school going children. Therefore, it is essential to open Central Schools there, otherwise they may not get admission elsewhere. Therefore, I would like you to issue instructions immediately for opening Central Schools in Mandsaur and other places in Madhya Pradesh.

SHRI CHHEDI PASWAN (Sasaram): Mr. Speaker, Sir, the freight equalisation policy has been in vogue for a long time in Bihar particularly in respect of coal and steel. Shri Krishnachari had emphasized the need to follow this policy for a short period way back in 1985. But this policy is still continuing. Consequently, a poor state like Bihar is

suffering. Iron ore and coal is in abundance in Bihar. If this freight equalisation policy had not been in vogue, the price of iron ore and coal would have been less as compared to other States and industrialisation would have got encouragement as a result thereof. Therefore, Mr. Speaker, Sir, I would like to urge the Government to do away with freight equalisation policy so that encouragement could be given to industrialisation in Bihar.

[English]

SHRI SOMNATH CHATTERJEE (Bolgpur): I want to raise a matter which is affecting power generation in West Bengal because of the inadequate supply of coal, not only quantity-wise but also quality-wise, because, I am told, that coal not of the standard quality but in big blocks and chunks has been sent, containing ashes and not which is required for the thermal power generation.

When the matter was taken up, the Coal India said that the Railway administration was not providing the wagons and that is why coal supply was hampered. And the Railways say that the Coal India Limited was not loading the wagons in time and properly, and the wagons were waiting in the siding, therefore the difficulty is being created.

There appears to be some discard between the Railway administration and the Coal India Limited. The hon. Railway Minister is here. I am requesting him to kindly see that supply of coal is made in time. The hon. Minister for Coal Shri Sangma is not here. He may also kindly see that the proper quality coal is supplied, not coal in big chunks and blocks which is not suitable for power generation.

This is a very vital matter and I am requesting the hon. Ministers concerned to kindly look into it.

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): There was shooting by accident by a

security guard outside the residence of Leader of Opposition, Shri Lal Krishna Advani Yesterday. Two days back there was a similar shooting incident outside the residence of Chief Justice of India. This is my information and I would like that this may be confirmed by the Government...

MR. SPEAKER: There is difference between shooting by accident and a shooting incident.

SHRI MADAN LAL KHURANA: The security guard who was involved in the shooting incident outside the residence of the Chief Justice of India was under the influence of liquor and when I asked the PA at the residence of Shri Advani about yesterday's incident, he said the security guard had consumed liquor. Mr. Speaker, Sir, I would like to submit here that we have already witnessed the assassination of Shrimati Indira Gandhi when her security guards shot at her. Shri Advani is on the top of the hit list and therefore, the Government should reconsider the security arrangements and give fresh directives that negligence of this type will not be tolerated. The guards who are posted at the residence of Ministers and other top politicians should never be under the influence of liquor. I want to bring this fact to the notice of the hon. Home Minister.

[English]

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, I would not have raised this matter but for the implications both within the country and outside the country in regard to the matter that I am now raising. This pertains to a film which has been produced by an agency called "Eye Witness" and which is making the rounds of the country since the first of this month. And it is also being exhibited in other countries of the world. The film is on the Rajasthan Atomic Power Station. In this film, there are a series of scenes. I have seen this film specially when this matter was brought to my notice. And there is also an interview with Dr. K.S. Parthasarathy, who is the Secretary of the Atomic Energy Regulatory Board and who is responsible for safety

standards at all atomic energy installations in the country.

Dr. Parthasarathy's interview is consequent upon a request made to the Prime Minister and to the Minister for Public Grievances, Shrimati Margaret Alva by the producers, 'Eye Witness'. That means, his presence there was with the approval of the Prime Minister, who is in-charge of the Atomic Energy.

Now, Sir what does this Script say? I would not read all of it. But there are certain aspects which need to be brought to the notice of the House. It starts with a commentary, which says:

"Alarming news emerged last year of birth defects in villages near an atomic power station in India. We went to Rajasthan to film this story".

This was the opening sentence. Then it goes on to say this. Here, this is the person who is associated with the unit making this statement. He says:

"The cooling systems of RAPS - that is the acronym for Rajasthan Atomic Power Station land are cooled by water and that water is returned into the same river from which it is drawn. The effect of the radiation of the water means that it definitely contaminates the river. Besides there have been leakages of heavy water more than once due to the negligence of the authorities. The water is let off into the river and that is the water we drink".

(Interruptions)

SHRI SOMNATH CHATTERJEE: Was it Dr. Parthasarathy's statement?

SHRI GEORGE FERNANDES: No, one of the persons who lives there made this statement.

This film has been seen by Dr. Parthasa-

rathy, and he has responded to it. I will come to his response in a moment.

Then, the commentary says that because the Doctors refused to speak, the person who shot this film met, what we call, the nurses and others who help in the delivery of babies. Now, there is one Mr. Munir Ahmed, who says:

"We do not know what is happening. I do not know if it is fate or what is causing the defects in our region. And it is happening only in our area within a radius of 25 kilometers. Even the young men are losing their manhood".

Then, there was another question, 'are the young men affected too?. And his reply was:

"Yes, they say so. They are young men and they do not say these things out of shame but some have said so."

Then the commentary says that they went and saw the local midwives. They were questioned.

The conversation with Nandu Bai, another midwife, is as follows:

"Q: How many deformed children are there?

A: Four or five.

Q: Has the number increased in the last two to four years?

A: There have been more such children.

Q: Earlier such a thing never happened?

A: This has never happened before and it is happening now."

Then a child was shown and Tulsai Bai,

another midwife was asked:

"Q: Was he born with the deformed ear?

A: Yes, he has been like that from birth.

Q: Also the double thumb?

A: Yes, he has two thumbs."

Then there is a commentary which says:

"Other damaged children we found included this little boy had two sets of incisors and was born with no penis. We checked that none of the children we were shown were in fact polio victims. They had all been born deformed. These girls' legs are paralysed." (Those girls were exhibited).

Savitri Bai, another midwife says:

"Earlier there were 25 children born in a year, now there are 50.

I see the child when it is born. I can see what is wrong with it.

If it is deformed it has only half the fingers. Sometimes they have no fingers at all. Some have no hands or noses. Some have abnormal growth of hair."

Then in reply to questions she further says:

"Q: Is it awful to look at?

A: It is not just the faces, it is the whole body that is deformed.

Q: So you don't even show it to the mother?

A: No, we didn't.

Q: Why not?

A: If we showed the baby to the mother she would have been scared to death. That is why we don't tell them."

Then there is a commentary which says:

"What you have here is a plant which is known to have a particularly bad safety record and you also have an unusual incidence of genetic damage in the surrounding population. You also know that tritium is discharged to the environment."

This is a part of the transcript.

Dr. Parthasarthy was interviewed on this. And what does he say? He says that this Atomic Energy Power Plant was shut down 250 times in ten years. Then he says that once it was shut down for as long as three years. When he was told about this water being discharged, he said:

"This is the water we, we means, I don't belong to the Department of Atomic Energy but the people who work there who are in the township they drink this water."

Then he was asked as to what you are doing about it.

MR. SPEAKER: Who is Mr. Parthasarthy?

SHRI GEORGE FERNANDES: Dr. Parthasarthy is the Secretary of the Atomic Energy Regulatory Board, who is responsible for the safety standards of all atomic energy power stations of the country. And he was sent there to be interviewed after a request was made to the Prime Minister and Mrs. Margaret Alva, Minister of Public Grievances. Now the statement which Dr. Parthasarthy has subsequently made is far too serious to be taken very lightly. When

he was asked: When these things are happening, what are you doing about it, he feels that whatever has been shown or whatever is happening has nothing to do with the atomic energy power station. He accepted the fact but he refused to link those facts with the situation that is on the ground at the atomic energy power station.

I do not want to elaborate. I only want that the Government must immediately react to this particular situation. Now they have reacted in one respect and how? The man who made this film, is a person called Christopher Richard. I have been requesting you for the last three days to allow me to raise this matter. But I appreciate your reluctance to call me because you decided that you would like to hear a large number of Members who did not have an opportunity.

Mr. Christopher Richard, who made this film and who is an independent producer, is a British citizen. He made this film for Channel 4. It was exhibited in Britain and is being exhibited elsewhere. He is making a film in India at this moment for BBC for which the Government gave him the clearance. Day before yesterday, when he applied for his visa to come back to India, I got this information that he was told that the visa would not be given to him perhaps because - this has not been conveyed; this is my conjecture - he made this film on the Rajasthan Atomic Energy Power Station. This is the only response of the Government of India. The man who unravelled a certain situation, brought before the country a certain situation, which needed to be brought before the country, is now being told that you are a *persona non grata* in our country. Now, that is the matter which I will deal separately with the Government. But, on this question which I am raising, Minister of State of the Ministry of Environment, and Forests Shri Kamal Nath, is sitting here, is responsible for most of the aspects, that have been happening there.

MR. SPEAKER: Please do not drag him because he has no information about Atomic Energy.

(Interruptions)

MR. SPEAKER: Well, I must caution that there is a lot of literature with you on Atomic Energy which is not supported by scientific facts.

SHRI GEORGE FERNANDES: Sir, therefore, there are some views on this. But, there is the question of pollution of the water. The water pollution matter is a fact. It is a fact that deformities are there. Now, if we take this view that this has nothing to do with what is happening there - this is precisely what a lot of people have said earlier - then we had Chernobyl, and in Chernobyl we know what is happening. We have gone through the experience of Bhopal and the kinds of things, the kind of deformities, the kind of baby deaths that are taking place in Bhopal. It is a situation that brings tears in my eyes. Therefore, I would certainly like the Government to respond to this, if not today by tomorrow. But, I would certainly like the Minister for Environment at least to respond to this whole question of water pollution, a fact which cannot be denied. Thank you very much. *(Interruptions)*

SHRI SOMNATH CHATTERJEE: Dr. Parthasarthy may have nothing to do with the Atomic Power Station. But, if such deformed children are born, the Government must look into it. In a particular area why that is happening? The Minister is here. He should respond. *(Interruptions)*

MR. SPEAKER: This Department was with me for four years. I know that many reports are published. I know also that many of the reports are not supported by scientific facts. Now, we shall have to be very careful.

(Interruptions)

SHRI SOMNATH CHATTERJEE: Sir, in view of your personal experience, we should guide them also.

[Translation]

SHRI DAU DAYAL JOSHI (Kota): Sir, this plant is situated adjacent to my constituency. The points raised by hon. Shri George Fernandes are valid because I have personally

gone there. When these facts came to my knowledge, I made efforts personally to inspect the Atomic Energy Plant. I was not permitted to enter the plant and my repeated requests were ignored. Reports are being received regularly over there that because of the pressure of the plant, children are becoming deaf, blind and acquiring physical deformities. I request the Government to take this matter seriously. One unit of the plant suffers a breakdown every now and then. We have to find out the cause of all these problems... *(Interruptions)*

MR. SPEAKER: This has been discussed many times.

SHRI DAU DAYAL JOSHI: Efforts were made to give training. What is unfortunate is that we have accepted the Bhopal Gas Tragedy.

MR. SPEAKER: There is no need to go into all that.

SHRI DAU DAYAL JOSHI: God forbid, if such a thing happens there then it would be a replay of the Bhopal Gas Tragedy. So I request the Government to take precautionary steps to ward off any tragedy.

[English]

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): Sir, no doubt, this is a very serious matter. We have drawn the attention of the Atomic Energy Commission on this. We had written to them. The Atomic Energy Commission in their reply have said that on the basis of a report by the Expert Committee constituted by the State Government, there was no connection of these deformities and pollution from Rajasthan Energy Plant. *(Interruptions)*

SHRI SOMNATH CHATTERJEE: Has the Government accepted that Report? Your experience is otherwise *(Interruptions)*

[Translation]

SHRI DAU DAYAL JOSHI: Let the

Government study the statistics. Everything will become clear then...(Interruptions)...

MR. SPEAKER: There is no need to make so much noise about this matter. Better look at the root of the problem. Please listen first. As far as the report is concerned, the Government cannot immediately accept or reject it. It is a scientific fact and is related to genetic engineering. A layman would not be able to give an opinion on this matter. I believe whatever is possible will be done.

[English]

SHRI SOMNATH CHATTERJEE: Sir, what about the deformed babies?...(Interruptions)...

13.45 hrs.

PAPERS LAID ON THE TABLE

Statement connecting the reply to USQ No. 1996 dated 7th August 1991 regarding expenditure on Rural Development Schemes

[English]

THE MINISTER OF STATE OF THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRI H.R. BHARDWAJ): Sir, I beg to lay on the Table a statement (Hindi and English versions) (i) correcting the reply given on the 7th August, 1991 to Unstarred Question No. 1996 by Dr. Parshuram Gangwar regarding expenditure on Rural Development Schemes; and (ii) the reasons for delay in correcting the reply. [Placed in Library See No. LT-664/91]

Statement Correcting the reply to USQ No. 1997 dated 7th August, 1991, regarding Sugar Factories

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI TARUN GOGOI): Sir, I beg to lay on the Table a statement 7th August, 1991 to Unstarred

Question No. 1997 by Sarvashri Kamla Mishra Madhukar, Yashwantrao Patil and Nawal Kishore Rai regarding sugar factories and (ii) the reasons for delay in correcting the reply. [Placed in Library See No. LT.665/91]

Review on the working of and Annual Report of the Central Social Welfare Board, New Delhi for 1989-90

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS AND THE DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT) (KUMARI MAMATA BANERJEE): Sir, I beg to lay on the Table-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Central Social Welfare Board, New Delhi, for the year 1989-90 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of Central Social Welfare Board, New Delhi, for the year 1989-90.
- (2) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library, See No LT-666/91]

Statements showing action taken by Government on various assurances

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): Sir, I beg to lay on the Table a copy each of the following statements (Hindi and English versions) showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Lok Sabha:-

- (i) Statement No.XXVII - Seventh Session, 1986
[Placed in Library, *See* No. LT-667/91]
- (ii) Statement No.XXV - Ninth Session, 1987
[Placed in Library *See* No. LT-668/91]
- (iii) Statement No.XXIII - Tenth Session, 1988
[Placed in Library *See* No. LT-669/91]
- (iv) Statement No.XIX - Eleventh Session, 1988
[Placed in Library, *See* No. LT-670/91]
- (v) Statement No.XVI - Twelfth Session, 1988
[Placed in Library, *See* No. LT-671/91]
- (vi) Statement No.XV - Thirteenth Session, 1989
[Placed in Library, *See* No. LT-672/91]
- (vii) Statement No.XII - Fourteenth Session, 1989
[Placed in Library, *See* No. LT-673/91]
- (viii) Statement No. X - First Session, 1989
[Placed in Library, *See* No. LT-674/91]

Eighth Lok Sabha

- (ix) Statement No.IX - Second Session, 1990
[Placed in Library, *See* No. LT-675/91]
- (x) Statement No. V - Third Session, 1990
[Placed in Library, *See* No. LT-676/91]
- (xi) Statement No. III - Sixth Session, 1991
[Placed in Library, *See* No. LT-677/91]
- (xii) Statement No.II - Seventh Session, 1991
[Placed in Library, *See* No. LT-678/91]
- (xiii) Statement No. I - First Session, 1991
[Placed in Library, *See* No. LT-679/91]

Tenth Lok Sabha

Copy of the Industrial Development Bank of India Central Regulations (Amendment) Regulations, 1991. Review on the working and Annual Report of the Small Industries Development Bank of India etc. for the year 1990-91

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): Sir, on behalf of

Shri Dalbir Singh, I beg to lay on the Table—

- (1) A copy of the Industrial Development Bank of India General Regulations (Amendment) Regulations, 1991 (Hindi and English versions) published in Notification No. 4735/Legal-2 in Gazette of India dated the 24th June, 1991, under sub-section (4) of section 37 of the Industrial Development Bank of India Act, 1964. [Placed in

Library See No. LT-680/91]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Small Industries Development Bank of India for the year 1990-91 along with Audited Accounts under sub-section (5) of section 30 of the Small Industries Development Bank of India Act, 1964.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Small Industries Development Bank of India for the year 1990-91. [Placed in Library See No. LT-681/91]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Industrial Development Bank of India together with Audited Accounts of the General Fund for the year 1990-91 under sub-section (5) of section 18 and sub-section (5) of section 23 of the Industrial Development Bank of India Act, 1964.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Industrial Development Bank of India for the year 1990-91. [Placed in Library See No. LT-682/91]

- (4) (i) A copy of the Annual Report (Hindi and English Versions) of the Industrial Reconstruction Bank of India for the year 1990-91 along with Audited Accounts under sub-section (5) of section 29 and sub-section (5) of section 34 of the Industrial Reconstruction Bank of India Act, 1984.

(ii) A copy of the Review (Hindi

and English versions) by the Government on the working of the Industrial Reconstruction Bank of India for the year 1990-91. [Placed in Library See No. LT-683/91]

- (5) A copy of the Consolidated Report (Hindi and English versions) on the working of the Public Sector Banks for the year ended the 31st March, 1990. [Placed in Library See No. LT-684/91]

- (6) A copy of the Notification No. S.O. 551 (E) (Hindi and English versions) published in Gazette of India dated the 27th August, 1991 notifying the rate of interest for the year 1991-92 for subscriptions made to the Public Provident Fund and balance at the credit of the subscribers at the rate of twelve per cent per annum issued under section 5 of the Public Provident Fund Act, 1968. [Placed in Library See No. LT-685/91]

Review on the Working of and Annual Report of the New Delhi Tuberculosis Centre, New Delhi for the year 1989-90 etc.

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI D.K. THARADEVI SIDDHARTHA): Sir, I beg to lay on the Table—

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the New Delhi Tuberculosis Centre, New Delhi, for the year 1989 along with Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of

- the New Delhi Tuberculosis Centre, New Delhi, for the year 1989.
- (2) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above. [Place in Library See No. LT-686/91]
- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Gujarat Cancer and Research Institute, Ahmedabad, for the year 1989-90.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Gujarat Cancer and Research Institute Ahmedabad, for the year 1989-90 together with Audit Report thereon.
- (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the Gujarat Cancer and Research Institute, Ahmedabad, for the year 1989-90.
- (4) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above. [Placed in Library See No. LT-687/91]
- (5) A copy of the Annual Accounts* (Hindi and English versions) of the Council for Research in Ayurveda and Siddha for the 1989-90 together with Audit Report thereon. [Placed in Library See No. LT-688/91]
- (6) (i) A copy of the Annual Report (Hindi and English versions) of the Central Council for the Research in Unani Medicine, New Delhi, for the year 1989-90 along with Audited Ac-
- counts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Central Council for Research in Unani Medicine, New Delhi, for the year 1989-90.
- (7) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (6) above. [Placed in Library See No. LT-689/91]
- (8) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Council of Medical Research, New Delhi, for the year 1989-90.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Indian Council of Medical Research, New Delhi, for the year 1989-90 together with Audit Report thereon.
- (iii) A copy of the review (Hindi and English versions) by the Government on the working of the Indian Council of Medical Research, New Delhi, for the year 1989-90.
- (9) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (8) above. [Placed in Library See No. LT-690/91]
- (10) (i) A copy of the Annual Report (Hindi and English versions) of the Mahatma Gandhi Institute of Medical Sciences and Kasturba Hospital, Sevagram, for the year 1988-89.
- (ii) A copy of the Annual Accounts (Hindi and English

* The Annual Report and Review were laid on the Table on the 26th August, 1991.

versions) of the Mahatma Gandhi Institute of Medical Sciences and Kasturba Hospital, Sevagram, for the year 1988-89 together with Audit Report thereon.

(iii) A copy of the Review (Hindi and English versions) by the Government on the working of the Mahatma Gandhi Institute of Medical Sciences and Kasturba Hospital, Sevagram for the year 1988-89.

- (11) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (10) above.

- (12) (i) A copy of the Annual Report (Hindi and English versions) of the Mahatma Gandhi Institute of Medical Sciences and Kasturba Hospital, Sevagram, for the year 1989-90.

(ii) A copy of the Annual Accounts (Hindi and English versions) of the Mahatma Gandhi Institute of Medical Sciences and Kasturba Hospital Sevagram, for the year 1989-90 together with Audit Report thereon.

(iii) A copy of the Review (Hindi and English versions) by the Government on the working of the Mahatma Gandhi Institute of Medical Sciences and Kasturba Hospital Sevagram, for the year 1989-90.

- (13) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (12) above. [Placed in Library See No. LT-691/91]

- (14) A copy of the Drugs and Cosmetics (First Amendment)

Rules, 1991 (Hindi and English versions) published in Notification No. G.S.R. 11(E) in Gazette of India dated the 7th January, 1991 under section 38 of the Drugs and Cosmetics Act, 1940. [Placed in Library See No. LT-692/91]

- (15) A copy of the Homeopathy (Post Graduate Degree Course) M.D. (Hom.) Regulations, 1989 (Hindi and English versions) published in Notification No. 12-18/89-CCH/3392 in Gazette of India dated the 16th November, 1989 under sub-section (2) of section 33 of the Homeopathy Central Council Act, 1973.

- (16) A statement (Hindi and English versions) showing reasons for delay in laying the Notification mentioned at (15) above. [Placed in Library See No. LT-693/91]

- (17) (i) A copy of the Annual Report (Hindi and English versions) of the Medical Council of India for the year 1989-90.

(ii) A copy of the Annual Accounts (Hindi and English versions) of the Medical Council of India for the year 1989-90 together with Audit Report thereon.

(iii) A copy of the Review (Hindi and English versions) by the Government on the working of the Medical Council of India for the year 1989-90.

- (18) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (17) above. [Placed in Library See No. LT-694/91]

Statement correcting reply to USQ No. 5729 dated 4th September, 91 regarding Doordarshan/AIR Stations in U.P. 13.48 1/2 hrs.

PETITION

Regarding Need for Providing a Railway Level Crossing at Daund District, Pune, Maharashtra

[English]

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI GIRIJA VYAS): Sir, I beg to lay on the Table—

A Statement (Hindi and English versions) (i) correcting the reply given on the 4th September, 1991 to Unstarred Question No. 5729 by Dr. Lal Bahadur Rawal regarding Doordarshan/AIR Stations in Uttar Pradesh; and (ii) the reasons for delay in correcting the reply. [Placed in Library See No. LT-695/91]

SHRI ANNA JOSHI (Pune): Sir, I beg to present a petition signed by Shri Sanjay Madanlal Dabi, resident of Shivaji Chowk, Daund, District Pune, Maharashtra and others regarding need for providing a railway level crossing at Daund, District, Pune, (Maharashtra) [Placed in Library. See No. LT-696/91]

13.48 hrs.

MESSAGE FROM RAJYA SABHA

[English]

SECRETARY-GENERAL: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:-

"In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Remittances of Foreign Exchange and Investment in Foreign Exchange Bonds (Immunities and Exemptions) Bill, 1991 which was passed by the Lok Sabha at its sitting held on the 11th September, 1991 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendation to make to the Lok Sabha in regard to the said Bill."

13.49 hrs

RESOLUTIONS

Re. Appointment of Joint Parliamentary Committee to review the rate of dividend payable by the Railway undertaking to the General revenue

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MALIKARJUN): Sir, on behalf of my senior colleague, Shri C.K. Jaffer Sharief, I beg to move:

- (i) That this House do resolve that a Parliamentary Committee consisting of 12 members of this House, to be nominated by the Speaker, be appointed to review the rate of dividend which is at present payable by the Railway Undertaking to General Revenues as well as other ancillary matters in connection with the Railway Finance vis-a-vis the Central Finance and make recommendations thereon;

[Sh. Mallikarjun]

- (ii) That this House do recommend to Rajya Sabha to agree to associate 6 members from Rajya Sabha with the parliamentary Committee to review the rate of dividend which is at present payable by the Railway undertaking to General Revenues as well as other ancillary matters in connection with the Railway Finance vis-a-vis the General Finance and make recommendations thereon and to communicate the names of the members as appointed to this House*.

MR. SPEAKER: The question is:

- (i) That this House do resolve that a parliamentary Committee consisting of 12 members of this House, to be nominated by the Speaker, be appointed to review the rate of dividend which is at present payable by the Railway Undertaking to General Revenues as well as other ancillary matters in connection with the Railway Finance vis-a-vis the General Finance and make recommendations thereon;
- (ii) That this House do recommend to Rajya Sabha to agree to associate 6 members from Rajya Sabha with the Parliamentary Committee to review the rate of dividend which is at present payable by

the Railway undertaking to General Revenues as well as other ancillary matters in connection with the Railway Finance vis-a-vis General Finance and make recommendations thereon and to communicate the names of the members so appointed to this House*

The motion was adopted

13.49 1/2 hrs

[English]

CONSTITUTION (SEVENTY-SECOND AMENDMENT) BILL*

THE MINISTER OF STATE IN THE
MINISTRY OF RURAL DEVELOPMENT
(SHRI G. VENKATA SWAMY): Sir I beg to
move for leave to introduce a Bill further to
amend the Constitution of India.

MR. SPEAKER: Motion moved:

"That leave be granted to introduce a Bill further to amend the Constitution of India".

SHRI GUMAN MAL LODHA (Pali): Sir,
I oppose the Bill at the introduction stage.

[Translation]

Sir, my objection to this Bill at its introduction stage is because this Bill relates to the autonomous status of States, Article 40 of the Constitution, enacting laws regarding Panchayat and local bodies, provisions regarding Panchayat Samities and Zila Parishads and terms and conditions for holding elections to these bodies.

Sir, our country has a federal demo-

cratic structure. In such a country, the Centre and States can have different viewpoints. There can be a Zila Parishad at one place and a Panchayat Samiti at another place. Even now the States in our country, like Kerala, West Bengal and Rajasthan have different structures. Therefore, Sir, we raise an objection....(Interruptions)...

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): On a point of order, Sir, Shri Lodha, the hon. Member, is aware that the stage is only for considering the legislative competence of the Bill. Let us not go into the merits and demerits now. There is enough time for doing that.

MR. SPEAKER: Weil, I think Mr. Kumeramangalam is right. It is only the legislative competence that we are discussing.

[Translation]

SHRI GUMAN MAL LODHA: I shall briefly explain my objection. I think it would be grave injustice if the right of states to make Panchayat Laws as given under list 2 of the Seventh Schedule of the Constitution is withdrawn. Even the Royal Commission had given an opinion in favour of an autonomous status. All the subsequent commissions recommended likewise. The Sarkaria Commission also said that in matters related to local bodies, our States should have autonomy. So the founders of the Constitution included it in the State list. The Directive Principles also say the same thing. It would be unconstitutional for the Centre to dictate the type of Panchayat System a State should have. Hence my objection to this Bill.

[English]

SHRI CHITTA BASU (Barasat): Sir, I know the limitation of discussion at this stage. That is why we are not required to go into the merits and demerits of the provisions of the

Bill. But apparently, this is the violation of the devolution of power between the States and the Centre as determined by the Constitution of our country. Article 246 (2) and (3) determine the jurisdiction of the State Legislature and the jurisdiction of the Parliament. If you look into the Entry 5 of the State List, you will find it mentioned: "local government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district boards, mining settlement authorities and other local authorities for the purpose of local self-government or village administration." Here, the local self-government and village administration are what is known as 'Panchayat Raj'. Therefore, any legislation covering the villages administration....(Interruptions).

MR. SPEAKER: Chitta Basu, one question is that if this Parliament is making a law, a statute, there will be a position, if the Parliament is amending the Constitution, that is a different position. Can we amend the Constitution?

SHRI CHITTA BASU: There again I will say that if that is so, it affects the Centre-State relations. It affects the existing relations, the existing balance between the Centre and the State. It also affects the basic structure of the Constitution.

MR. SPEAKER: How?

SHRI CHITTA BASU: Federalism is one of the ingredients of the basic structure of the Constitution. Therefore, federalism is being affected by this legislation. We have said that the right vests in the State to have a legislation for municipal corporation, for local self-government....(Interruptions)

MR. SPEAKER: Supposing this kind of change we want to bring about in the Constitution itself, can the State Legislature do it?...

(Interruptions)

SHRI SOMNATH CHATTERJEE (Bolgur): Sir, the trouble is that all the States are not having appropriate Panchayat laws.

[Sh. Somnath Chatterjee]

The concept behind a Constitution amendment is that all the States are either not making laws or are not implementing the laws. But in that name, if you try to encroach into the powers of the State Governments, we object to that. We objected last time also. We have to see whether still mischief is there or not. But at this stage, let it come. *(Interruptions)*

No. mischief? You have all become good boys! *(Interruptions)*

SHRI CHITTA BASU: Therefore, Sir...

MR. SPEAKER: Shri Chitta Basu, this is a constitutional amendment. Who can amend the Constitution—Parliament here or the State Legislatures?

AN HON. MEMBER: There is only a confederation which they are starting. *(Interruptions)*

MR. SPEAKER: It is as simple as that. Who has the legislative competence to amend the Constitution?

SHRI GUMAN MAL LODHA: Sir, after KESHAVANANDA BHARATI case, Parliament cannot amend the basic features of the Constitution.

MR. SPEAKER: The basic structure is not outlined.

SHRI CHITTA BASU: Sir, the Sarkaria Commission also went into the matter. This point was referred to them.

MR. SPEAKER: You can argue on that point when the Bill comes up for the discussion.

SHRI CHITTA BASU: Sir, kindly listen to me. You have raised a question that who can amend the Constitution. The Sarkaria Commission has said that there may be an amendment of the Constitution by Parliament, but the consensus of the State is also

required.

MR. SPEAKER: That is rectification which is necessary in certain cases. Supposing there is a Bill which affects the power of the State Government, it is only then that it has to be ratified by the State Governments.

SHRI CHITTA BASU: That is the question of ratification. But may I know whether this kind of legislation should be sponsored in this House? I am not going into the merits of the case. I would like to say that it falls within the purview of State List in item No. 5. It is violative of the basic principles of federalism and undermines the basic structure of the Constitution. The Sarkaria Commission is also contrary to that. I, therefore, oppose for leave to introduce the Bill.

SHRI SHARAD DIGHE (Bombay North-Central): Sir, my submission on this point is that by passing this Bill we are exercising the Constituent power under Article 368 of the Constitution. If you say that federalism is affected thereby, I submit that federalism is not affected thereby because the power of the State Government to make laws on local governments etc. has been kept intact. This whole Bill says that the State Government may pass a law on these lines. Every section says that the State Governments may ultimately pass a law. Ultimately the power of the State Government is not taken away. Under item 5 in list-II State Government will pass laws on this basis. Also under Article 40 of the Constitution, in the Chapter for Directive Principles of State Policy, it is said:

"The State shall take steps to organise village Panchayats".

Here we are giving them further direction that States should pass laws incorporating these principles. That is the only thing that we are doing. Therefore, this House has got competence under Article 368 of the Constitution.

SHRI PAWAN KUMAR BANSAL (Chandigarh): Sir, the first thing I would like to say

is that you were also pleased to observe that this is a constitutional amendment which we are making and not an ordinary law. Even if we were to amend any Lists of the Schedule VII, Article 368 of the Constitution permits it. But, the basic point involved in this case is the proposed Article 243-G which reads as follows:

"Subject to the provisions of this Constitution, the legislature of a State may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level, subject to such conditions as may be specified therein with respect to: 'the implementation of schemes for economic development and social-justice as may be entrusted to them including those in relation to the matters listed in the Eleventh Schedule'".

Therefore, it does not derogate the powers of the State Legislature, but only enumerates the subjects in Schedule XI on which the States should legislate.

If I may humbly submit with regard to the legislative competency and with regard to Constitution (72nd Amendment) Bill, it is firstly an amendment bill of the Constitution. No other legislature, other than Parliament, has the competency to amend the Constitution under Article 368 of the Constitution. I am sure, nobody disputes that. The only dispute is whether at all this Bill, in any way, affects the basic structure of the Constitution as defined by the Supreme Court in KE-SHAVANANDA BHARATI case.

14.00 hrs

And what is being cited now is Entry 5, in List II to justify it. The issue, firstly, is—Have we, by this Bill, in any way curtailed

their rights with regard to making laws on the issue of municipalities, corporations, local bodies and panchayats? It is not so. All we have done is to try to ensure that the Directive Principles of State Policy in Article 40 are brought out in the Constitution in a manner that regular election takes place, these bodies are regularly constituted. But they are not, as it happens in many States. And these bodies do not really exist, they are only on paper. We have not done anything serious in the sense of saying exactly in what minor detail should be the jurisdiction, method of functioning of the panchayats and all that. The real scope of these local bodies is still left for laws to be made by the Government under Entry 5 in list II. This matter has come up earlier, Mr. Speaker, Sir, in this House on the 15th of May 1989, when the legislative competence was discussed. The former Prime Minister, Shri Rajiv Gandhi, had also very clearly...

SHRI SOMNATH CHATTERJEE: What is the number in voting?

SHRI RANGARAJAN KUMARAMAN-GALAM: 205:5 (*Interruptions*) He wants to know the number. Ayes were 205 and Noes were 5, as recorded.

SHRI SOMNATH CHATTERJEE: Which was that Constitution Amendment? Which number?

SHRI RANGARAJAN KUMARAMAN-GALAM: 64. (*Interruptions*) Sir, the issue that is being raised today has already been raised, the House has already considered it.

SHRI SOMNATH CHATTERJEE: What was that Bill?

SHRI RANGARAJAN KUMARAMAN-GALAM: Constitution (Sixty-fourth Amendment) Bill. The House has already considered it and has debated on the matter and found the legislative competence.

And I may humbly submit that really it is not a question of legislative competence, the dispute is on whether it is fair or unfair,

[Sh. Rangarajan Kumaramangalam]

according to them. But even on that, with regard to this Bill, I am sure that the difference of opinion that had existed at that time is no longer there now. *(Interruptions)*

SHRI SOMNATH CHATTERJEE: One clarification from the hon. Law Minister. Supposing a State Legislature does not make that law, what will happen? What will the Central Government do?

MR. SPEAKER: That is the violation of the Constitution.

SHRI SOMNATH CHATTERJEE: Let him say, Sir. I did not get that answer last time, in 1989. I want it now. They seem to be wiser now.

SHRI RANGARAJAN KUMARAMANGALAM: As and when the issue arises, we shall address it. *(Interruptions)* It is not that the Central Government is powerless or helpless. If a particular State Government decide to violate the constitutional provisions...

SHRI SOMNATH CHATTERJEE: It is a State Legislature. He can you compare the State Legislatures?

SHRI RANGARAJAN KUMARAMANGALAM: If a State Legislature decides not to enact and goes beyond the scope of the Constitution and decides to violate the constitutional provisions, I don't need to tell Shri Somnath Chatterjee, who is far senior to me in the legal profession what powers exist. He knows what powers exist.

SHRI SOMNATH CHATTERJEE: Then you will have to dismiss all the Congress Governments.

SHRI RANGARAJAN KUMARAMANGALAM: I have not said it more am I saying it. But he knows very well what powers exist under the Constitution.

[Translation]

SHRI BHAGWAN SHANKAR RAWAT (Agra): He said that we have not taken the

matter seriously. That, serious efforts were not made. In the basic structure of the Constitution ...*(Interruptions)*... to disturb that ...*(Interruptions)*...

SHRI RANGARAJAN KUMARAMANGALAM: Will you not listen?

[English]

If I am asked to yield, I will yield. But at least have the courtesy.

[Translation]

It has become usual today. I do not as to why?

SHRI BHAGWAN SHANKAR RAWAT: I am addressing the Chair...

SHRI RANGARAJAN KUMARAMANGALAM: There should be some courtesy. When I am standing.

[English]

He should have the courtesy to ask: 'Would the Minister yield?'

[Translation]

He belongs to the old school.

SHRI BHAGWAN SHANKAR RAWAT: I want to raise a legal point, not a political one. I shall look at the political aspect when the time comes. You said that the State should implement the Directive Principles as given in the Constitution. That is why we are bringing amendment. State Governments are Constitutionally constituted bodies and are working under the Directive Principles. It is their duty and it...

[English]

MR. SPEAKER: Supposing elections do not take place for 20 years?

...*(Interruptions)*...

[Translation]

SHRI BHAGWAN SHANKAR RAWAT: I also want to say the same thing, Sir. Please let me have my say. Don't politicise it. This Bill seeks to bring about unwarranted interference on the part of the Central Government. If there had been a proposal to hold elections under the auspices of the Election Commission, which is a statutory body, then it would have been understandable...

[English]

MR. SPEAKER: How do you say that this House cannot pass this Constitution (Amendment) Bill?

[Translation]

SHRI BHAGWAN SHANKAR RAWAT: Sir, I am talking of the basic structure only. That is what you have also tried to say. You could have let me finish what I wanted to say. The State Governments have asked the Centre to conduct the elections. If the Centre had said that under the Constitutional amendment, the Election Commission would conduct the elections, then it would have been in their powers. The Centre has not used that power.

[English]

MR. SPEAKER: When we discuss the clauses and at the consideration stage, you can say all these points. Now, you have to say whether this House has or has not the jurisdiction to make this law.

[Translation]

SHRI BHAGWAN SHANKAR RAWAT: Sir, it does not have the jurisdiction. You had given a ruling that such points could be referred to the Supreme Court. Although such a point has not been referred to in the Religious places of Worship Bill. You said that a decision would be taken later. I think time is very important and lot of resources are spent for this purpose.

MR. SPEAKER: Mr. Rawat, please don't raise that point. Time is limited and there are many other Bills for consideration. There have been many rulings in this House. You need not tell me the rules. We don't take such decisions. From your speech if the Members feel that there is no jurisdiction and vote in your favour it will not be enough.

[English]

Now, the point is, whether this House has the jurisdiction or not, that has to be decided only by the High Court or the Supreme Court.

[Translation]

SHRI BHAGWAN SHANKAR RAWAT: My contention is that if the House does something with brute majority. Which is against the basic structure of the Constitution, it will not be legalised.

MR. SPEAKER: Now don't use that point for making a speech. You can talk about whether it is the correct jurisdiction or not.

[English]

SHRI RANGARAJAN KUMARAMAN-GALAM: In fact, I am not able to understand whether this unfortunate definition of 'basic structure' is going to come in here and that is to the effect that implementing one of the Directive Principles of State Policy will be considered violating the basic structure of the Constitution. That, I think, would be the most unfortunate interpretation that can ever come. We are well within the scope of the legislative competence and we are not interfering into the rights of the States.

MR. SPEAKER: Yes; it is correct.

Now, the question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

SEVERAL HON. MEMBERS: 'Aye'

SOME HON. MEMBERS: 'No'

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Speaker, Sir, it violates the rights of State Governments and is against the basic structure of the Constitution. It will vitilate the relations between the Centre and the State. Thus, we don't want to be a party to it and we walk out of the House.

Dr. Laxmi Narayan Pandeya and some other hon. Members then left the House.

(Interruption)

[English]

MR. SPEAKER: Please understand the way in which they are handling it. I think the 'Ayes' have it. The 'Ayes' have it.

The motion was adopted

SHRI G. VENKAT SWAMY: I introduce the Bill.

14.07 hrs

CONSTITUTION (SEVENTY-THIRD) AMENDMENT BILL*

[English]

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI SHEILA KAUL): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. SPEAKER: Motion moved:

"That leave be granted to introduce a Bill further to amend the Constitution of India".

SHRI GUMAN MAL LODHA (Pali): Sir, I have given notice to oppose it.

MR. SPEAKER: Lodhaji, I am afraid that this is being used as a device to speak.

SHRI GUMAN MAL LODHA: I oppose on the same grounds. The local bodies autonomy comes under Schedule VII, List II, item No. 5. The basic structure of the Constitution is being violated. Therefore, we oppose it.

[Translation]

SHRI BHAGWAN SHANKAR RAWAT (Agra): Mr. Speaker, Sir I want to raise a legal point. Though you have given powers yet you have found a new idea interfering.

MR. SPEAKER: Have you given any notice?

SHRI BHAGWAN SHANKAR RAWAT: I want to make a request, with your permission.

MR. SPEAKER: I have allowed you earlier.

[English]

I have allowed you earlier, because did not want to dampen your spirit.

The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India".

SEVERAL HON. MEMBERS: 'Aye'

SOME HON. MEMBERS: 'No'

[Translation]

DR. LAXMINARAYAN PANDEYA: Mr. Speaker, Sir, I reiterate that it is a direct intervention in the affairs of State Govern-

ment and is against the at basic spirit of the Constitution and it should not be enacted by the Central Government. It will vitiate mutual relations. That is why, we can't be a party to it, also. We walk out of the House.

Dr. Laxminarayan Pandeya and some other Hon. Members then left House

[English]

MR. SPEAKER: I think the 'Ayes' have it. The 'Ayes' have it.

The motion was adopted

SHRIMATI SHEILA KAUL: I introduce the Bill.

14.10 hra

PRE-NATAL DIAGNOSTIC TECHNIQUES (REGULATION AND PREVENTION OF MISUSE) BILL

Motion to refer to a Joint Committee

[English]

MR. SPEAKER: Now, item No. 13, namely Matters under Rule 377 will be taken up at the end. Now we go to item No. 14.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI M.L. FOTEDAR): I beg to move:

"That the Bill to provide for the regulation of the use of pre-natal diagnostic techniques for the purpose of detecting genetic or metabolic disorders or chromosomal abnormalities or certain congenital malformations of sex-linked disorders and for the prevention of the misuse of such techniques for the purpose of pre-natal sex determination leading to female foeticide; and for matter connected therewith or incidental thereto, be re-

ferred to a Joint Committee of the House consisting of 22 members, 15 from this House, namely:-

- (1) Shrimati Dil Kumari Bhandari
- (2) Shrimati Malini Bhattacharya
- (3) Shrimati Saroj Dubey
- (4) Shrimati Girija Devi
- (5) Dr. Viswanatham Kanithi
- (6) Shrimati Sumitra Mahajan
- (7) Shri K.R. Narayanan
- (8) Dr. Kartikeswar Patra
- (9) Dr. Vasant Niwenti Pawar
- (10) Dr. Mahavirsinh Harisinhji Gohil
- (11) Shrimati Geeta Mukherjee
- (12) Dr. (Shrimati) K.S. Soundaram
- (13) Shrimati D.K. Tharadevi Siddartha
- (14) Kumari Uma Bharati
- (15) Kumari Vimal Verma

and 7 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the Budget session, 1992;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya

[Sh. M.L. Fotedar]

Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 7 members to be appointed by Rajya Sabha to the Joint Committee."

At Serial No. 10, Dr. Mahavirsinh Harisinhji Gohil has been proposed and at Serial No. 11 in place of Dr. C. Silvara, Shrimati Geeta Mukherjee has been proposed.

MR. SPEAKER: The question is:

"That the Bill to provide for the regulation of the use of pre-natal diagnostic techniques for the purpose of detecting genetic or metabolic disorders or chromosomal abnormalities or certain congenital malformations of sex-linked disorders and for the prevention of the misuse of such techniques for the purpose of pre-natal sex determination leading to female foeticide; and for matters connected therewith or incidental thereto, be referred to a Joint Committee of the Houses consisting of 22 members, 15 from this House, namely:-

- (1) Shrimati Dil Kumari Bhandari
- (2) Shrimati Malini Bhattacharya
- (3) Shrimati Saroj Dubey
- (4) Shrimati Girija Devi
- (5) Dr. Viswanatham Kanithi
- (6) Shrimati Sumitra Mahajan
- (7) Shri K.R. Narayanan
- (8) Dr. Kartikeswar Patra
- (9) Dr. Vasant Niwenti Pawar
- (10) Dr. Mahavirsinh Harisinhji Gohil
- (11) Shrimati Geeta Mukherjee
- (12) Dr. (Shrimati) K.S. Soundaram

(13) Shrimati D.K. Tharadavi Siddantha

(14) Kumari Uma Bharati

(15) Kumari Vimal Verma

and 7 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the Budget session, 1992;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 7 members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted

14.12 hrs.

WILD LIFE (PROTECTION) AMENDMENT BILL

As Passed by Rajya Sabha

[English]

MR. SPEAKER: We go to the next item.
Shri Kamal Nath.

THE MINISTER OF STATE OF THE
MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): I beg to move:

"That the Bill further to amend the Wild Life (Protection) Act, 1972, as passed by Rajya Sabha be taken into consideration."

India's wildlife is a precious heritage and it is a Constitutional obligation of the Government of India and of every citizen of India to protect and safeguard it.

14.13 hrs

[MR. DEPUTY-SPEAKER - *in the Chair*.]

The depletion of wild life habitats and commercial interests of unscrupulous traders involved in wild life trade had done very serious damage to the wildlife of the country by the 1960s. In order to arrest the depletion of different species of wildlife and to conserve their habitats, both to ensure the survival of these species as well as to conserve the biological diversity of our country, the idea of having an Act applicable uniformly all over the country was conceived and the Wild Life (Protection) Act, 1972 was passed.

As this Act was the first attempt to provide a legal framework for the protection of wild life, it was quite understandable that certain areas of wild life conservation such as management of zoos and conservation of rare and endangered species of plants were left out from the purview of this legislation. The implementation of the Act over a period of time also exposed certain inherent weaknesses in the Act. Besides, the situation has also changed in these past 19 years which require modifications and additions to the legislation. Therefore, the need to bring certain amendments in the act was realised and the Indian Board for Wild Life under the chairmanship of the late Prime Minister, Shrimati Indira Gandhi decided to take up the task of making the Act more comprehensive and effective.

Suggestions from the members of the Board and from the States and Experts regarding the necessary amendments were invited and were examined by a committee formed under the chairmanship of Dr. Salim Ali and finally got approved by the Standing Committee of the Indian Board for Wild Life in March, 1987. The present Bill is an outcome of detailed consideration and con-

sultation with all the concerned Ministries and Departments of the Government of India.

I would like to mention that the Government is fully aware about the importance of the cooperation of local people on conservation of wild life. It is with this fact in view that a provision has been made in the Bill for appointment of representatives of tribal communities on the State Wild Life Boards. Similarly, provision for appointment for Honorary Wild Life Wardens for helping the Government machinery for control of poaching has also been made. It is also being provided in the Act that any individual can file a complaint for any wild life offence before the competent court, after giving a notice to the State Government in a prescribed manner. Provisions for payment of rewards to persons helping in apprehension of offenders has also been made.

The existing provisions in the Act put a restriction on the exploitation of articles derived from the animals included in Schedule-I and Part-II of Schedule-II of the Act. This also applies to the manufacture of life-saving drugs from snake venom. It is now proposed to grant an exemption for collection and preparation of snake venom from the provisions of the Act.

Peacocks shed their feathers naturally. The tribal people collect these feathers and sell it to the cooperatives and organisations involved in the production of articles. It is proposed to exempt Peacock tail feathers from the purview of the Act, so that the local people could get some benefit.

The commercial exploitation of plants has brought many species on the verge of extinction. Provisions to prohibit collection and exploitation of such plants is being made for the first time under this Act. Cultivation and trade in plants so cultivated would be permitted under a licence. The provision, however, would not affect the collection of plants traditionally used for *bona fide* personal use of tribals.

In recent years, a mushroom growth of

[Sh. Kamal Nath]

[English]

ill-conceived and inadequately managed Zoos have become a threat on the wildlife resources of the country. It is, therefore, proposed to provide for the setting up of a Central Zoo Authority for overseeing the functioning of the Zoos of the country and to ensure that only such Zoos which can maintain prescribed norms of maintenance of animals, can operate. Activities causing disturbance to animals in a Zoo and littering the grounds of a Zoo are proposed to be made a punishable offence.

MR. DEPUTY-SPEAKER: He is on a point of order. What is your point of order?

[Translation]

SHRI HARISINH CHAVDA: There is no quorum in the House.

[English]

MR. DEPUTY-SPEAKER: The bell is being rung—Now there is quorum. I would request the hon. Minister to proceed further.

Wildlife in our country has suffered serious depletion on account of pressures exerted by the rapid growth of population and the consumption-oriented approach, regardless of the need to maintain essential bio-diversity and ecological processes, balances, and life-support systems which are so vital for land productivity, food security and human survival. Setting up a network of effectively managed National Park and Sanctuaries is the highest priority of Wildlife Conservation. With this point in view, the provisions with regard to Management of Parks and Sanctuaries are being made more effective and stringent. Realising the need to protect off-shore marine flora and fauna, the legal provisions of National Park and Sanctuaries are proposed to be extended to territorial waters as well.

SHRI KAMAL NATH: Furthermore, the passing of the Wild Life (Protection) Act of 1972 and the policies which the Government has subsequently pursued, has brought about a change in the ethos and outlook of the people. Gone are the days when the shooting of a tiger was looked upon as a courageous act or a status symbol, which was the case in the past. Now, the killing of a wild animal for pleasure or for food would be regarded as a reprehensible act and this attitude is indeed in consonance with our traditions and the precepts of our great teachers. We would like to continue with the aptitude and attitude.

As already mentioned, wildlife populations and habitats have degraded to a great extent under the pressure of human activities. We can no more afford to kill wild animals for the sake of pleasure of a few persons, thus disrupting life forms and linkages vital for the preservation of biodiversity. Wildlife is also in no position to bear the burden of capturing of wild animals for commercial purposes.

In view of these facts, it is proposed to prohibit hunting of all wild animals. However, hunting of wild animals in exceptional circumstances, particularly for purposes of protection of life and property and for research and scientific management and for breeding in captivity under the provisions of Sections 11 and 12 of the Act, will be permitted.

[Translation]

SHRI HARISINH CHAVDA (Banas Kantha): Mr. Deputy Speaker, Sir, I am on a point of order.

Poaching of wild animals and illegal trade, has over the years, taken serious dimensions because of the exponential rise in the price of wild animals and their products. The job of a poacher gets more and more lucrative as a particular species gets rarer. Therefore, proposals have been made in the Bill to make the penalties for various offences more deterrent. It is being made mandatory for every transporter not to accept any consignment of wildlife products

without proper sanction from the authorised officers.

Population of Indian elephants, particularly in South India, are under serious threat by ivory poachers. Although the trade in Indian ivory was banned in 1986, the trade in imported ivory gives an opportunity to unscrupulous ivory traders to legalise packed ivory in the name of imported ivory. With this point in view, the trade in African ivory is proposed to be banned after giving due opportunity to ivory traders to dispose of their existing stocks.

While the Government is taking action for making a legal provision regarding protection of wild life more effective, action is also being taken to mitigate the hardships of the people living in areas around Wild Life Reserves. Recently, a scheme, "Eco-development of areas around National Parks and Sanctuaries" has been initiated with an objective of reducing depredation by wild animals and augmenting the supply of real wood and fodder to the villagers. A new Scheme, "Project Elephant" is also being formulated to tackle the problems arising out of the destruction of important habitats of the species and would go a long way in solving the problem of crops - raiding by elephants. I trust that these Schemes would be able to bring an overall socio-economic improvement for the people living in proximity of wild life areas.

As would be seen, the proposals made in the Amendment Bill could go a long way in conservation of our rare and endangered wildlife as well as the protection of parks and sanctuaries which offer today the safest havens for the protection of nature and the conservation of our floral and faunal genetic diversity. I would request the House to consider and pass the Amendment Bill.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill further to amend the Wild Life (Protection) Act, 1972, as passed by Rajya Sabha, be taken into consideration."

MR. DEPUTY-SPEAKER: The total time allotted for this Wild Life (Protection) Amendment Bill is one hour thirty minutes. Time allotted to different political parties is as follows:

Congress	36 minutes
BJP	19 minutes
Janata Dai	09 minutes
CPI (M)	06 minutes
CPI	02 minutes
TDP	02 minutes
AIDMK	02 minutes
Janata Party	01 minutes
Others	02 minutes

We shall have to confine ourselves to this limit. Now I shall call Shri Rasa singh Rawat to speak.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer): Mr. Deputy Speaker, Sir, the hon. Minister, has given a detailed statement in the House explaining the need of bringing forward the Wild Life (Protection) Amendment Bill, 1991. The Wild Life (Protection) Amendment Act came into being for the first time in the end of 1965. Had it been implemented from the date it was passed, there would have been no need to amend the Act time and again. I regret to say that it is the third amendment within a period of 19 years from 1972. Afterwards, the amendments were made in 1982 and 1986. This Act was enacted on 9th December, 1972. Afterwards, the amendments were made in 1982 and 1986. This Act was enacted on 9th December, 1972. Today, on 16th September, we are going to amend it for the third time. I would urge upon the Government not to pass any legislation in haste. I think that it would have been proper if the Government would have brought forward the amendment after considering all

[Prof. Rasa Singh Rawat]

the loopholes in the Bill. I support the Bill. Many new provisions have been added to it. But, the Government brought forward the Bill to protect the wild life and pet animals and birds too late and made amendments in it time and again. All pet animals and cows useful to human being should be protected. Considering the feelings of crores of people. Had we implemented the law to protect the cows and other animals as well it would have been excellent. Our country has been the follower of 'Ahimsa parmodherma' i.e. non-violence. While praying God "Ya E-she Dweepade Chadushpade" has been said, which means that he is the master of all the animals having two legs and four legs. He is the master of the whole world. So all animals should be protected. Instead of protecting all the animals, the Government is opening slaughter houses in the country. The biggest slaughter house in Asia is going to be opened in Delhi or Meerut. I am coming towards the amendment Bill. If we conserve forests, wild life would automatically be protected. After the independence, the forests of the country have been denuded at a fast speed. In the name of giving contracts to contractors trees are being felled on large scale and the afforestation is not being made at a speed it requires. The time will come when there would be no place for the animals to live in and their species would extinct. The animals are brought in the circus and they are harassed. It has been suggested as to how to bring them to Zoo and provide them protection. It has been suggested to set up a Central Zoo Authority Fund. It is, in fact, a good proposal. No man or institution would be able to run a Zoo independently without getting it registered with the Authority. In future, it would be inevitable for all zoos running in the country to get themselves registered under the Central zoo Authority Act to be passed under the law. It is also proper to set up an Authority Fund for the animals of the Zoo and employees working there. I appreciate the provision made in this bill regarding nature, functions and rights of the authority. But, through you, I want to draw the attention of the Government to the

large scale corruption in advisory boards and among those forest officials or wild life conservation officials who are responsible to conserve the wild life in the zoos. These people, after taking bribe, encourage the poachers. They permit them to enter jungles unauthorisedly. We have to check this practice and also the poachers. Elephants in the forests of Assam as well as of other places are treated cruelly and hunted unauthorisedly to obtain the ivory. Species of white lions are almost on the verge of extinction in the country. The number of animals in all the sanctuaries or reserved jungles is decreasing at a very high speed. Today, same is the position of Girnar forests of Gujarat. The corruption prevailing in the Forest Department must be checked. Honest officials should be posted there. They should be encouraged by giving awards. There should be a provision of stern punishment for those who will be found involved in poaching or exploiting the wild animals. Those who give tip off and help in apprehending these people should be awarded and for this purpose an announcement regarding institution of prizes be made. I think that in this way the law should be implemented properly.

We should protect the interests of local and tribal people. If we fail in looking after and protecting their interests and getting their cooperation, we would not be able to implement the law through this amendment effectively. Therefore, I want to urge upon the Government through you and the hon. Minister to give enough powers to the persons responsible for implementing such laws otherwise it would be quite difficult to implement the laws. You have rightly provided of more punishment. The period of punishment has been increased from one month to one year and two years to four years and amount of fine has been increased from Rs. 200 to Rs. 20 thousand. In spite of doing all these things if we are unable to provide protection to wild life and are unable to check denudation of forests and corruption prevailing in the forest Departments, and also are unable to inculcate the importance of wild life in the minds of people

through the books in liberties, reading rooms and by celebrating wild life days, then we would be confronted with serious crisis. A special species of deer 'Neelgai' is found in Ajmer district and several other areas in Rajasthan. The Government passed an Act to provide protection to this species and banned hunting of it. But they have been damaging the crops worth lakhs of rupees. Farmers guard their fields throughout the night and as soon as they leave their fields these Neelgai in large number attack their fields and damage the crops completely. Therefore, I would urge upon the Government to pay a little attention to this problem. The Government should take some measures to protect the farmers from the loss they suffer due to the damage of their crops. With these words I conclude.

[English]

MR. DEPUTY SPEAKER: If hon. Members stick to the timing, more Members can participate. Even hon. Speaker has made an observation that because of non-adherence of the time-limit by some Members, some other Members could not get a chance. So I request you to stick to the time, so that more Members from their respective parties can participate.

SHRI LAETA UMBREY (Arunachal East): Mr. Deputy Speaker, Sir, I wish to oppose the Bill, but unfortunately I have no authority to do so. That is why, I am half-heartedly supporting the Bill. While there are many reasons for this, I do not know whether I will be able to convince the hon. Deputy Speaker and the hon. Minister for Environment.

I know that the protection of wild life is very important for the survival of human beings, more particularly for the tribals. When we talk of the jungles, sanctuaries, national parks, etc., we think of the tribal people who are living in the proximity of these areas.

It seems that this Bill gives ample scope

for the forest authorities who in the name of protection might harass the innocent tribal people who have been living in the jungles for centuries. The tribal people are living in those protected areas for centuries and they say that these people have encroached upon those areas. But, so far as our knowledge goes, they have never encroached upon any reserved forest or any sanctuary. It is the authorities of the Forest Department who have, without proper consultation with the local tribal people, declared these forests of tribals as wild life sanctuaries, national parks, reserved forests etc. They have asked those people to leave the Place and evictions have been done. It is very unfortunate; that is what I feel. I do not have much idea about other tribal people living in other parts of the Country; but Arunachal Pradesh which is my State, there are 70 per cent of the local population who do not belong to any distinct religious group. They have their own faith, they have their own culture and rich traditions which are very closely linked with the wild life of the jungles. It seems that this Bill is going to encroach upon the traditions of these tribal people.

My main objection is to Clause 3 of Section 33 of the Bill wherein you have given full authority to the Chief Wild Life Warden for issuing arms licences for the people living within a radius of ten kilometers near the protected area. This is very unfortunate. I happen to come from a place where there is a wild life sanctuary which is very near. It is just adjacent and is within ten kilometer radius. I know as to how that wild life sanctuary has come into existence. It is a long history and I do not like to narrate it here.

This particular Clause which I have been opposing was not there in the original Bill earlier. Unfortunately, an amendment was brought forward in the Rajya Sabha by a Private Member which was accepted and that is why, this Clause was inserted in the original Bill. I now request the hon. Minister to look into it. I do not know whether you will give more importance to the human beings or to the wild life. But I will give importance

[Sh. Laeta Umbrey]

to the human beings than to the wild life because I come from a district where the density of population is only two persons per square kilometre and the total coverage of land under forests is more than 62 per cent in my State. There are many instances where the wild animals have killed the innocent people and travellers. If you contact the State Government, you will come to know how much compensation is paid every year for the crops destroyed by the wild animals. I would like to mention that recently a student from Delhi University went home during the vacations about 1 1/2 months back, he was killed, along with other six persons by a wild elephant. Like that, there are so many instances where innocent people become the victims of the wild animals. These people require arms for their protection which you are denying. So, I request the hon. Minister to look into it.

I have many points to mention but I realise that there is a paucity of time. But I must mention about a very serious problem. It is understood that 3.45 lakh hectares of land have been dereserved during the last ten years and 1.38 lakh hectares have been dereserved last year. There are several recommendations from the State Government for dereservation of forests, particularly from my state. As I have already mentioned, we have 62 per cent of the total land covered by the forests. I do not understand the logic how dereservation has taken place where there are no forests and dereservation has been denied where there are forests. We have been asking simply dereservation on grounds of giving equal land from the unclassified State forests as those reserved forests are very much close to the people living there. There are sanctuaries, national parks and reserved forests in places where cultivable land is available. We have many hills and mountains where there is no population and which are not cultivable. We have some of the very rare species of wild life which need to be protected in those places. But nothing has been done in this direction.

MR. DEPUTY-SPEAKER: Please conclude.

SHRILAETA UMBREY: Since you have given a very little time, I must conclude. Before I conclude, I would like to request the Hon. Minister for Environment that the serious threat to the wild life is from urbanisation and the development, and not the tribal people living in the close proximity of the sanctuary areas. It is definitely going to give full scope to the various Forest authorities to harass the innocent tribal people living near the sanctuaries and the protected areas. So, I hope the Hon. Minister will take a very serious note of it.

SHRI SYED SHAHABUDDIN (Kishanganj): Mr. Deputy Speaker, Sir I rise to support the Bill. I welcome it as a comprehensive legislation for the protection and conservation of our natural flora and fauna and I am happy that it is based primarily on the expert advice given by the National Board for Wild Life. I am particularly happy that plants have been included in the definition of wild life. I think it is indeed a fitting gesture in a country whose basic philosophy is unity of all forms of life. I recall not only the philosophy of Mahavir but also the fact that the great scientist, Jagdish Chandra Bose was instrumental in establishing that plants too have life and for that, he had received the fellowship of the Royal Society.

Sir, the problem posed by the hon. Member who spoke before me is also a real problem, that is, the problem of finding a balance between the claims and interests of the people who inhabit our forests, our brothers, the Adivasis and Vanvasis and the need for protection of wild life. Indeed, the hon. Minister must enlighten the House about such situations as described by the hon. Member and the methods and principles applied by the Government in trying to find a proper balance between the two apparently conflicting interests.

Sir, the Bill has added some teeth and I am very happy about that. The penal offences have been refined more severely and

the punishments have been made more deterrent. But I am rather surprised that the Bill is silent about the punishment to those who are given the responsibility for protecting wild life out who in fact, commit offences in cooperation with the poachers and sometimes even to please their guests. I know of any number of cases where for pleasure and as a gesture of hospitality, the forest and the sanctuary authorities have allowed willful and deliberate violation of laws as they stood. Well, this is a deviation from the norm of duty. But I think the hon. Minister must go into this aspect and see to it that those who are given this responsibility, in fact, carry them out and such abatement violation in the form of help and cooperation attracts the most severe punishment and they do not receive protection under our normal laws which give protection to a public servant who is engaged in the pursuit of his normal duty. That is the normal plea that is taken. I know of police officers who have been instrumental in denuding the forest of their wild life and I am sorry to say that I know of situations where the Central Government itself had deemed it fit as a gesture of official hospitality to permit hunting by our foreign guests as a matter of diplomatic courtesy. I am sure the hon. Minister is aware of such situations. I do not think that the interest of wild life can be sacrificed in the interest of diplomacy which is supposed to protect our national interests. And, therefore, Sir, while supporting the Bill, I plead with the hon. Minister that the official responsibility for the protection and conservation of wild life must be fully implemented and no loophole should be left. Otherwise, all his efforts will be completely valueless.

There is another point to which I would like to draw the attention of the hon. Minister.

I am happy that he is also in charge of Forests and therefore in charge of the administration of the Forest Act. Now wild plants have been brought under his Bill. There has to be a certain degree of coordination between operation and administration of the Forest Act and this Wild Life Act. I am sure that this goes without saying,

because many plants particularly those of medicinal and therapeutic value, require the forest environment for their growth and nourishment. Therefore, it is absolutely essential to have some sort of an official linkage between the operation of the Forests Act and the operation of the Wild Life Act.

Mr. Deputy Speaker Sir, I am also happy that the Central Zoo Authority is sought to be created. I know of situations and in fact I knew of a young group in Delhi, which took upon itself to check the manner in which the animals in zoo were being looked after. I am sure it is not hidden from the hon. Minister how the animals kept in captivity, who are in our hands, who are not free and who cannot fend for themselves are sometimes starved and even ill-treated. I am sure that this Central Zoo Authority shall not merely go into the question of allocation of wild animals to various Zoos, circuses and other institutions, but also ensure that wherever they are kept, whether in public zoos or in private Zoos. They have as natural a habitat and environment as possible and are well looked after. With these few words, I support this Bill.

SHRI NIRMAL KANTI CHATTERJEE (Dum Dum): Sir, please let me make a small correction in his speech. J.C. Bose did not receive the Nobel Prize.

SHRI SY ED SHAHABUDDIN: That is right. He received the Membership of the Royal Society. I stand corrected. Thank you.

SHRI NIRMAL KANTI CHATTERJEE: He did deserve the Nobel Prize. He did not get it because of the colonial rule.

MR. DEPUTY SPEAKER: To that extent, the amendment is allowed.

SHRI G.M.C. BALAYOGI (Amalapuram): I am very happy for giving me an opportunity to speak on the Wildlife Protection Bill. I just want to give some suggestions to the hon. Minister.

Sir, while making the provisions of the

[Sh. C.M.C. Balayogi]

[Translation]

Act more effective and stringent, due regard should also be given to the rights of the local people, particularly tribals. The rights and development of the tribal people are neglected for years together. If the tribal areas are properly developed and the tribals are given educational and other facilities, the tribals themselves will protect the wildlife and also the forests in the country.

Secondly, I would like to mention that not only the wildlife in the forests, but the forests are also very important. I say this because every year, we are losing our forests. As per the information available, in the beginning while we had 45 per cent of forest land, now it is reduced to a mere 15 per cent. Since the hon. Minister is also in charge of Forests, I request him to take care of this aspect. Since the forest land is getting reduced, you can develop afforestation programmes in the coastal areas because we have a very long coast. Even in our State, Andhra Pradesh, there is a lot of coastal area. The people who live in these coastal areas by profession are fishermen. Their main profession is to catch the fish. Their living conditions are more sub-standard than the living conditions of the tribals living in other parts of the country. In this connection, I would request the hon. Minister to agree to the recommendation of the Government of Andhra Pradesh. The Andhra Pradesh Government has recommended inclusion of fishermen, living in the coastal line, in the list of SCs/STs. If afforestation is done properly, we can control the cyclones. Due to these cyclones a great amount of damage is done to the fertile land of the coastal areas.

In Andhra Pradesh there is a vast area of forest. There are a number of wild animals in these forests but so far the Government has not set up any zoo in this area. I request the hon. Minister to locate one zoo in Andhra Pradesh, particularly in the East Godavari, where thick forests are available.

*SHRISUKHENDU KHAN(Vishnupur): Hon'ble Deputy Speaker Sir, the Bill moved by the Minister of Environment and Wild Life concerns with the protection of wild life. I rise to support the Bill. The Bill was passed in 1972 and I am happy that now the trees are also included in the amendment of the Bill. It is a good step and that is why I support the Bill and thank the Minister for the inclusion of trees also in the Bill. While supporting the Bill I would like to bring to the notice of the House some alarming facts. Many Hon. Members have expressed their opinion regarding the Bill. I do not want to repeat them because the time is short. The Bill was passed in 1972 and from 1972 to 1991 the picture before us is very much alarming and disturbing. In India we have lost 91700 Sq. K.M. of land in forest area. But that vast area of forest now has been facing destruction. About 15000 Sq. K.M. of forest area is being destroyed every year. It is indeed an alarming matter. The Hon'ble Minister of Environment has come from Madhya Pradesh. Madhya Pradesh is the largest State in India and here the density of population is low. Compared to population the area is large. The forest area of the State has been 45% till 1956. But at present it has been reduced to 15% (1991). It is indeed a very disturbing and alarming situation. If we cannot maintain our ecological balance, it would be difficult to survive. Hon'ble Deputy Speaker Sir, we have passed many Bills in Rajya Sabha, in Lok Sabha or in State Legislative Assemblies. But if those Bills or Acts are not implemented or materialized the purpose of passing them fails. If the Acts or Bills are not implemented properly, then the people for whom we want to pass Bills or Acts can never be benefitted. So mere passing of Bills or Acts is not enough. This must be implemented, made useful for the benefit of common man for whom these Bills are passed.

Sir, I come from a forest area. We have seen how life was so risky there 30 years

back. We always had the fear of being attacked by wild animals. We were scared of going near the forests because of the wild animals. These animals used to attack the inhabitants as well as the pet animals of the area. But today in this advanced scientific age we find the trend has reversed. We are trying to keep the ecological balance and to protect the wild animals. It has been our endeavour to see how the number of wild animals can be increased.

But Hon. Deputy Speaker, Sir, we cannot achieve this aim just by passing Bills or Act. Of course we need some Acts and Bills. But we have to see that these Bills and Acts should be put into effective use. Hon. Deputy Speaker, we need to educate people to make them conscious for the protection of wild life. This can be achieved through T.Vs and other medias. People should be aware of the urgency of protecting wild life. This we can do through publicity, through some educative programme with the help of all kinds of medias. In Sikkim we have seen that the teachings of Buddha were preached through media. In those teachings of Buddha the emphasis had always been to have love and kindness for animals and the trees. It is also necessary to take some effective steps for conservation of forests and trees. In my State of West Bengal, our State Government. has been doing this task through the system of Panchayat. A Committee for protection of wild life comprising of the people residing near the forest has been formed. Since this Committee includes the village people, the people staying near the forest, it is but natural that proper steps are followed for the preservation and protection of trees and forests. The forest Deptt. is a complicated or should I say a confused Deptt. We have seen if the trees are preserved, they are destroyed also. If trees are planted, they are felled also. In the forest Deptt. permit is issued to fell trees in some particular part of the forest.

In this context we cannot forget the Adivasis. Adivasis have been the original inhabitants of the area. They used to preserve the forests for their own interests.

They needed fire wood and so they used to conserve forests and trees for their own purpose. If they use to fell trees for their fire wood or other purposes, they used to plant them also. Naturally the fertility of the land was preserved by the leaves of the trees. Mushroom being their food, they used to get it in abundance in forest.

The people, the school children should be made aware of the need for conservation of wild life and forest through electronic media. They should be shown films and instructive programmes for this purpose. Then only we can achieve the purpose of passing the Bills for protection of wild life and forest.

Sir, while participating in the discussion I would like to give some suggestions. The West Bengal Govt. has kept some places for Zoos and they have sent some proposals also for National Parks and sanctuaries. I request the Central Govt. through you Sir, to grant fund for these proposals of West Bengal Government so that these can be materialised. Another proposal is to sanction fund for Marine Park at Sagar Island. I would like to mention another proposal and that is Buffer Zone in shore areas should be set up for National Park and Sanctuaries. The Centre Government must sanction funds for this purpose. I have some more suggestions also but since the time is short and the bell is ringing I think the Speaker to give me opportunity to speak and after supporting the Bill I conclude my speech.

15.00 hrs.

SHRI VIJOY KUMAR YADAV (Nalanda): Mr. Deputy Speaker, Sir, I support this Bill. I would also like to give two three suggestions only in this regard. The hon. Minister stated that exemption will be given to the traders who are engaged in export of ivory. I feel that this step would prove an obstacle to check the practice which the Government propose to do through law. Therefore, my submission is that the Government should take over the stocks of ivory available with these traders and take the charge of its export.

[Sh. Vijoy Kumar Yadav]

15.02 hrs.

[SHRI P. M. SAYEED *in the Chair*]

Otherwise the trade of ivory would not last long. So far as the provision of punishment is concerned, my submission is that it should be made more stringent and all the crimes dealt under this Act should be considered as cognizable and not only those who directly violate the rules but also those who instigate to do so or provide any financial help should also be penalised. Moreover, the Government officials who allow such deeds to be done merely due to their greed for money should also be penalised under this law.

The cruelty to animals in circus and zoo will not stop upto when they know that there are flaws in the law. Because they would not follow the rules as long as they are convinced that there is no such agency which can monitor their work properly. What is the use of this Bill if they maintain the same impression; this would rather prove an obstruction to fulfil the motive of the Bill. My submission in this regard is that an agency must be set up.

MR. CHAIRMAN: Yadavji, please come forward. Your voice is inaudible here. You may kindly speak a bit loud.

SHRI VIJOY KUMAR YADAV: I am just to conclude now. I would not like to speak much.

My submission is that some agency must be formed in order to prevent the cruel practices just referred to.

The problems of Adivasis are related to forests and that is why I agree to what the member of Congress party has just referred to that the Government should take care of the interests of Adivasis but not to adjust to that extent that the very purpose of this Bill is lost.

The Bill has several other shortcomings. Though it is an improved one in comparison to the Bills presented so far, yet the Government should make efforts to bring more comprehensive Bill in future.

With these words, I support the Bill.

[*English*]

SHRIMATI VASUNDHARA RAJE (Jhalawar): Over the last two months I have had many a run-in with the Hon. Minister for environment. But today I am happy to be rising in the House to support with all my heart this Bill that he has brought before the House.

In such a short while that he should be able to bring into the purview of this Bill the various things that he has, I think, requires a certain amount of congratulations. Banning of hunting of any sort, protection of plants, the grazing and movement of livestock to be protected, immunization of livestock, ban of ivory, etc., are all, I think, points that we can commend.

But at the same time, again not being an expert in the field, I still believe that there is a note of caution that one has to sound and certainly I feel that the Minister may perhaps look at these carefully so that they may also be included, perhaps, in a different way in the Bill than that we find was put forward.

The Hon. Member from Arunachal seemed to voice the same difficulty, when he said that within a ten kilometre radius around the sanctuaries no licence should be issued for the use of weapons, unless the forest wardens agree on it. I want to just say that we should not make the mistake of having over-legislation but let us try and give teeth to that laws that we have already got. Because it is difficult to enforce the law — rather it is impossible. What makes the Hon. Minister think that there would be no poaching in the forests if those people within ten kilometres radius are deprived of their weapons?

Apart from that the Hon. Member, Shri Shahabuddinji has said - a lot of others agreed with him - that the forest employees connive with poachers and mafia gangs to eliminate wild life in the forest. To a large extent, there is truth in this. I will say that the game wardens and rangers have huge areas to patrol without the means. First of all, the salary which the ranger gets is a very meagre one. The area that he patrols is huge. There are a large mafia gangs operating in the area. He has, no weapons. And no amenities are made available to his family. He is away from his family for a long period of time. I believe that he can not be an effective tool to help the Ministry and the machinery. I feel that perhaps the Minister should think seriously about arming these people; raising their salaries; lowering the area of operation and providing them vehicles so that they really may be able to operate effectively.

One thing the Minister has failed to mention is the subject of fishing. Rivers like the Kosi, and the Ram, Ganga are famous for mahseer fishing. And because of large scale bombing, the fish have died out. I do not think there are any hatcheries set up for the propagation of these fish. Sat for mahseer, which is a fantastic game fishing. Also in a place like Corbett Park, perhaps fishing should once again be allowed in blocks. There is a complete ban on it at the moment. This ban was imposed to save the mahseer but is having adequate effect on the mahseer population. As a result, the malli, which is a cat fish, which is carnivorous, eats the mahseer and the mahseer population diminishes. Perhaps the Minister could keep an eye on this and may be he can bring in fishing into the purview of this Bill.

About fires, one read a lot. Vast tracts of forest have given way because of fires. How many of these are really fires and how many of these are fires which have been lit by the people of the area, remains to be seen. And I do not think that we really have very good figures on this. Perhaps, if the Government pays special attention to this, may be we would be able to save some

areas of forest, which go every year, through this scourge.

I want to say that today the subject of environment being discussed in drawing rooms. And somehow it has become an issue, which has acquired a snob value. I really believe that we must now bring environment to earth. While we are enforcing the laws that we have already created, let us also create public awareness, by which the people of the District, the people of the area, are not only educated but also join hand with the Government to make this their movement. Take for example, the Bishnois of Jodhpur, who protect the black buck with their lives. As a result, the black buck population has gone up in that area.

The few points which I have brought to the notice of the Minister here, should be given the attention it requires and perhaps they can also be incorporated in the Bill.

Sir, I had travelled in the forests around Nainital, Haldwani. They are very beautiful forest. I want to bring to your notice some points which highlight the way the forest officials have been suffering in that area.

Six months ago, there was an incident, in which a mafia gang which used to cut wood was found operating in that particular forest by the forest people. The forest people apprehended them. They issued a warning, which was ignored and they fired, and one of the mafia people dropped dead. There seems to be some of kind of a problem between the police and the Forest Department also because even though he went immediately to lodge his FIR and told them this problem, he was apprehended and put in jail. And he remained there for quite awhile. I remember, at that time, bail was granted to him after a long period of time. The forest people were worried about how and what route they have to take to bring the official back because the mafia gang had issued a death threat to him and his family. Now in this sort of situation it is almost impossible for people to function. I really believe that something has to be done and done soon if we are serious. There is no

[Shrimati Vasundhara Raje]

point in discussing this again and again in Parliament as we do it all the time. This Bill looks very very officious, very comprehensive and very attractive. But I really think that you must time bar it by yourself and perhaps the next six months or eight months or whatever - try to push these things through.

While I support this Bill fully and wholeheartedly. I still want to register my protest against the anti-development attitude of the Environment Ministry. Whether it is to do with the forests and the people of that area or with the development projects of our state or whatever it may be, I, coming from Rajasthan, have been suffering at the hands of the Environment Ministry for the last six years. While I have complete sympathy and support for this Bill, I expect that you also have the same kind of sympathy and support for the development projects of various States and the people of this country.

SHRI SRIBALLAV PANIGRAHI (Deogarh): I rise to support this Bill. I wonder why there was such a delay in bringing forward this Bill. Even the previous Governments could have acted upon the report submitted as far back as 1987. The Expert Committee went into this question and submitted its report in 1987. The previous Government could have acted on that and brought forward this legislation.

Any way, I congratulate the Hon. Minister and the Government for taking this matter so seriously and for having come forward before the House with such a precise and comprehensive legislation containing many revolutionary and welcome features in this Bill.

It is common knowledge that without survival of wild life, without protection to wild life and wild plants - some plants as specified - the survival of the humanity is at stake. Therefore, it is very important that we protect wild life properly.

I would quote from the report of the

Washington Research Institute. This Institute has observed that the rate of deforestation in India is about 15,000 sq. kms. annually. According to WHO report, the illicit rate of poaching is rampant in our country. Even the Minister has not made a secret of it. He has himself admitted that in spite of this 1972 Act, poaching is going on in some areas unabated. About that also the Indian Institute of Public Administration has reported that the main objective of the Act after its enactment in 1972 has not been fulfilled. Therefore, in this background we welcome this Bill. Even there is unanimity in this House to welcome this Bill. But now the question remains about its implementation, how properly it could be implemented both in letter and spirit.

Coming to the Bill I would say that depletion of forest also leads to depletion of wild life. When there is a large coverage under forest, so many tigers and so many varieties of wild life come to stay. As you know peculiarly there is something that one tiger can remain within an area of 20 kms or so. Two tigers cannot stay together in one such area. But, now the entire forest area is getting drastically reduced. The real forest coverage is very much reduced. It was 42 per cent by the time we achieved independence, as per our record. But, now it is reduced to even 15 per cent or 13 per cent. There is difference of opinion. It has reduced the scope for wild animals to grow. Ideally, the forest coverage should be one third of the total land. I am really happy that two new chapters are added. One Chapter is 3A, that is Protection of Plants. There is another provision relating to Central Zoo Authority. Naturally, we have to see that forest is not depleted.

I am happy that the tribal people who are collecting fruits etc. for their own personal bonafide use from the trees etc, they are not prevented. This is a very positive development. That is a welcome feature. Earlier, they felt isolated. The tribal people were feeling neglected. The way the forest officials were behaving, they were feeling neglected, they were feeling isolated as if

they were the enemies of the forest. That was the impression created by unsympathetic action of the forest officials. They are part and parcel of our forest. So, we have to enlist their cooperation, and this is a positive step.

Now, would like to say something about poaching etc. that goes on in some places in connivance with the forest officials and the forest officials are sometimes helpless to check them. The poachers came by speedy vehicles and armed with sophisticated weapons. Therefore stern action should be taken against those who are colluding with the poachers. Apart from that, the forest officials should be provided with necessary modern weapons and instruments. They should be provided with all sorts of weaponry and all those things to protect wild life, to protect themselves against the likely on slaught by the poachers. They are very criminal minded. Now, this commercial poaching to going higher and higher because the skins of wild animal have a good market in foreign countries and the business is lucrative. Therefore, it has to be taken notice of.

Lastly, another good feature is there and that is, in respect of grazing of live stock. The people in the vicinity of forests have a grievance against the Government, against forest officials that their live stock is not allowed to graze. Therefore, it has to be allowed. But, we have to see that all the provisions are properly implemented.

Lastly I have a suggestion to make Government that India is very rich in flora and fauna. Indian regions have been one of the most important centres of diversity in the whole range of plant wealth which is of great economic significance. This can only be done not by protection of the wild life alone but by protection habitat in the country, by protection of the bio-diversity and conservation thereof. Apart from these great animals, there is a vast area of forest genetic resources and marine genetic resources in our country. You know, Sir, how we are facing the problem of population explosion in our country. If properly exploited, if properly

looked after, even this marine wealth, marine food, sea food, etc. will go a long way to meet our requirement, the ever-increasing food requirement of our population. Therefore, we ought to ensure that the enormous wealth which is contained in the reserves is, infact, protected.

I would request the Hon. Minister through you, Sir, to look into this question and to set up a National Board for Conservation of Bio-Diversity.

With this, once again I whole heartedly support this Bill and request the Minister to lay emphasis on its proper implementation. The States' machinery does not lie in his hands. Therefore, he has to bring in the same spirit in the State Governments and also in the concerned machinery. The relevant machinery has got to be infested with this so that it can be implemented in its true spirit, in both letter and spirit. Thank you, Sir,

SHRI BOLIN KULI (Lakhimpur): Mr. Chairman, Sir, I rise to support this Bill and on this occasion I want to make a few points regarding Assam.

Kajiranga in Assam is the only place in the whole of the world where the world famous one-horned rhino is available. Unfortunately, this rare species is on the verge of extinction because poachers are killing the rhinos surreptitiously for their personal gain. By selling the horns, the poachers collect a huge amount. There is a big racket behind this operation. Unless this operation is stopped immediately, this rare species will disappear on earth. In this connection, may I request the Minister of Forest and Environment to help the Government of Assam in preparing and implementing a scheme for preserving the endangered species because the State Government alone is not in a position to do so due to paucity of funds?

Secondly, Sir, this famous national park Kajiranga is facing the danger of extinction due to erosion and floods. Floods followed by erosion are threatening the very existence of this famous park. There should be a

[Sh. Bolin Kuli]

flood and erosion protection scheme for the park to protect the very extinction of the park.

Thirdly, Sir, the number of elephants have increased manifold in Assam. Many times elephants use to come out from the forest and damage the crops and kill the people living nearby jungles. Therefore, the people living nearby jungles are suffering from the menace of animals, mainly of elephants who cause damage to life and property.

So, I request that the Government should take appropriate measures for the protection of the life and property of the people, mainly of the people belonging to tribal communities and living nearby the forests. Also, the Government should give immediate and proper compensation to the people for the damage caused by the wild elephants to their life and property.

Sir, fourthly, the law enforcement authorities should be pulled up for their negligence which causes the lives of wild animals including elephants which are killed by the poachers. Strict action must be taken against such erring officials.

With these few words, I conclude and thank you for giving me the opportunity.

[Translation]

SHRI AYUB KHAN (Jhunjhunu): Madam Chairman, I am grateful to you for giving me an opportunity to speak. I also congratulate the Hon. Minister who has introduced a Bill which is important in every perspective, rather to be worshiped. Our religious book say that just as a man worships God similarly plants, trees also worship God. Some trees are even worshiped; therefore it is inappropriate on the part of man to fell trees. The Hon. Minister has taken the responsibility to provide complete protection to them and I hope that he will get the reward for it. I would call it a sacred deed. Most of the people grow 'Tuls' in front of their

house. People in Rajasthan are very fond of growing Peepal, Tulsi etc. Drinking water is scarce in that region but these plants are watered at every cost because they are associated with the religious sentiments of people. I would urge the Government to provide proper protection to these plants. Our forefathers in Rajasthan made a considerable contribution to grow forests. But those forests are in very bad shape these days; people have been indiscriminately cutting trees there. A vast area is Jhunjhunu and Fatehpur is covered by a dense forest. But due to lack of proper attention almost half of it has already vanished. Jhalawad is a naturally beautiful district in Rajasthan. There are ravines in that region where stone mines are located stone chips, emitted at the time of digging the mines are spread in the forests which causes heavy damage to the forests and cases of chest pain and Tuberculosis are increasing there. I referred to Jhalawar and Fatehpur forest just because I would like to give a few suggestions in this regard. In the first place, the forest guard should be provided communication equipments either a wireless or a telephone. If double connection can not be provided single wire telephone will serve the purpose to convey the message from one place to another. Some people hunt deer whereas some keep them as pets. These hunters dig pits to throw them into it and thus hunt them. The Government should pay attention to these matters also. I would like to draw the attention of the Government to the submission made by one of the BJP members. Neelgai is worshipped in our country. People are against its hunting. We worship "Neelgai" in the same manner as we worship cow. Hunting of Neelgai should be banned to protect this species. The members of BJP may speak in favour of its but my opinion is that its hunting should be disallowed.

SHRI RAJVEER SINGH (Aonla): You are levelling charges on BJP again and again. Our friend suggested that this species was causing a heavy damage to the crops and thus the Government make some arrangements to keep them either in forests or at any other distant place so that they are

away from the fields and may not damage the crops.

SHRI AYUB KHAN: I know you very well, you need not give clarification. you are not present at that time but I was. They are found in my constituency. I would also like the Government to keep them in sanctuaries so that they are fully protected and may not damage the crops. Some people keep parrots as pets, this should also be banned. It should not be considered as an item of grace for the house though it may kept out of affection for it. Parrot also likes freedom as much we like. God takes care of birds as well as animals the same way. He looks after human beings; birds and animals need freedom as much as the human being need. Therefore, the Bill introduced in the House is very important and all should support it.

The Government should also pay attention to the Jhunjhunu and Jhalawar forests.

[English]

SHRI VIJAY NAVAL PATIL (Erandol): Mr. Chairman, Sir, during this century because of the exploitation of natural resources, denudation of soil and deforestation, we are on the verge of a catastrophe whether it is in the form of increase in the carbon-dioxide percentage in the atmosphere or increase in the temperature because of which there may be increase in the sea level and cities which are near the sea coast will be in imminent danger of submersion.

Sir, as far as this Wild Life (Protection) Amendment Bill is concerned, I thank the Minister for bringing in its fold animals, birds and plants, all together. The idea of building more national parks is also good, but at the same time, we must consider what we are doing to the wild life near the sea shore specially where the rivers meet, where there is sedimentation. Because of emission of a lot of pollutants from the chemical factories, the life under the sea is also in danger. We learn that in Black Sea, almost four species of stark fish are already extinguished and fishes living in plantcon are also vanishing

and only gelly fishes are alive. If the balance under the sea is also disturbed, then there will not be enough oxygen and there will be danger to the life on the globe.

Sir, the provision of punishment incorporated in the Bill is welcome. There is a fine of Rs. 25,000/-, but the imprisonment is only for three years. This should be increased. The Wildlife (Protection) Act was passed in 1972, but we are not able to give proper attention to that, because there is no social awareness. We give advertisements regarding population control. Everyday we show that so many people are added to our population on Doordarshan. So, if it is a made a point to show the species which are on the verge on extinction, then the people will be aware of these facts. The children and the future generation will know as to how to protect the wildlife. It is not sufficient to have this law, because whenever there is Parliament Session, excepting the Budget Session, we find that there are so many enactments and amendments to Acts. But the implementation is not done properly. The responsibility for implementing these laws vests with the Forest Officers any they are not so much responsible. That is why, we find that they are hand-in-glove with the poachers, on many occasions and important animals and birds are being killed.

We learn that in Africa, for collection of ivory many elephants are begin killed. Therefore, they have passed drastic Acts there. In Mysore jungles so many elephants are being killed and in Assam jungles so many rhinoceros are also being killed. If we do not take timely and stringent measures to prevent these things, a day may come when our future generations have to see some of the animals and birds only in pictures and museums that such and such animals and birds lived in the 19th Century or so. This Bill is an important Bill and it is very comprehensive also. I compliment the Hon. Minister for bringing this Bill.

[Translation]

SHRIMATI GIRIJA DEVI (Maharajganj): Mr. Chairman, Sir, I fully support

[Shrimati Girija Devi]

this Bill. I am anguished to think that in this country where several animals and trees from Tulsi to peepal are worshiped, the need for such a Bill has arisen. It appears that the situation has become quite grave and there is great need for saving the wild animals as well as wild plants. To save the wild animals, the biggest need is to save the forests. The gradual decrease in the area of forests is the main reason behind the killing of animals. I read it in the newspaper today that every year deforestation is taking place in the forest land equivalent to the total area of Haryana. In such a situation, if we only enact laws for the protection of animals, it will be confined to paper alone. Firstly, we should think how the forest area can be increased. Secondly, we talk about saving the animals but humans in large number also live in the forest. The operation of various laws and decrease in forest area compel them to lose their livelihood. A hungry person may commit any crime. In order to earn their livelihood, either they cut the trees or kill the wild animals and in this way both the forests and wild animals are getting wiped out. Superstitions is another reason for their extinction. It is said that a medicine is prepared from the horn of Rhinoceros. But the horn of Rhinoceros is not actually a horn. It is also heard that medicines are prepared from the fat of several wild-animals. Once a doctor told me that he could treat my sinus with the medicine prepared from the fat of lion. I told him that I would live with my sinus. I don't want to get my sinus treated with the fat of a lion. We have such superstitions that medicines can be prepared from the hair or fat of a particular wild animal. We should educate the people about all these odds. Wild animals are killed due to such superstitions. Fashion is also a reason behind killing of animals. Purses and shoes are made from snake skin. A feeling should be created among the people that such persons who use them should be looked upon with hate in society. This may save the lives of innocent animals. People take pride in hanging the hides of lions on their walls. If the Government recovers all such hides them and declare them a na-

tional wealth, may be they will not try to do it again. There are many other things too. The practice of sacrificing animals is still followed at several places. I am a vegetarian and believe in non-violence. Whether such laws are made or not, such public awareness be created that animals can only be protected when people are themselves prepared to stop huntings. I conclude while thanking you for giving me the time.

15.48 hrs.

[English]

DR. ASIM BALA (Nabadwip): Sir, the main Bill was enacted in 1972. This is the third amendment which has been brought forward by the Minister to include plant protection. I thank the Hon. Minister for bringing forward this Bill.

I feel, at least, we need to maintain biodiversity and ecological process and balances and life support system which are so vital for land productivity and food security and human survival. Setting up a network of effectively managed national park and sanctuaries should be given the highest priority for wild life conservation, especially to protect offshore marine flora and fauna.

I would like to say that in West Bengal, in Sunderbans, Darjeeling, Purulia and North Bengal, there are a lot of forests and some wild animals are there specially in Sunderbans. Royal Bengal tigers that are very famous are found in Sunderbans. Sometimes, the forest is not well protected because manning is not done due to shortage of funds. The forests are naturally growing in nature. But the Ministry of Environment and Forests is not taking care to develop the Sundarban area. Moreover, nowadays, especially the animal skins are exported illegally. Some illegal trade practices are very much rampant in our country. I have some report which says that in 1988 roughly 44849 skins of wild animals were seized. By the dimension of this figure, you can easily guess how much of illegal activity is going on; how many illegal traders are active in

killing these wild animals. I would like to point out here that especially the ivory-grade elephants are killed by the illegal smugglers or illegal traders. By killing these elephants, they are sending the ivory abroad in an illegal way. One thing I would like to say. The elephants sometimes come out from the jungles. They stray into the fields, damage the crops and agricultural products of the villagers. So, this Ministry should make necessary arrangements so that the poor villagers can be saved; their crops may not be damaged.

There is another aspect. Natural birds like the Siberian Cranes etc. are generally coming to our country from the Siberian region. Nowadays, their number is getting reduced very much. Nowadays such birds do not come to our country in large numbers. We do not get so many birds. Their number is being reduced. Such birds visit our country in a season. They are reducing gradually due to ecological disturbances. One of the facts is that due to heavy use of insecticides and pesticides, the ecological condition is disturbed. If we take proper care of that, of course, we can prevent that.

Under the Social Forestry Scheme, Government that is distributing plants, saplings etc. The important points is that such plants and sapplings are kept on the roadside places and naturally they are not adequately protected. Due to this, those plants and sapplings are being damaged and destroyed which results in loss of even funds. So, I request the Government to protect these plants and the wild-life. Further, Government should make some arrangements to educate the people about environment. So, Government should regularly chalk-out some programmes, formulate some schemes so that the people can be educated. People should realise the necessity of plants. They should take interest to protect these things for their own welfare. If they are educated, they will have some idea to protect the trees and wild-life.

with these words, I thank you very much for giving me this opportunity to speak

on this subject.

SHRI GOPI NATH GAJAPATHI (Berpampur): Mr. Chairman, Sir, I do not wish to make a long speech on this very absorbing subject owing to paucity of time. However, as a keen visitor of game sanctuaries and as a lover of wild-life observation, I would like to highlight certain salient features from my own practical experience.

First of all, preservation of natural habitats, for the propagation of wild-life is a must. In this regard, I would like to draw the attention of our Hon. Minister for Environment and Forests, now present in the August House, the special case of Mudumalai Sanctuary in the State of Tamil Nadu. Near Mavanhalla village, several acres of forest land has been fenced by using four row barbed wires, involving lakhs of rupees of expenditure. Unfortunately, the purpose for which all this expenditure has been incurred is not fulfilled because all live-stock of neighbouring villages are allowed to enter inside and graze in the barricaded forest region. As a result, all the depleted vegetation which is expected to be regenerated, is not really taking place.

Secondly, in the Similipal Forest in my State of Orissa, the Jauna and Hora are not preserved to the befitting extent and there is lot of scope for improvement at present. I would strongly recommend that a National Policy be evolved for the villagers as well as for Adivasis, by providing them with suitable occupation, so that they are assured of a steady source of income. Otherwise, what is actually happening is that the forests are fast getting denuded with trees being indiscriminately felled of the sake of fire wood. In my native place of Parlakheundi in Orissa State, which used to boast of dense forests, the entire region has become absolutely devoid of the forests. Further the need to exercise every care for preventing destructive forest fires cannot be over emphasized.

Thirdly, de-silting and de-weeding of certain lakes should be taken up on a priority basis. In this regard, even in the Ninth Lok

[Sh. Gopinath Gajapathi]

Sabha, I had pointed out before the august House regarding the need for improving the lakes like Anusupa and particularly the Chilka in Orissa State. It is, to these lakes, that migratory birds come all the way from Syberia. They not only spend the winter months in these lakes but they also resort to breeding. So, there is all the more reason that while these things of beauty should be preserved as tourist attraction, the preservation of these lakes will help in propagating the migratory birds like the siberian Duck.

Fourthly, there are certain endangered species of wildlife like, as my hon. colleagues from Assam has pointed out, the Indian Rhinoceros as also the Musk Deer and the Black buck. We also have certain species of birds like the Great Indian Bustard and like the siberian coane, migratory birds which are gradually getting extinct. So the concerned authorities including the local game wardens must be given strict instructions to ensure that poaching of these endangered species is strictly prohibited.

16.00 hrs.

In this context, I wish to emphasize that it is not just a question of the Central Governments concern. This awareness must be enforced by the State authorities as well the respective game wardens, adequate in numbers should be issued with instructions so that Acts and Rules are strictly followed, to ensure that our flora and fauna are well preserved. This is so necessary for maintaining and preserving the ecological balance in our globe.

Fifthly, the wide range of flora of Mahendragiri hills in my district of Ganjam are so unique of their kind that this particular terrain should be taken special care of, by developing it into a Study-cum-Tourist center. Indeed, it possesses all the necessary potential for conversion into a biosphere reserve like the wild boar, which cause considerable damage to valuable crops along with wild dogs, both of which are considered to be

vermin, should be allowed to remain outside the purview of the Wild Life Protection Act.

I commend the wild Life (Protection) Amendment Bill introduced by our volatile Minister of State of the Ministry of Environment and Forests and lend my full support to this Bill of great significance in safe-guarding nature's unlimited bounties.

[Translation]

SHRI MOHANLAL JHIKRAM (Mandia): Mr. Chairman, Sir, I rise to support this Bill. All the Members have presented their views on the subject of conservation of forests and I don't want to repeat. But I will present some facts before you. Several laws were made to provide protection to the animals and the situation has improved since then. The number of animals have increased and their killing has reduced. But it is not enough to provide only protection to them. Sometimes, the animals are infected with such diseases, as are contagious and a number of animals die of such diseases. Therefore, the officials responsible for protection of animals should have knowledge about animal diseases-so that they can know that an animal has become infected with such and such disease and can treat him. Secondly, as the hospitals are at far-off places at a distance of one hundred to two hundred kilometres, medicines cannot be arranged for the sick animal in time. For example, if a lion gets sick, how can he be saved unless there is a hospital nearby because he has to be made unconscious first. Such facilities should be made available readily.

Animals need some special type of food ingredients as salt. They need a special type of salt. Specially, deer lick the earth, as it contains a special type of salt ingredient. Arrangements for providing such type of salt should be made where such animals live.

Water is also very essential for the animals, particularly for bison. Adequate water arrangements should be made at the places where these animals live. Actually very little water is available at such places. Many

animals die due to scarcity of water. Therefore, adequate water arrangements should be made at such places.

Wild dogs also kill a number of wild animals. Arrangements should be made to ensure that animals are not killed.

I am grateful to you for giving me the time.

[English]

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): At the fag-end of this session, I am sure that everybody in the House would agree with me that we have seen a rare unanimity in the debate that we had on the Wild Life (Protection) Amendment Bill. I thank all the Members for the suggestions and advices which they have given. We shall try and see what is possible to deal with them at the administrative level. India is proud of its bio diversity. Bio diversity is very essential for our well being and life support system itself. India has a gene bank of many species and our bio diversity is recognized internationally. This Bill and other measures which we have been taking will go a long way in preserving this very rich bio diversity that we have, spread right across the country.

One of the most important things in the preservation of our ecology, which includes preservation of our wild-life and conservation of our forest, is awareness. A lot of points have been made by our Members about involvement of tribals. We all do know that tribals and forests go together. There are no forests where there are no tribals and there are no tribals where there are no forests. Keeping this in mind, various steps have been taken. This amendment which we are introducing to the Act also encompasses many facets which will, in fact, help the tribals in future.

I do agree that it is not the tribals or the people living around these parks or forests who have destroyed the forests. It is in fact

the tremendous thrust on urbanisation which has created problems for our wild-life and is leading to destruction of forests.

To get into some of the specific and important points made by the Hon. Members, I would like to say very briefly a few things. A point has been made about the involvement of officials in poaching and in shooting of wild animals. Because of that we are trying to involve and we have introduced the concept of Honorary Wild Life Warden and these will be non-officials. With their involvement we feel that there shall be greater participation from the people.

Another point was made that there should be some rewards. There is a provision also in this Bill for rewards. One of the other points is that cultivation in these areas will now be stopped. I do not agree with that. Legal cultivation in these sanctuaries will not be stopped and if there is any acquisition, adequate compensation will be paid. So, I don't think Members should have any apprehension in this regard.

Shri Shahabuddin has made a point about punishment to officials. Section 52 of the Bill says that "any person who abets or commits any act in contravention of it..." This "any persons" also includes an official.

This Bill brings in that anyone from the public can lodge a complaint, in a competent court. Previously it was only a State Department official who could file a complaint. Following a certain procedure which is of giving notice to the State Government, anyone from the public also can lodge a complaint, can file an FIR and go to the court. This would be a deterrent to those officials who are neglecting or acting in collusion or derelicting their duties.

Shrimati Vasundhara Raje made a point about more field staff and about awareness. As I said, awareness is one of the most important instruments we have in preserving our wild life and in conserving our forests. We are shortly launching one of the very large awareness programmes and this will

[Sh. Kamal Nath]

trickle down to the school levels. We are trying to introduce education in primary and middle schools; in fact in all levels of education on the environment which shall cover wild life preservation also.

About the question of giving more money, we are providing hundred percent of non recurring and fifty percent of recurring funds in tiger project and we are providing some funds to the State Government.

About the question of fishing, raised by Shrimati Vasundhara Raje, in Gim Corbett I think it shall mitigate the very purpose of fishing in parks and sanctuaries. But I certainly think of starting breeding of fish near Jim Corbett park.

SHRIMATI VASUNDHARA RAJE: What I was mentioning was that the malli fish eats the mahseer fish. If you allow fishing, perhaps it will cull mallis so that the mahseers can survive. At the moment, the way things are going soon there will be no mahseers left. A year or two ago fishing was allowed in blocks from time to time. If you can rotate it that way perhaps it would work and keep the mahseers alive.

SHRI KAMAL NATH: We will look into the question of mallis because mallis just eating the mahseers will become a chronic problem. We shall certainly look into it as we would like to preserve mahseers.

My friend, Shri Khan mentioned about more funds to be provided for zoo in West Bengal. I would like to only inform him that we are giving almost Rs. 15 lakhs to Darjeeling Zoo per year and we shall look into the aspect of providing more funds for Zoo authorities, with greater streamlining, the proper management, etc.

SHRI INDER JIT (Darjeeling): We need a lot more.

SHRI KAMAL NATH: One of the points raised is about implementation. It is a fact

that sometimes implementation does become a lacuna. I can assure the House every effort would be made to ensure that there no failure in implementing this. We have to involve the people and the people shall be involved in implementing the provisions that we are bringing in.

A point was mentioned about 1927 Forest Act which needs to be revamped. We will certainly look into this.

One of the points raised by Shri Ayub Khan is about stone mining. We have been repeatedly writing to the State Government to put some kind of curb or control over this. We have also taken it up with the Rajasthan State Government. We shall take it up with greater emphasis again.

He has also mentioned about Jhunjhunu and Fatepur *beehrs*. I entirely agree with him that we should declare it a sanctuary or at least a closed area. We shall take it up with the State Government - and I look forward to his support - that these two *beehrs* are made into sanctuaries or closed areas. Shri Bala has mentioned that Sunderbans is being neglected. This is not true. Sunderbans was one of the first tiger reserves to be created and allotted funds from the Government of India. It has additionally been declared as a bio-sphere reserve and have received funds also under this scheme.

There was a mention by one of the Members about destruction of forest in Orissa. I do hope that the Hon. Members also shall bring it to the notice of the Chief Minister because I have been repeatedly telling him about our concern. He has mentioned about sitting of lakes, specially Chilka lake. We have been helping these wet-lands like Chilka and would continue to help them and I shall look into as to what I can do.

All these, as you would appreciate, require, not only help, but cooperation and participation by the State Government. I have taken up with the State Chief Ministers this question and am looking forward to their Ministers this question and am looking for-

ward to their support and their more active cooperation.

SHRIMATI VASUNDHARA RAJE: Before the Minister finishes, I would like to tell him that two of my questions have not been replied to. One was about forest fires which are destroying much of the forests. The second was about arming of forest guards which I think is very important. Unless you arm them, it is not possible for these people to go into the forest area without adequate security. Thirdly, a very important question which I wanted to check up with the Minister is that he just mentioned in the Rajya Sabha the other day that 1,52,000 hectares of forest land was converted and regularised over a period of ten years. But in the last one year 1,38,000 hectares of forest land was converted. I just wanted to know as to why this discrepancy exists - that is conversion of 1,52,000 hectares of forest land took ten years and the conversion of 1,38,000 hectares of forest land took one year. What was the use that land was put to and what is the Minister going to do about it? If this kind of deforestation takes place, we would not have any forest cover left much longer.

MR. CHAIRMAN: I do not know whether the Minister will have these details.

SHRI KAMAL NATH: Habitat is most important. Habitat of wild life is the forest. It is most important to protect the habitat, if we are to protect the wild life. There is no doubt about that. Sir, I had mentioned it in the Rajya Sabha. I do not have exact figures with me now; but since the Hon. Member had followed the proceedings in Rajya Sabha very carefully, I can only say that it is a fact that about 1,50,000 hectares of forest land was diverted from the inception of the Forest Act in 1989 and during the Calendar year 1990, about 1,38,000 hectares of forest land was diverted. It is a factual statement; this was the clearance given under the Forest Act. (Interruptions) I did say that in the Rajya Sabha. (Interruptions)

MR. CHAIRMAN: For further clarifications, the hon. Members may write to the

Minister and get the details.

SHRIMATI VASUNDHARA RAJE: He has made a comprehensive statement in the Rajya Sabha. I am just asking a few clarifications.

SHRI KAMAL NATH: In 1990, diversion of 1,38,000 hectares of forest land - which is almost equal to what had happened in the preceding eight, nine years - took place largely because of regularisation of encroachments and because of the fact that some mining leases were granted. (Interruptions)

SHRIMATI VASUNDHARA RAJE: It is very shameful.

SHRI KAMAL NATH: This is the statement I made in the Rajya Sabha. Now, she is saying shameful. I would like to make sure of what she is saying. (Interruptions)

I would like to respond to another point made by the hon. Member which is with regard to the arms. We are providing funds, especially under Project Tiger, for arms and wireless sets. State Governments have asked for more staff and we are permitting them to have more staff and adequate funding shall be provided to them.

Another point which she made was regarding non-sanctioning of projects in her Constituency. I shall look at it after the passage of this Bill with their support. I shall look at it with even greater sympathy.

[Translation]

SHRI MOHAN LAL JHIKRAM (Mandia): Mr. Chairman, Sir, I would like to know from the hon. Minister as to what steps are taken to protect the animals who get sick as the deer become sick with a contagious disease?

[English]

SHRI KAMAL NATH: Sir, I presume that he is referring to the problems in Kanha. I am aware of this and we are providing inocula-

[Sh. Kamal Nath]

tion; we are providing medicinal help; provision has been made in the Bill for prevention of communicable diseases by way of immunisation of live-stock in those areas; we are funding for setting up of veterinary units in national parks, etc. We shall look at this problem in Kanha.

Sir, once again I would like to thank the hon. Members for the kind of support they have extended to this amendment Bill. There has been a rare unanimity and I am thankful and grateful to every one.

SHRI SARAT CHANDRA PATTANAYAK(Bolangir): Sir, maximum number of tribal people are living in the Western parts of Orissa like Koraput, Kalahandi, Phulwani, Bolangir, etc., I am from that area. The State Government has built a deer park at Harishankar of Bolangir. I would request the Central Government and the hon. Minister to provide more money for that. To check poaching if the Central Government takes a big area there and have a national park, that will be better for the people of western Orissa. That is my request.

SHRI KAMAL NATH: The problem in these areas around national parks and sanctuaries has been felt. We have embarked on a very elaborate eco-development scheme for these areas. I shall have a look at the specific problem the Member is mentioning.

MR. CHAIRMAN: The question is:
"That the Bill further to amend the Wild Life (Protection) Act, 1972, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: The House will now take up clause-by-clause consideration of the Bill. The question is:

"That clauses 2 to 52 stand part of the Bill."

The motion was adopted.

Clause 2 to 52 were added to the Bill.

MR. CHAIRMAN: The question is:

"That clause 1, the Enacting Formula and the long title stand part of the Bill."

The motion was adopted.

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

SHRI KAMAL NATH: Sir, I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted

16.23 hrs.

CANCELLATION OF GENERAL ELECTIONS IN PUNJAB BILL
PUNJAB BUDGET 1991-92 —GENERAL DISCUSSION
AND
DEMANDS FOR GRANTS ON ACCOUNT (PUNJAB) 1991-92

[English]

MR. CHAIRMAN: The House will now take up combined discussion on Cancellation of General Elections in Punjab Bill, 1991 General Discussion on the Punjab Budget, and the discussion and voting on Demands for Grants on Account (Punjab) for 1991-92 for which 3 1/2 hours have been allotted. The Minister may move motion for consideration of the Bill.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI K. VIJAYA BHASKARA REDDY): Sir, I beg to move:

"That the Bill to cancel certain notifications calling for general elections in relation to the State of Punjab, be taken into consideration."

As Hon. Members are aware, Elections to the Tenth Lok Sabha and to certain State Assemblies were announced in April last. The Election Commission, however, after taking into account all relevant factors and the prevailing circumstances in the State of Punjab and having been satisfied that it was not possible to hold fair and free polls in that State on the scheduled dates, extended the date of polls twice - first from the original date of 20th May, 1991 to 22nd June, 1991 and then to 25th September, 1991.

After the announcement of elections, large scale killings and massacre of innocent people had taken place. Up to 15 July, 1991, 23 contesting candidates had been killed necessitating the countermanding of elections in various constituencies in the State. Because of postponement of elections protracted security arrangements for the safety of candidates contesting the elections have become imperative. It is becoming extremely difficult to make such arrangements for a long period by deploying paramilitary forces who are already under great strain as they had been sent to that State after they had completed strenuous election duty in other States. In view of all the aforesaid circumstances and difficulties and also to guard against further loss of lives of the candidates and other innocent persons, it has become necessary to cancel the notifications calling for general elections in the State of Punjab for the present. Elections shall be held as soon as congenial atmosphere is created for holding free and fair elections in Punjab.

The situation in Punjab is still not condu-

cive for holding free and fair elections in the State and the Government has been forced to take the extraordinary step of cancellation of elections in Punjab. The Government, however, have considered it proper not to assume sweeping powers to cancel an election by making amendment to the Statute as giving such sweeping powers is fraught with grave dangers and may be misused. On the other hand, Government has brought this Bill as a one time measure to cancel the elections only in the State of Punjab in view of extraordinary situation existing there. It is my earnest hope that the Bill will have the unanimous support of all sections of the House.

Sir, I commend the Bill for the consideration of the House.

MR. CHAIRMAN: Motion moved.

"That the Bill to cancel certain notifications calling for general elections in relation to the State of Punjab be taken into consideration."

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, be granted to the President, out of the Consolidated Fund of the State of Punjab, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1992, in respect of the heads of demands entered in the second column thereof against Demands 1 to 30."

Demands for Grants on Account (Punjab) 1991-92 submitted to the Vote of Lok Sabha

No. of Demand	Name of Demand	Amount of Demands for Grant on Account submitted to the Vote of the House (Inclusive of the amount already voted by the Lok Sabha on 11th March, 1991).	
		Revenue Rs.	Capital Rs.
1.	Agricultural and Forests	84,98,94,000	27,53,22,000

No. of Demand	Name of Demand	Amount of Demands for Grant on Account submitted to the Vote of the House (Inclusive of the amount already voted by the Lok Sabha on 11th March, 1991).	
		Revenue Rs.	Capital Rs.
2.	Animal Husbandry and Fisheries	34,94,01,000	1,34,62,000
3.	Co-operation	12,76,17,000	54,69,05,000
4.	Defence Service Welfare	3,73,86,000	37,50,000
5.	Education	4,42,88,48,000	23,43,000
6.	Elections	5,01,27,000	...
7.	Excise and Taxation	12,62,82,000	...
8.	Finance	2,20,17,48,000	7,75,72,000
9.	Food and Supplies	3,64,95,000	6,71,04,48,000
10.	General Administration	14,94,89,000	...
11.	Health and Family Welfare	1,38,98,89,000	...
12.	Home Affairs and Justice	1,84,04,07,000	7,50,00,000
13.	Industries	10,51,38,000	29,63,25,000
14.	Information and Public Relations	4,74,93,000	...
15.	Irrigation and Power	11,34,55,47,000	4,74,31,47,000
16.	Labour and Employment	4,98,63,000	...
17.	Local Government, Housing and Urban development	15,57,45,000	21,20,81,000
18.	Personnel and Administrative Reforms	1,76,25,000	...
19.	Planning	2,18,59,36,000.	...
20.	Programme Implementation	3,00,000	...
21.	Public Works	1,42,01,35,000	75,22,00,000
22.	Revenue and Rehabilitation	68,00,51,000	...

No. of Demand	Name of Demand	Amount of Demands for Grant on Account submitted to the Vote of the House (Inclusive of the amount already voted by the Lok Sabha on 11th March, 1991).	
		Revenue Rs.	Capital Rs.
23.	Rural Development and Panchayats	32,42,25,000	...
24.	Science, Technology and Environment	90,90,000	63,42,000
25.	Social and Women's Welfare and Welfare of Scheduled Castes and Backward Classes	39,60,67,000	4,18,82,000
26.	State Legislature	1,82,88,000	...
27.	Technical Education and Industrial Training	28,88,04,000	39,63,000
28.	Tourism and Cultural Affairs	1,94,76,000	2,59,50,000
29.	Transport	88,88,10,000	22,04,11,000
30.	Vigilance	1,78,77,000	...

MR. CHAIRMAN: Shri Bhogendra Jha has tabled end Motions for the above Demands for grants. He is not present here. Shri M.L. Khurana may speak now.

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Chairman, Sir, I am thankful to you for giving me a chance to participate in the discussion on the Punjab budget and the cancellation of Punjab election.

MR. CHAIRMAN, Sir, I have received four pamphlets on the Punjab budget the first one is of 3 pages, the second one is of 13 pages, the third one is of 23 pages and the fourth one is of 55 pages.

16.27 hrs.

RAO RAM SINGH *in the Chair*

Further a speech of one page contain-

ing both the version Hindi and English on each side of the page has also been received by me.

SHRI CHANDRA JEET YADAV (Azamgarh): Whose speech it is?

SHRI MADAN LAL KHURANA: This is the speech of the Minister of State in the Ministry of Finance and it relates to Punjab. I am stating all this just to show the seriousness of the Government regarding this budget. The Administrative details of the year 1990-91 must have also been supplied to us. It is usually attached with every budget. There is no account of the last year income and expenditure in it. First I thought that this particular paper might be missing but I came to know later on that there was no such paper. The previous year's administrative report which is very much a part of the budget has also not been made available to us. I am pointing out all these shortcomings

to show that the Government has taken this budget very lightly in the same manner as it is taking lightly the problems of Punjab and Kashmir.

MR. Chairman, Sir, the details have been given in this budget Head-wise instead of scheme-wise. The scheme wise details can be easily studied. The revise estimate of 1990-91 which includes Punjab Pay Commission also has become meaningless as one cannot know these two, separately. The revised estimates would have been more meaningful if the Punjab Pay Commission were attached to it separately.

Sir, thirdly, I would like to say something about the data given in the budget. There was an estimate of Rs. 196.94 crores for the Health and Family Welfare in the year 1990-91, which has been reduced this year to Rs. 185.38 crores. What does it mean? Is there no need of family planning or does the Government want more procreation of children so that there may be increase in the numbers of the terrorists? Family Planning is a very important issue but the amount on this head has been reduced?

The budget for the Home Affairs, law and order etc. is Rs. 259.1 crores this year against the previous year's amount of Rs. 248.94 crores. So there is an increase of only 2.5 per cent in the budget for this year but in actual sense there is a reduction in the allotment if we take the price-rise into account which has increased by 13-14 per cent this year.

Further, we take the data of Industry and Mining. Last year, it was Rs. 17.52 crores, which has been reduced to Rs. 15.71 crores this year. The Government always claims that it is giving much weightage to agriculture, but the amount allocated for the major and minor irrigation under the Head of Capital outlay has been reduced to Rs. 44.87 crores while it was Rs. 52.01 crores during the last year. Thus almost in every sphere there is a reduction in this

year's allotment against that of the previous year. For instance, the amount allocated for the flood-control is Rs. 10 crores against the last year amount of Rs. 23 crores, for Art and culture Rs. 3.3 crores against Rs. 3.6 crores, for urban development Rs. 5.75 crores against Rs. 9.48 crores, for Housing Rs. 14.39 crores against Rs. 17.29 crores and for public works Rs. 7.15 crores against Rs. 11.81 crores. I am referring to these data in order to emphasise as to how lightly this budget has been prepared, as a 'Munim' maintains his ledger. No one took trouble to give due consideration as to what priority should be given to which subject.

We have been observing this practice since long that the President's address to the Parliament and the Finance Minister's budget speech invariably covers the policies of the Government for the next year. The same is observed also in case of the Governor's address to the Vidhan Sabha and the State Finance Minister's budget speech. Though there is Governor in Punjab but his Address is missing in this Budget. Anyhow the Finance Minister's budget speech should essentially contain the Government's priorities which is no where in this budget. This budget does not contain any reference of the Former Prime Minister's assurance regarding providing employment to one lakh persons every year. Contrarily a ban on the recruitment has been imposed. What happened to that promise? I would like to know the reason of his silence over the issue of S.Y.L. in the entire budget speech. He must have clarified the Government's policy regarding the S.Y.L. for which there had been an accord with Shri Longowal. What are the reasons of destroying that project over which crores of rupees have been spent? The construction work is at halt even in that part which comes under Haryana. Soil is filling again in the canal which was dug after spending crores of rupees. Thus crores of rupees have gone waste without any use.

Would the hon. Minister be pleased to state the House about the Thein Dam project. When it is going to be completed? Due to centre's indifferent attitude the Thein Dam

is not being constructed as rapidly as it should be and as a result of this slow process the target of supplying Ravi water to Vyas and there from to Sulej could not have been achieved and the result is that the whole water which should have been used for India soil making fertile and trees, is being supplied to Pakistan. Not a single word has been said by him regarding that dam as to why it is not being completed soon. Though the nature provided us water yet our soil is thirsty. Due to this reason, today the economy of Punjab is almost on the verge of decay. Once upon a time the per capita income in Punjab was much more than the other States. Today, most of the industries like Rice Mills, woollen and Spinning Mills etc. in Punjab are closing. Due to the prevailing situation in Punjab, the traders of other States do not supply their goods to Punjab censuring loss to the business there. Besides there, a new trend has also emerged that the trucks sent to Punjab from other places are taken to unknown place. It is said that the militants stop these trucks and took them to some unknown places. As far as, I know 33 trucks have been lost uptill now. There is another side also of the picture. A truck owner boldly accepted the challenge and went to sell his goods in that state and he sold his goods there without any difficulty. Actually, most of the trucks are abducted in the midway in the name of terrorists by the robbers, fraudulents and the criminals having political patronage. Hence the traders of the other provinces hesitate to send their goods to Punjab. All these incidents must be investigated through the CBI This is a large scale scandal which is being committed in the name of militants only the CBI enquiry can reveal the facts. Vajpayeeji also referred to the abduction of trucks. These incidents have been taking place for the last so many days. Kidnapping cases have also become the usual practice in Punjab. As per my information, 30-40 kidnapping cases have taken place. It is upto the Government whether it denies or verifies the incidents. These kidnappings include the maternal cousin of the Punjab Police Chief, Shri D.S. Manger, the brother of the District Magistrate of Majitha district, Shri Paramjit Singh

Gill, the brother of the S.P. of Sangrur, Shri S.S. Bhullar, two brothers of the Bombay Police Commissioner, Shri Charam Singh Azad and a near relative of Shri Sandhu. These kidnappings are done by the militants either for ransom or for the release of the colleagues who are in jails. Such incidents are taking place frequently in Punjab.

Now, I would like to say something about the cancellation of the elections in Punjab. The Congress has always treated Punjab politically. They have seen it in the light of the interest of their party only. Nation is above the party. But the policy of the congress is the party first and the nation afterwards instead of the country first and the party afterwards.

Mr. Chairman, Sir, I would like to point out that through this budget the Government would be able to strengthen Punjab neither from the point of view of security nor economic prosperity. There is neither any reference with regard to the rehabilitation of the migrants of Punjab nor any mention about improving the law and order situation there. There is no indication about these problems in this budget. I am sorry to state that whenever any attempt was made to restore normally in Punjab though you gave a thought to it the Central Government did not show any encouragement and retracted and the problems grew from bad to worse and at history stands evidence to it. I would like to cite an example. Rajiv-Longowal accord took place. Dates were fixed for settlement but till now this accord could not be implemented and it is lying as it was. It resulted in allegation against you that you retract from your commitments.

Elections were held in Punjab and Mr. Barnala became Chief Minister. The then Prime Minister stated that mother India (Bharat Mata) has attained victory. After that, hon. President praised Barnala during his address. Which is not done in ordinary course. Four months later in a statement made in the House by the then Minister of Home Affairs it was stated they the same Mr. Barnala was stated the most dishonest per-

son whereas four months ago he was compared with Ranjit Singh and his administration. The same Mr. Barnala was dismissed after three months because you had the elections of Haryana before you. You wanted to win the elections, though you would not. Keeping in view the election of Haryana you took the step to dismiss the Government of Punjab. As a result of it the people of Punjab lost their faith on you. Elections for Punjab were again declared but that too was postponed.

You are cancelling the elections only because if the elections are held in time, the Congress Party would not participate in it. But you have committed a mistake. Now you want to set it right from the point of view of your own party and bring Congress in the race of the elections. Therefore, you intend to cancel the election.

On April 21, an all party meeting was held in Chandigarh which was attended by P.C.C Chief Shri Beant Singh, Members belonging to the left parties, Members of Janata Dal, and by us. All of them decided that if had to fight election, they would do so unitedly and if they were to boycott, they would do so unitedly. All of them stated to fight elections unitedly.

MR. CHAIRMAN: All would either fight the election or boycott it.

SHRI ATAL BIHARI VAJPAYEE (Lucknow): We would unitedly fight the terrorists, and would not fight ourselves.

SHRI MADAN LAL KHURANA : The motto was also to isolate the terrorists. The Meeting was held on April 21. After taking decision in the meeting they met the President, the Election Commission. The Members belonging to the Congress party also in it and all unitedly state that election should be held in Punjab after June 20. I am underlining it, because election was being held all over the country. The date for June 20 was fixed only because they were to get ade-

quate time for security arrangements. The memorandum given bears the date June 20. The other point mentioned therein was that the candidates should be provided security. These two points were made in it. Had the President and the Election Commission conceded to these two issues it was sure that all the parties would have liked to participate in the election. After the decision taken at the Chandigarh meeting, this next meeting was held with the President and the Election Commission. As a result of this meeting the date for election in Punjab was fixed as June 22 by the Election Commission at instance of the delegation in which Congress was also represented. After it the situation took a turn. The Congress High Command decided not to participate in the election. Thus, they betra the decision the meeting which was attended by the President of the P.C.C. and thus boycott the elections not withstanding the fact that it was decided that in the event of boycotting the election they would do so collectively, therefore, I want to say that they gave importance to their party. Mr. Chairman, Sir, the decision for holding election on June 22 was taken unanimously by the entire delegation, the History of which is before you and on the 20th when the election.....

MR. CHAIRMAN: There are 44 minutes for your party, and there are 3 members to speak.

SHRI MADAN LAL KHURANA : I will take some more time.

MR. CHAIRMAN: I am ready, if others do not object.....

SHRI MADAN LAL KHURANA: I would speak in brief. You are liberal in giving time.....

MR. CHAIRMAN: Three and half hours have been fixed for this debate, out of which 44 minutes have been allotted to your party.

SHRI MADAN LAL KHURANA : My submission is that by postponing the election, the Congress Party took care of its own

interest, but it did not estimate the extent of loss it caused to Punjab. After the decision of the Government the Punjab Governor Shri Malhotra spoke out that he fought two wars but he never met with such a humiliation. He was betrayed, kept in the dark and was let down.

Mr. Chairman, Sir, I want to submit that it seems to me that the Akalis may come under the pressure of militants and may boycott election in Punjab. If they do not fight election, this election would become meaningless. Five groups of Akalis were ready to participate in the election. It is right that Mr. Mannhad suggested regarding referendum which could be weeded out at the political level but not by making any law. All the five Akali Dals and all other parties were taking apart in that election. But a day before you postponed the election because the Congress was not participating in it. Now if the Akalis are Boycotting the election, what will be the meaning of the election? There was election fraud in Kashmir and the terrorism spread there. I feel that is the people of Punjab feel that they are being humiliated, insulted and are not being relied upon, they will react and thus we would be giving an opportunity to the militants to raise propaganda against us.

Mr Chairman, Sir, my submission is that if one is not invited to a dinner he may feel a little about it but if some body has been invited and the dinner has been served before him and he gets ready to enjoy it and then at once the dinner is removed before he enjoys it, how much he would feel about it, this is how Punjab has been treated. After the declaration for election such a dish was served and when the last date was over and when on the day of polling the dish (box) was to be enjoyed, it was removed.....

MR. CHAIRMAN: Not a day, after rather a day before.....

SHRI MADAN LAL KHURANA : Yes, Sir, one day before the vote that was with-

drawn from there which caused anger among them.

Mr. Chairman, Sir, it appears to me that by cancelling the election in Punjab today, we are taking it to its earlier position. The endeavour for bringing all in the national mainstream and the efforts made till now, will go in vain.

Mr. Chairman, Sir, I would like to State that the beginning has been dangerous because when any other party forms a Government at the Centre and it finds the probability of any other party forming a Government in a particular State it can cancel the elections due in that State by bringing a Bill in the same way. Thus, any election to be held in any State can be cancelled. It is a dangerous beginning going to take place through this Bill. I think this is going to be a sign of interrogation in the federal structure of our country. I want to say the Congress Government is playing a very dangerous game.

Mr. Chairman, Sir, it has been mentioned in its objects and that it has been pointed out here that on account of law and order problems the elections in Punjab are going to be cancelled. As Mr. George Fernandes had rightly stated the other day in the House that one Home Minister told* ..that the law and order situation in Punjab was improving. Now you say today that elections are being cancelled there due to the law and order problem.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW JUSTICE AD COMPANY AFFAIRES (SHRI RANGARAJAN KUMARAMANGALAM): Sir, it is the convention of the House that we do not mention about the discussion held in * attached to various Ministries. So I request that the words,* be expunged from the proceedings.

[Translation]

SHRI MADAN LAL KHURANA: Such statements have been published in several newspapers which I am referring to. On many occasions you have given such statements which have appeared in many papers.

MR. CHAIRMAN: Mr. Khurana, you are pointing out it in your second thought. Your "...." words will not be recorded

SHRI MADAN LAL KHURANA(South Delhi): Mr. Chairman, Sir, Congress has repeated it several times. Now I would like to state migrants from Kashmir are living in a very distressed condition and are disappointed like the migrants from Punjab it is very unfortunate that refugees from Punjab and Kashmir have been leading a hillish life in Delhi and in other parts of the country for the last several years. They are compelled to become refugees in their own country. No provision has been made for them in this budget. I would like to submit that the Government should declare its policy about Punjabi migrants at once. But the Govt. has neither yet declared its polity, nor it has made any provision for them in the budget also.

Sir, through you, I want to make a request that when Minister of Home Affairs or any other minister, who replies the debates should inform the House specifically as to when the Punjab election will be held which are now being cancelled. If you make such an announcement in the House, people of punjab will feel consolation and peace in their mind. If you postpone the Punjab Election for an indefinite person, you will face hardships in restoring normalcy in Punjab for which we are trying and all our efforts, made till go in vain. Our hole functioning will go waste and it will have no value. So I would like to request the minister that while replying to the debate, he should announce straight away the exact date for the Punjab election. thanks.

[English]

SHRI PAWAN KUMAR BANSAL(Chandigarh): Mr. Chairmen, Sir, it is with a feeling

of cheerlessness despondency that I also rise to speak on the Bill chancelling the General Elections in Punjab and also on the Budget here today. Year after year this vital function of the State Legislative Assembly has been performed by us here and that too casually. During the last eight years, the State Legislative Assembly within whose domain this function legitimately falls has had an opportunity to discuss the Budget only twice.

The framers of the Constitution provided that a Proclamation regarding President's rule could be extended beyond a period of one year only if two specific conditions were fulfilled and those conditions were that of Emergency being there or the Election Commission's certifying about its inability to hold the elections. In the case of Punjab, the Constitution has had to be amended as many as six times to extend the notifications of October, 1983 and May, 1987. At present this outer period stands at five years without the two conditions that I have just referred to.

None of us can be proud of this inglorious development, rather an aberration in Indian democracy. Today, Punjab continues to reel under terrorists violence. It has continued to do so for the last ten years. The period of ten years is not a small period, even in the history of nations. Sitting here today, we cannot imagine the plight of Punjabis. The brave hard-working, once exuberent people, fun-loving and boisterous the eternal guardians of the nation's western border, are today broken and a fortune lot.

Enough has been spoken about the Punjab's condition in the past. All of us have termed this problem as a national problem from time to time. I think it is veritably so. Its repercussions have been felt in many parts of the country. Its adverse impact on the unity and integrity of the country is well-known. Alive to this problem, we have always expressed the desire to have a national approach to the problem. But I am sorry that we have never given a chance to ourselves to consider the problem that way, shorn of narrow political partisan considerations. Sir, over the years, both in and outside

the Parliament, we have vied with each other in apportioning blame, never pausing to introspect, deriving a sort of satisfaction of scoring a debating point over each other. Sir, hile we have been basking in this complacency, Punjab has inexorably been sliding fathoms in an ocean of chaos.

I was sorry that today the hon. Member, Mr. Khurana, who initiated the debate, though dwelt at length on the economic ills of Punjab, yet when it came to the political part, he again launched a diatribe against the Congress. I want to avoid doing the same but to set the records straight, I want to remind him that it is the Congress which has always sought others' cooperation. He referred to the Rajiv Gandhi-Longowal Accord. The then Congress President, Shri Rajiv Gandhi, signed the Accord. It was a bold historic decision. Exceptionally peaceful elections followed that because at that time Rajiv Gandhi had said that what mattered for the Congress was not a momentary or a transitional victory in one election but what mattered for the Congress was that the light of democracy keeps alive in the country.

Sir, Akali Dal came to power. We know what happened. It failed to rise to the occasion, it failed to size up to responsibilities of the Government. It was rocked by the internal dissensions and there was a vertical split. After the split, we still endeavoured to give support to Shri Barnala. Yes, we referred to his Government in the Presidential Address.

17.00 hrs.

We went all out to support the Government. But the Government lacked the political will to fight terrorism. I do not want to repeat what we have been saying in the past. But since that subject was touched, I will make a reference to it. Some ministers in the Barnala Government started courting terrorists. There was a reign of terror let loose once again in the State. A wonderful opportunity that was provided to us in the form of elections was missed. Why they have faulted is again history. The party of Shri Khurana

had been exchanging views and notes with the Government. We know as to what reasons and what internal contradictions, deficiencies and weaknesses were there in Barnala Government which led to the non-fulfilment of the Award.

The Centre, because of the failings of the Barnala Government, had to take action in the form of an unpleasant and difficult decision to promulgate the President's rule. The results that flowed from that action were again before us. All religious places including the Golden Temple at Amritsar, the *sanctum sanctorum* of the sikh faith which were defiled and desecrated by irreligions use, were freed of impious elements.

MR. CHAIRMAN: Hon. Member, you please continue after the statement of the Home Minister. Now the Home Minister will make a statement regarding the induction of Army in aid to civil authorities in certain districts of Assam.

17.02 hrs.

STATEMENT BY MINISTER

Induction of Army in aid to civil authorities in certain districts of Assam

[English]

THE MINISTER OF HOME AFFAIRS (SHRI. S.B. CHAVAN): I wish to apprise the Hon'ble Members of the House that at the request of the Government of Assam, the Army is providing aid to civil authorities in certain districts of the State.

It may be recalled that President's Rule was imposed in the State of Assam on 27.11.1990 and the State Assembly was dissolved. After the dissolution of the ninth Lok Sabha, elections were held to the Parliament in the State of Assam as elsewhere in the country. Simultaneously, elections were also held to the State Assembly and with the constitution of the new State Assembly, a

[Sh. S.B. Chavan]

popular Government with Shri Hiteswar Saikia as Chief Minister assumed office on 30.6.1991. The very next day, the ULFA kidnapped 14 persons serving the Central and State Governments and the ONGC including a Russian Mining Engineer.

This incident of kidnapping was followed by an escalation in the violent activities such as extortion, kidnapping, assault and murder. The State Government made every effort to secure the release of the kidnapped persons and even released about 500 ULFA activists detained under the TADA. Despite this generous gesture on the part of the State Government, the ULFA continued to increase the demand and pressed for the release of several detenus who were facing very serious charges. The Chief Minister had all the time been making efforts to secure the release of the hostages. Shri Bipul Mahanta, former President of the Assam Yuba Chatra Parishad and self-proclaimed Convenor of the Amnesty International who mediated on this issue, was killed by the ULFA. They also killed Shri T.S. Raju, Assistant Executive Engineer of the ONGC displaying utter disregard to human life. Earlier, they had killed the Russian Mining Engineer who was one of the 14 kidnapped persons.

The Government of Assam felt that the situation had become very grave. They felt that a larger induction of forces was necessary to deal with the situation and, therefore, to control the situation, bring confidence to people and to restore law and order, the State Government requisitioned Army in aid to civil authorities to operate against the ULFA extremists in the following districts:-

- (1) Jorhat
- (2) Dibrugarh
- (3) Tinsukia
- (4) Sibsagar

- (5) Nagaon
- (6) Sonitpur
- (7) Golaghat
- (8) Dhemaji
- (9) North Lakhimpur

The State Government informed the Central Government through two wireless messages dated 5.9.91 that requisition had already been sent to the Sub-area Commander for Army help in aid to civil authorities in the above districts. The Chief Minister, through his letter dated the 8th September, 1991 addressed to me, requested that instructions may be issued for immediate deployment of Army in aid to civil authorities. I discussed the situation in Assam with all the MPs from Assam individually and collectively.

It was decided to accept the request of the Government and the Chief Minister of Assam to provide assistance of Army in aid of civil authorities in the specified districts of Assam. The Army has, accordingly, moved in Assam in the above districts and has started to assist in operations against the ULFA.

The Chief Minister has referred to the links of the ULFA with Bangladesh, Pakistan and China. He has informed me that his reference is based on the interrogation of some of the ULFA activists and some documents recovered from them. These countries have denied any such involvement.

The Govt. of India are deeply concerned about the continued detention of three officers of Assam Government including and IAS officer and four ONGC officers. I trust that they will be released soon and normalcy in the State will be restored early to enable us to withdraw the Army.

17.05 hrs.

CANCELLATION OF GENERAL ELECTIONS IN PUNJAB BILL - CONTD.

PUNJAB BUDGET 1991-92-GENERAL DISCUSSION

AND

DEMANDS FOR GRANTS ON ACCOUNT (PUNJAB) - CONTD.

[English]

MR. CHAIRMAN: Mr. Bansal, you can continue your speech.

SHRI PAWAN KUMAR BANSAL (Chandigarh): Mr. Chairman, Sir, referring to the conditions which led to the promulgation of President's Rule in Punjab in 1987, I was referring to an aria of optimism and hope that pervaded the environment because of the clearance of the religious places of all irreligious elements. But, Sir, something went wrong thereafter. Forces inimical to India got active again and the unchecked flow of sophisticated weapons led to a situation where the well-planned and the imaginatively executed actions like Operation Black Thunder were frittered away. Ever thereafter, Sir, a bruised and lacerated Punjab has been unable to heal its wounds and it is presently on the threshold of developing the dreaded gangerene.

Sir, there is no ready-made formula which anybody could suggest today for solving the Punjab problem, but we all agree that a beginning has got to be made. In the past, all-Party meetings were used to apportion blame. Sir, I think for making a new beginning, we have got to sink all our differences now because only then can we save Punjab and we can save the country from disintegration. Sir, I feel a Joint Front has to be constituted, as Vajpayeeji said, not to fight amongst ourselves, but to fight the forces inimical to the country. Sir, I feel the Akalis too can be encouraged to take up cudgels against terrorism. We have got to appreciate the difficulty, the situation in which they buckled under pressure and announced the boycott of elections and here, if my interpretation of

the Akali Dal declaration is correct, I would like to remind Shri Khurana that their decision was not to boycott any election in the future, their decision was to boycott the election which was scheduled on 30th September and that also would have led to a very difficult situation. Shri Khurana accused the Congress of backing out of a decision arrived at along with other parties to swim or sink together, to either fight elections together or boycott elections together. Sir, he referred to certain dates. I would only like to refresh his memory as to what really transpired or what was the crux of the decision arrived at. All parties were unanimous in demanding that elections to Punjab should be delinked from the rest of the country. That demand was made. What did the Government of the day then do? They followed this technically, but not in spirit. The elections in the whole of the country were fixed for the 20th of May. Then, a day was fixed for elections in Punjab which may have been a month away from that day. But an inordinately long period of campaigning was given. We expressed our concern that fixing of such a long time for campaigning would not be in the national interest and it would create problems. I am sorry that we proved to be right on that score. Over 20 candidates were killed in that inordinately long period and some candidates could not dare to come out of their houses for campaigning. That was the environment which was prevailing there.

[Translation]

SHRI MADAN LAL KHURANA: When you went to visit the hon. President, you were given the date 21 June or not?

SHRI PAWAN KUMAR BANSAL: When the representatives of your party visited the honourable President, you definitely might be knowing the details of the discussion held with the President and I do not want to go in that. But it is a fact that at that time also the Congress was of the opinion that conducting election at this time would not be in the national interest because the atmosphere, which should have been created before election, has not been created.

SHRI KALKA DAS: What decision was taken there?

SHRI PAWAN KUMAR BANSAL: You are aware of the meetings and the decision taken in this regard. We had already said at that very moment that election should be delinked and should be held meaningfully. (Interruptions)

[English]

That was the stand the Congress Party took. We felt that it was not a prudent step to call for elections at that time, because the necessary ground work was not done and an environment was not created where free and fair elections could be held and where the people of Punjab could have gone to the polling stations to cast their votes fearlessly. That is the essential element for the success of any democracy.

Sir, unmindful of our pleas, the Government of the day, then, went ahead with the elections, and in doing so, they betrayed some puerile intransigence, because it was a desperate act on their part. While going out of the office, the Government wanted to boast of some imaginary success of having called elections in Punjab. As a result, many candidates lost their lives. During this inordinately long period of five months, when the elections have been postpone a number of times, how counter-productive the process has been is before us all to see. The Bill which has now been introduced, I think, is the right step in that direction. This has been opposed on various grounds. I am happy today that Mr. Khurana did not really raise constitutional issues, but at the time of introduction, it was said so. I do not want to go into that sort of debate, but I do want to submit that the Bill is fully within the powers given to the Parliament by the Constitution. As has been said by the hon. Minister while moving the Bill for the consideration of the House, it is a one-time measure. It is a specific response to an extraordinary situation that prevails today.

There was an option before the Government to amend the Representation of the People's Act. We did not do it because that could have been on the statute for all times to come and any officer or any authority at any given point of time, could have misused that provision in the future. We have avoided to do that and the Government has come before the Parliament urging it to exercise its collective will to take a decision to this effect. This Bill violates no provision of the Constitution. It runs counter to no decision of Parliament such as extension of President's rule or fixing a particular time for holding the elections.

It has been specifically said in the statement of objects and reasons that the elections are being postponed for the time being, and an effort would be made to hold the elections as soon as possible. I also feel that we cannot wait for all the time to come. We cannot really wait for an ideal situation. We cannot wait for complete normalcy to return to hold the elections. The new Governor has taken over the charge. Certain developments indicating an improvement of the situation are before us.

Fight against terrorism has been given a greater impetus. There is also some perceptible change in the attitude of hitherto militant groups and the rally held at Chandigarh by the All India Sikh Students Federation does give us some indication of their desire to follow a peaceful political approach. We do hope that the new Governor who has just occupied Raj Bhavan and the Civil Secretariat, who is a person of experience, would soon be able to update himself with the latest developments, with the new intricacies and take steps to ease the situation and build some confidence in the minds of the people, thereby paving way for fresh elections in the State.

I would very briefly like to turn to the Budgetary proposals. A long spell of President's rule uncertain conditions in Punjab have had an adverse impact on the State's economy. I am grateful to Mr. Khurana for his support on that score. It is cred-

lible still that despite unsettled conditions there, Punjab still accounts for sixty per cent of the nation's food kitty. Despite this, the Punjab farmers' condition is far from being satisfactory. Toil and sweat are ail that the Punjab farmers know. Something has got to be done to make farming remunerative for them.

Punjab pays the price demanded for Coal needed for running thermal plants. The State exchequer pays for the subsidised electricity and the benefit of this goes to those States to which the food grains produced from Punjab go. I do not want to sound chauvinistic on this score. But when enhanced royalty on coal is demanded and granted, I suppose, there is no reason why we have a situation where the people of Punjab feel a sense of discrimination being meted out to them. And we know, such discriminatory feelings give rise to many other problems.

Look at the plight of Punjab today. To check fissiparous activities and to fight terrorism which is nothing short of a long-drawn, undeclared war launched by an unfriendly neighbour, Punjab has to pay for the forces deployed to check the situation there. You cannot compare the situation with the request of a State seeking para military forces from the Centre to fight the law and order problem simplicities. I want to take this opportunity to impress upon the Government that the Centre should take on itself to bear all the expenditure on deployment and management of para military forces in the State just like it does in the case of armed forces on the borders.

Keeping in view the difficult situation through which Punjab is passing today, there is rather strong case for providing additional financial assistance to the State so that its economy boosts up offering new income-generating avenues to the youth, the wayward youth can be won back to the national mainstream. They will then no longer provide a recruiting source to the terrorists.

With the land holdings having shrunk

and farming having reached its peak, there is need to expand the industrial base of Punjab. I urge upon the Government that counselling centres be set up where youth are given all assistance, all help to set up small self-employment generating units and all loans etc. are made available without any bureaucratic hassles.

Sir, though Punjab has so far been leading in power generation, there are now signs of alarm visible on this front also. The State's need for electric power is expected to go up from 3286 MW in the current year to 4482 MW in the next five years. The commissioning of the third phases of Gurunanak Dev Thermal Plant at Bhatinda and of the Ropar Thermal Power Plant has been delayed because of lack of resources. I am not mentioning the names of those projects because of the time-constraint imposed by you, Sir, but the work on various other projects is going on at a snails pace only because of lack of resources. In the larger national interest, the Government should help Punjab in this matter because by helping Punjab the country would be helping itself.

Sir, economic development is vital for the long term solution of the Punjab problem. The Government's basic concern must be to raise the quality of life of the youth. I have already referred to the need to create more jobs. But I would also like to emphasise that something has got to be done; more allocations have got to be made for education, sports, art and culture.

Before concluding, I would only very briefly refer to the fact that apart from food production, a very major contribution which Punjab has made for the national cause is recruitment to the Armed Forces. Punjab has had the largest number of serving personnel who have laid down their lives, who have brought glory to this country. Today, a large number of ex-Servicemen are finding themselves idle in Punjab. Therefore, something has got to be done for their rehabilitation. You have got to take them into confidence to fight terrorism there. I am sure, if the

Government take some concrete measures in that direction, we will meet success.

Finally, I have to say that Punjab is a land of Gurus, Saints and Seers. It is a living testament of history and Ancient Indian history. Treasures from Archaeological excavations in Punjab do pride to the National Museum at New Delhi. But an evil spirit seems to have cast its eye on Punjab. I am sure that with a concerted effort, we can fight that evil spirit so that Punjab regains its pristine glory and this country overcomes a seemingly insurmountable problem which has defied solution all these years.

With these words, I conclude.

[Translation]

SHRI CHANDRA SHEKHAR (Ballia): Mr. Chairman, Sir, the House is considering the Punjab problem. I will fail to discharge my national responsibility if I do not say few words about the questions raised by some members. My opinion about Punjab is not a new one, it has long roots in the past. My opinion is that Punjab problem can not be solved with the help of oppressive measures. I am also of the opinion that a blunder has been committed from the beginning in realizing the Punjab problem and finding the solution thereto. I am sorry that the same is being repeated and I am sorry to know that a man like Shri Chavan, who is a man of experience and who is very well familiar with the politics and national problems has been compelled to bring this bill. This was not the reason for this compulsion as there was no alternative left but the reason this compulsion was the way in which the Election Commission has postponed the election.

After a long time I want to say it today that in my opinion the decision to postpone the election is the second serious national crime after the 'Blue Star'. This operation has diverted the people of Punjab from the main stream for ever. Mr. Chairman, Sir, through you I want to inform this House and

the country that till the last moment I had been emphasising that this blunder must not be committed. I rejected very politely the advice given to me in this respect by the big officials who hold high posts in the Govt. and in the State. The decision was taken suddenly when election was to be held within 24 hours. I came to know through newspapers only. One day before I had suggested to wait for new Government to come. If you are in a hurry, let the same Govt. take the oath and they should take the decision.

Mr. Chairman, Sir, A lot of discussion usually is held here on the issue of secessionism. In my opinion, it will not be proper if the Govt. wants to enact some law or wants to promulgate an ordinance imposing a ban on Secessionists from taking part in elections. I think, this step will prove suicidal. Postponement of election will also be another suicidal step. I do not want to comment on Election Commission. I do not want to repeat that others have already said. The Election Commission postponed the election at 2.00 A.M. without informing the Govt. or anybody else so the present Government has to bear the moral responsibility of its deeds. It is very strange as to how the Election Commission could muster so much courage as it could postpone the elections suddenly.

Shri Ataiji is present here and he is a witness when Annadurai has delivered a speech continuously for one and a half hour and the whole House heard it silently. It is another matter that we opposed him and told him that their policy, their programmes, their thinking are not in national interest but none has demanded to get him out of the House. None demanded to seize his citizenship. I want to know as to how the Government can have the right to seize somebody's citizenship? Each citizen who contests the election takes oath of the Constitution that he has faith in the constitution and maintain the propriety of the Constitution. If some of our members, who are now in power, think that violation of the constitution is a very serious crime, then I would like to know as to how many Articles of the constitution are still being violated even today. Where is that

right to equality where is the right to equal treatment with harijans and adivasis in our country? Our directive principles, which are the guiding principles of our Constitution, are being continuously violated. But no Prime Minister resigns, no Home Minister resigns, none loses his citizenship. When we can continue with the Prime Minister who violates the Constitution after taking the oath of the Constitution, why we cannot contest the election after taking the oath of the Constitution. If it is changed it will prove a blunder.

Mr. Chairman, Sir, through you, I would like to make a request to the honourable minister to Home Affairs to think even now and not to commit more mistakes in future. We have time even now to hold election in Punjab. Just now one honourable member was saying that economic assistance should be provided to Punjab. It was the opinion of one hon. Member that you have to try for economic development of Punjab if you want to fight with terrorism, I think if terrorism is going on in Punjab due to lack of economic development, it would have grown in Bihar, Uttar Pradesh and Orissa a long back. However economic development should take place in Punjab. But it is our misfortune that we have a little knowledge about the problems in Punjab. Sir, if we do not want to go into the deep of the problems, we can not find their solution. Hundreds year before Guru Nanakdev once said "Ek onkar sat nam". But Hindu-Sikhs are fighting there itself in the name of religion. They are killing each other. This is the question of sentiments. That is why, Atalji was saying just now that Hindu and Sikhas are not fighting, but such sentiments are being created. I would like Shri Atalji to think seriously as to why these sentiments are being created. Hindu society was believed to accomodate every one. But what happened it today. I have repeated several times and it is also written outside the House "There is only one goal to reach the God". Many of our philosophers suggested various ways in this regard but our society is getting disintegrated in the name of religion. We must hold discussion about it.

Mr. Chairman, Sir, we will have to win

the hearts of the people of Punjab to solve the Punjab problem. We have to remove frustration and the ill feelings which they have in their hearts. They think that justice has not been done with them, they have not been treated equally. I do not say that all this is true, many things may be based on doubts. But we are going to strengthen those doubts by passing this bill today. Doubts have been increased due to the postponement of election. If the Government commits mistake of passing the another bill or promulgates some ordinance, we will definitely loose the people of Punjab from us. How can bear silently the disintegration of the country before our eyes. Mr. Chairman, Sir, I would like to urge you to use the dignity of your post, your powers and your honour to guide and direct the Government in proper way. We can not change the society by using powers of the authority. To change the mentality of the people there, we must understand the feelings and sentiments of the people. We must try to heal the hearts of the people which have been hurt. By repeatedly asserting our power and influence, we are just displaying our inefficiency and helplessness. The Punjab problem can be solved if we try to unite the people of the country with strength and force peaceful means I do not want to comment whether these elections would have proved dangerous for the country or otherwise. One hon. member had commented that the step had been taken to achieve cheap popularity but it should be remembered taken to achieve cheap popularity but it should be remembered that some people had opposed the holding of poll not only in Punjab but in Assam also. The people who were responsible for the postponement of poll in Punjab, opposed the elections in Assam also. But elections were held in Assam peacefully and successfully and people belonging to the same party emerged victorious. Mr. Chairman, Sir, one should admit one's mistakes openly and honestly, because we cannot construct bright future by repeating the past mistakes.

Mr. Chairman, Sir, you should not allow the Government to repeat the name mistakes again. Therefore, I would like to request this house not to pass this Bill.

SHRIGEORGE FERNANDES:(Muzafarpur) Mr. Chairman, Sir, I would like to make a few submissions in respect of the Demands for Grants which have been laid before the House.

Mr. Chairman, Sir, as for the budget estimates the Government revenue which was Rs. 3779 crore during the last year, has now increased by Rs. 1621, this year. But the documents supplied to us do not make it clear as to where from this money has been received. Only this much has been mentioned in the Annual Financial Statement that in the previous year the non-tax revenue including interest receipts Dividends, Profits were the tune of Rs. 60 crore only whereas this year it has gone up to Rs. 1439 crore, has not been mentioned. I am at a loss to know the reason for such an enormous increase in the revenue. I have studied all the documents minutely but failed to find out a single sentence regarding its source. Previous year it was 60 crore before that year it was 74 crore and this year it is 1439 crore?

Secondly, in the statement, Finance Minister has submitted that the expenditure to be incurred on the revenue account is Rs. 4355 crore. I think this expenditure is up by Rs. 1700 crores as compared to the previous year. Last year the expenditure on revenue account was Rs. 2662 crores and this year it is Rs.4355 crores. Three documents have been supplied to us to provide information as to how this money is proposed to be spent. It has been referred to at various places in the documents, but I would like to point out only two places more specifically.

First, on the page No. 7 of the Annual Financial Statement under the heading 'Energy' and subheading 'Electricity', it has been said that 1377 crore would be spent on it. Under the Demands for Grants, it has been mentioned. Under the heading 'S-12' Government proposes to spend a sum of Rs. 1377 crores and 37 lakh for energy as a non-plan expenditure. The situation is not understandable-Rs. 1400 crores have been procured from unknown sources and Rs. 1300 crores are proposed to be spent on 'electric-

ity' and that too as a non-plan expenditure quota. It is clearly a misuse of funds.

In this way, we fail to understand the meaning of the Budget. You are showing 40% to 50% increase in the income and expenditure. You are showing the income through interest and expenditure You are showing the income through interest and expenditure is being shown in the field of electricity as a non-plan expenditure, after payment of salaries. We want to seek a clarification from the Government in this regard because I doubt that there is something wrong in the accounts, I am sorry to say that only three and a half hour has been allotted for this purpose. It is not your mistake because it has been fixed with the consent of all the members due to shortage of time. It also includes time for debate on the situation in Punjab. I am satisfied to note that the Hon. Minister is present in the House. Three days back the Kashmir problem was discussed here and that too in a very short period. That day the Hon. Home Minister was not present in the House. Only Finance Minister and his state Minister were present though he was feeling very uneasy that day, yet his presence in the house must be appreciated. I was disheartened to note the absence of the Home Minister in the House that day. Under the President's rule it is the duty of the Home Minister to understand and answer the problems in the House. I am happy to note that he is present in the House.

In the documents it has been stated that the legislative Assembly in Punjab was dissolved on May 11, 1987 and since then a period of four and a quarter years have passed and no poll could be held in Punjab and the proposed elections were also cancelled. If the Government continues its present attitude, perhaps there would be no representation of Punjab in Rajya Sabha also and then the whole administration would have to be run by police and bureaucracy. I would like to record my objection on one issue. A Parliamentary Committee, not a consultative Committee was constituted for dealing with the Punjab issue and I am a Member of that Committee. Now tomorrow

the session is going to be over and the Members of that Parliamentary Committee were present in Delhi. It would have been better if this Budget had been put forth before that Committee before the commencement of the Budget session. Then it would have been possible to hold some detailed discussion on it. It would have proved useful for the Government. Whatever Shri Chandra Shekhar has said in the House I agree with his views. Today we want answers to some questions, is it not a fact that before the 20th of this month when you made an announcement for postponing the election, on the 19th, the Chief Election Commissioner had announced through Radio and T.V.

[English]

About the decision to postpone the poll, there will be no change at all. There be no change at all in so far as the holding of the poll is concerned.

[Translation]

Poll will not be postponed under any circumstances. Had Shri T.N. Sheshan not made this declaration on the nineteenth? Had not the Governor of Punjab Shri Malhotra stated on Radio and Television on the 20th that all arrangements have been made for the security of all people and the people should cast their votes with courage and conviction without any fear. Then on the same night at quarter past three the Governor was awakened and told that the poll had been postponed; because the condition have been deteriorated. The poll is postponed and everything is off. According to an official estimate about one hundred crore rupees have been wasted during this process. I had been on my election campaign. There was no escort with me throughout the whole election campaign. We started our election meeting at 9.00 in the morning and it ended by 1200 hrs in the night. We continued our election campaign even on the day when terrorists slaughtered twenty five rail passengers. I was in Punjab that day and on the next day too. But on that day, the atmosphere in Punjab was very tense and we could not undertake the election campaign.

After that we carried out the election campaign for the next two days and saw the security arrangements there. How many policemen and Militarymen were deployed there. We observe all this. The elections were postponed and thus the country suffered a loss of rupees hundred crore. We want to know what are those circumstances which compared the Government to postpone the election when Shri Sheshan had declared that the election will not be postponed under any circumstances and the Governor had asked the people to cast their votes boldly. Moreover, firstly you were not participating in the election and secondly you were forming the Government at the Centre and the Prime Minister had only a few hours to take oath. How all this had happened? It should be made clear in the House.

When the election was postponed pressure was put on the Governor, that he should not resign, but he resigned. Many Ex-Members of Parliament belonging to Congress Party and other people met him. The Governor told them that what was going on was wrong and he would not withdraw his resignation. I wrote a letter to General Malhotra, the then Governor, in which I mentioned that the decision he had taken was right and he should remain firm on that. He had tried to give affection to the people of Punjab. I wrote this letter on 27th June. He sent me a letter from Raj Bhawan on 7th July. I don't want to read it all, but will present only a few useful points here.

[English]

"In view of what had happened in connection with the elections in Punjab, I had no other alternative but to submit my resignation to the President.

How I wish we could have completed the election process.

It would have been a correct step towards solving the problem of Punjab."

[Translation]

There were the words of the person

[Sh. George Fernandes]

whom you relied upon so much and appointed as the Governor of Punjab. I would like to know whether the Minister of Home Affairs had consulted the Governor on this issue. Did anyone tell you how the situation has deteriorated and who is responsible for it, because the Chief Election Commission took the decision within eight to ten hours and surprised all of us. I would like to know about the role played by the Minister of Home Affairs and the Government in this regard.

Captain Amarinder Singh, the President of the Akali Dal Panthic has said about it in today's issue of "Hindu" and I want that the ruling party and the Minister of Home Affairs should read it and pay attention to it.

[English]

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): You seem to be totally misconceived. I may inform that this is dealt with by the law Ministry and not by the Home Minister.

[Translation]

SHRIGEORGE FERNANDES: I thought that the Minister of Home Affairs is present here, because he is worried about the Punjab issue and will say something. I withdraw my words. I have no objection if the Minister of Law makes statement. Both are present. But I have objection that I was putting some questions before you...

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Perhaps he wants to go.

SHRI S.B. CHAVAN: I have to leave at 6 P.M

SHRI GEORGE FERNANDES: That is way I am insisting on your reading it because in my opinion, it is related to the problem of Punjab. It has been mentioned in the paper that with best steps were intended to be taken in a planned way by the Governor in

Punjab to solve their problems. I shall not read it because there is lack of time. Today the problem of Punjab has become very critical and do not know whether any efforts are being made to solve the problem. But if the situation remains like this, it is not possible to predict where it will take us. We have seen the scene of terrorism in Punjab very closely. When we were in power, we met every person in the terrorist affected area and felt that something can be done to solve the problems of the people of Punjab. On the basis of my experience, I can say that 50% of the terrorism in Punjab has been created by the police and bureaucrats. I am ready to stand witness for it, anywhere. Such a situation has been created by the police and bureaucrats that there remains status quo. I have a letter signed by freedom fighter Shri Hansraj Mongia, businessman Shri Nirmal Kumar and Subedar Shri Gurdeep Singh Barar. The Minister of Home Affairs might have also received this letter because it relates to an incident in which two children of 16 to 21 years of age were killed on 27th December. It happened at Kukhrana bus stop near Ludhiana-the name of the children are Bobby and Bitto. One of them is a Hindu and the other is a Sikh. These two children were coming in a car with Shri Satnam Singh. First of all their car was checked near dairy they were permitted to proceed towards Faridkot. When they reached at the bus stop their car was stopped by the police with torch light and without any inquiry they opened fire at the car. They started crying in the car, that we are honest persons, we are shopkeepers. Don't kill us. Then they were ordered to come out of the car. They came out of the car. The fire continued and the two children were shot dead inside the car.

[English]

MR. CHAIRMAN: What is the authenticity of this document?

SHRI GEORGE FERNANDES: I am prepared to authenticate it.

MR. CHAIRMAN: What is the authenticity of the document to say that the police

opened fire without any cause on a vehicle?

SHRI GEORGE FERNANDES: Thank you, Sir.

SHRI GEORGE FERNANDES: Sir, this is an affidavit and I am prepared to authenticate it and lay* it on the Table of the House.

MR. CHAIRMAN: I thought that it is a letter but it is an affidavit.

[Translation]

SHRI GEORGE FERNANDES: Mr. Chairman, Sir, the matter does not end here. The police committed brutality and killed two children and asked Satnam Singh to kneel down and come towards them. He was treated in such a manner that his turban is taken out and he was tied with that. Next day in the newspapers a statement on behalf of police authorities appear:-

[English]

"Two persons, Bobby and Bharpoor Singh, i.e. Bittoo, were killed by militants the previous night at Kukhrana village in Faridkot district."

[Translation]

This is the role of police. It is not the story of two children only. I can cite hundreds of such examples.

SHRI S.B. CHAVAN: Are you confident that terrorists have not done this in guise of police? Have you satisfied yourself by making inquiry?

SHRI GEORGE FERNANDES: We are fully convinced. We belived in this document and we are saying this.

Mr. Chairman, Sir, I want to say if the Home Minister has ever time to listen to me, I am ready to cite dozens of cases...

[English]

MR. CHAIRMAN: I doubt that it is a very serious matter and I am sure that the Home Minister is taking due note of it.

[Translation]

One of the Railway employees at Kapurthala was arrested in the same manner by the Police on the plea that he is a terrorist. Afterwards, the General Manager of Railway had to go to the police to save an honest boy from harassment. Four lakhs of rupees were demanded. His relatives working in Singapore and other countries had to come here and mortgaged their land, paperty, etc. and offered money to the police and got him released. Today he is working at Kapurthala. We are ready to tell you many such cases. We are very much disturbed due to the decision you have taken, the law you want to legislate and your intention to postpone the elections. This law would not be able to control the situation. But it will further deteriorate the situation in Punjab. That is why we are opposing it. We wish an immediate declaration of holding elections in Punjab. Today you have made us of nowhere. The Chief Elections Commissioner postponed the elections which were due before 25th September. The elections can not be held today. But the President's rule would be over on 11th November. Mr. Chairman, we would like that the Government should declare while bring this law, that the elections would be held in Punjab before 11th November and an elected Government would be formed in Punjab. I am going to conclude after putting forward two-three demands only.

1. We would like that the Government should provide security to all those who were the candidates in the last elections.
2. The Government is responsible for refunding the money spent by the people who were the candidates of the recognised political parties in the last elections and it should be refunded by the Government. The Government should also bear the extra expenditure to be made by the candidate or the political par-

* As the speaker subsequently did not accord the necessary permission, the document was not treated as laid on the Table

ties contesting the Assembly or Lok Sabha elections as the ceiling on expenses has been fixed by the Government.

Mr. Chairman, Sir, besides this we would like to urge upon the Government to initiate an action to curb the activities of police in Punjab immediately. Police-terrorism should be checked. Mr. Chairman, Sir, I demand that severe punishment should be given and cases should be filed against those who were the motivators of 1984 riots after the murder of Smt. Indira Gandhi and are moving in the country with honour and respect with police escort. A large number of men-women and boys belonging to Sikh community were killed in Delhi and other places of the country. The Government should take steps in this direction.

17.59 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

Same is the case of police. Mr. Chairman, Sir, I feel distressed as the Hon. Home Minister has left the House before concluding my speech. Three days ago when the discussion on Special Protection Group was going on, I talked about Shri Rajdev Singh. The Home Minister ensured us to provide him police protection and asked us to send Shri Rajdev Singh to see him. I told that he will come tomorrow to see him. He could not meet him as the Home Minister had no time. Shri Rajdev Singh went to see the Home Minister many a time but no time, was available with him.

18.00 hrs.

The other day when he was given the time, he met the Hon. Home Minister, who after seeing him instructed his private Secretary on telephone to ring up the Police Commissioner as well as particular persons in Punjab for making immediate arrangements for the security of Shri Rajdeo Singh in Delhi as well as in Punjab. But till today

morning when I had a talk with him, neither any security was provided to him by the Police Commissioner nor he received any message from the Police Commissioner. He himself contacted the Police Commissioner on phone who told him that he had not received any such order/message from the Ministry of Home Affairs and the moment he gets it he would arrange security for him. Therefore, Shri Rajdeo Singh contacted his men in Punjab also and enquired about it. They too replied that they had not received any instructions or message from the Ministry of Home Affairs. The Hon. Minister of Home Affairs had himself promised in this House that the security would be provided to him at once. But as yet it has not been done.

I demand from the Government and the Hon. Home Minister to provide security to him. We are ready to extend all co-operations the Government wishes from the opposition parties on the Punjab issue provided an announcement regarding holding elections there is made immediately. If it is not done, then we will vehemently oppose this Bill.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): Mr. Chairman, Sir, it is nearing 6 o'clock, the House will have to take a decision on deciding to sit beyond 6 o'clock. It is my proposal. Since some lady Members have approached me and spoken to me about the discussion on the issue of atrocities on Women and they preferred that the discussion which is slated for tomorrow may be taken up during the next Session, that being the situation, we could start the discussion on International Situation tomorrow at 1 o'clock. Before that let us take up the Electricity Laws (Amendment) Bill. We could complete the Punjab debate, if possible, today itself. Let us sit up to 8 O'clock and complete it. If the House is agreeable to this proposal, then it would be good.

MR. CHAIRMAN: Do you agree with this proposal that the time of the House be extended up to 8 o'clock?

SHRIMATI SUSEELA GOPALAN (Chirayinkil): If we get an early opportunity, then we would accept this. That should be granted.

SHRI RANGARAJAN KUMARAMANGLAM: It would be granted.

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Chairman, Sir, we sat the other day upto 12.30. a.m. on the next day upto 1.30. a.m. Today again you are asking us to sit late.

[English]

MR. CHAIRMAN: Shall we take it that the time of House be extended up to 8 o'clock?

SEVERAL HON. MEMBERS: Yes.

(Interruptions)

[Translation]

KUMARI UMABHARTI (Khajuraho): Mr. Chairman, Sir, I would like to give an important information to this House. An hour before, I received an information on telephone while I was at my house that the D.D.A. officials had started demolishing a 300 years old Hanuman Temple located near Uphaar cinema in Green Park/Yusuf Sarai. As the news spread people began to assemble there. I, myself went there and controlled the mob, otherwise the tension would have increased there.

Mr. Chairman, Sir, I would like to say to any representative of the Government present in the House that on the one hand, they are passing a Bill for maintaining the status quo of all religious shrines as was upto 1947 and on the other hand a 300 year old temple, which does not create any obstruction in the traffic, was being demolished. Certainly, if

this incident is not inquired into thoroughly, the tension will aggravate in the whole area of Green Park and Yusuf Sarai. And ultimately this tension will engulf whole Delhi. Therefore, it is my request to the Government's representative whoever is present here to collect full information and take necessary action immediately in this regard.

[English]

SHRI RANGARAJAN KUMARAMANGLAM: Mr. Chairman, Sir, we will look into the matter.

[Translation]

SHRI KRISHAN DUTT SULTANPURI (Shimla): Mr. Chairman, Sir, I rise to support the resolution regarding the elections in Punjab and the Punjab Budget. One of the reasons of terrorism in Punjab is the unemployment among the Punjab youths I would like to say that Punjab is one of the best provinces of India, which provides food grains to the whole country and where the per-capita income is the highest. The Resolution for postponement of elections in Punjab has come from the Government and it is quite reasonable because the contesting candidates though not of the Congress Party as it was not participating in the elections, were being killed by the terrorists there. There was much terror even in the areas of Himachal Pradesh adjoining Punjab. Our friend Khurana Saheb has said that on 20th June, this and that had happened and that the Government was with Shri Beant Singh and he too was participating in the elections. But the condition put forward by the Congress Party to restore peace during the elections was not fulfilled. The candidates contesting elections incurred the expenses and some of them were killed. This is a serious offence, it can not be tolerated.

Mr. Chairman, Sir, today, the Members of the B.J.P. say that the Congress had signed the Longowal accord. But I would like to say that it was B.J.P. who firstly made an agreement with the Akali Dal. In 1977, when they formed the Government, Shri, Prakash

[Sh. Krishan Dutt Sultanpuri]

Singh Badal and Shri Barnala become the Ministers in the Government. As you know, then Barnala took Badal to Punjab where he was presented a 'Saropa'.

Shri Shanta Kumar was the Chief Minister of Himachal Pradesh at that time. He was also presented a 'Saropa'. All knows it but you tell us that such acts are done by the Congress party to get votes. I claim that no other Government can do so much work for the progress of Punjab as Congress Party has done. The works for development of Punjab done by the Congress party will be written in golden letters. Bhakhara Nangal dam was constructed which is very big dam and today it is working to bring prosperity in Punjab. Its foundation was laid by Pt. Jawaharlal Nehru. A railway coach factory was set up at Kapurthala in Punjab which is very big and people of Punjab were given employment in large number. All these achievements have been made by the Congress Party.

Mr. Chairman, Sir, B.J.P. men marched to Ayodhya. I say they should have marched towards Punjab, only then they would have come to know the facts. You should have marched from Amritsar in Punjab to Ayodhya instead of marching from Gujarat to Ayodhya. I think that Hindus and Sikhs are brothers. They are not fighting with each other. The views expressed here are wrong, that there is no peace and there is enmity between Hindus and Sikhs. It is not so. People of Punjab are very mature and they are not fighting. I believe they will take any step with wisdom. Our Government desires that this budget should be presented in Punjab Assembly and Punjab Assembly should pass it. But it can be done only when normalcy prevails there. We need co-operation of all parties to create normalcy. C.P. M. men have also worked hard to maintain peace there. If all parties had come together in maintaining peace in Punjab, as have come together through united front and if Communist and C.P.M. men cooperated, perhaps what is going on there today would not have hap-

pened. But today we are not in a position to hold elections in Punjab. We request the Government to announce an early election in Punjab so that Government of the people may be formed and assembly may pass the next budget.

Nalagarh and Ropar are adjacent to my Constituency. I want to inform the Central Government that we get 2.7% royalty for electricity. Punjab has got much co-operation from the people of Himachal Pradesh. We get less royalty for the electricity produced at Bhakhara Dam. Joginder Nagar is a big electricity producing centre but Himachal Pradesh does not get any share from there. When Himachal Pradesh, Punjab, Haryana were formed, it was decided that Himachal would get 7.19 crore as royalty under an agreement between Central Government and Himachal Pradesh Government. According to that agreement, a large amount of money is due from Punjab through Central Government which should be provided to Himachal Pradesh. People of Himachal Pradesh are economically weaker due to this reason only. Your party has won on the name of Ayodhya and your Government is compromising with the big industrialists. Many big hydroelectricity schemes have been formulated. All the rivers that flow through the state have capacity to produce 20 thousand megawatt electricity. If these schemes are expanded the people will be benefited. All the developments that has took place is due to Himachal Pradesh only, but the people of Himachal Pradesh are facing a lot of difficulties. When there is heavy rains in Himachal Pradesh, many areas of Punjab submerge due to flood and the people there become homeless.

The provision, for harijans and adivasis in Punjab budget, should be enhanced. Their backlog should be fulfilled in the services. People should be provided protection there. Along with it, those who come from Pakistan, for imparting training should be kept under surveillance. Today, Punjab is a very small area. One day the constituency which I represent was also a part of Punjab. No sympathy should be shown with the people who are responsible for extremism and spreading

hatred there. Those who are traitors should not be handled liberally. If we want to keep Punjab united, and if we have to hold elections in Punjab then we all should prepare a time bound programme to maintain the unity and integrity of this country and election should be held accordingly. I request the Government to hold the elections in Punjab as soon as the situation improves. One of our hon'ble members has mentioned that officials are very inefficient in Punjab. They are not working properly but I want to congratulate those officials on behalf of myself and this House. Those who are working in Punjab today know very well that under what circumstances they are working. I request you to provide them full protection. We should not comment on them in any way.

In the end, I support this budget and I also support the Law Minister's proposal to cancel the elections. I hope that people of Punjab will participate in the elections and will continue their struggle for maintaining the integrity and unity of country. I conclude with these words.

[English]

SHRI SAIFUDDIN CHOUDHURY (Katwa): Mr. Chairman, Sir, one of the Bills that we are discussing now is cancellation of the notification for General Elections in Punjab. Sincerely speaking, the elections in Punjab would have been held long before, but it could not be held due to the inactivity that the successive Government in the Centre had indulged in. Many a time in the past, the people had given sufficient indication that they favour democratic process to be restored in Punjab. They had unequivocally declared that they are against terrorism; they are against those forces who are trying to destabilise Punjab; they are against those evil forces who are killing the innocent people, who are molesting the womanhood of our country in Punjab; who are extorting money; who are indulging in anti-social activities in the name of so-called political objective that they have in their mind. Many times in the past, we came very near to a solution of the Punjab problem. I can not forget that. After

the Blue Stare Operation, the Central Government could arrive at an agreement with the then leader of Akali Dal, Shri Longowal. Rajiv-Longowal Accord was signed. Elections were held on the basis of that Accord. The terrorists gave call for boycotting the elections. But, people in large numbers came, took part in the election, gave a clear verdict against the secessionist activities of the terrorists. Still we could not avail ourselves of that opportunity. The Government that was formed due to the exercise of that democratic option, that Government did take certain measures. That Barnala Government sent police into the Golden Temple to vacate the holy place from the occupation of terrorists. And that Government also faced rough treatment from the Government at the Centre. The Central Government dissolved that Government. The moderate Akalis did not get an encouragement from the Central Government or the party that ruled the Centre. So, many a time in the past, opportunities came and we ourselves destroyed them there is no doubt that Elections should have been held in Punjab. But we, the political parties, verbally in this House and elsewhere reiterated that Punjab problem is not a party problem. It should be considered above partisan ends. But still we do not try to arrive at a consensus about how to create confidence in the minds of the people, how to develop effective resistance of the people to combat terrorism, how to gear up the administration there, on which much depends in Punjab. I am very sorry to say that today we are discussing the Bill to cancel the notification for Punjab election but when the decision to hold the elections in Punjab was taken, it was not taken in right earnest. The people who are fighting in Punjab, those who are laying down their lives, who are shedding their blood, they were not taken into confidence.

I know my party objected to holding elections in such casual manner in Punjab. We suggested that certain positive measures should be undertaken, like implementation of the provisions of Punjab Accord. Chandigarh has to go to Punjab. There has to be a solution for the border dispute. For

[Sh. Saifuddin Choudhary]

that, a Commission should be instituted. The river water dispute, we suggested, should be forwarded to the Supreme Court for adjudication. We also said that action has to be taken against those criminals who were responsible for initiating the Delhi riots. For the crime of two sikhs, three thousand Sikhs were butchered in Delhi and elsewhere, but nothing happened. If we do not take these kind of measures, how are we going to have peaceful elections in Punjab? That is the answer that has to be given by Chandra Shekharji who took part in this debate. It was not a problem of Samajwadi Janata party, it was not a problem of Congress Party or CPI(M) or BJP, it is the problem of all the nationalistic, Patriotic parties. Why could not we all come together to express a uniform idea about holding elections? It may be two months before or two months later, how does it matter? It is a very serious situation in Punjab. Why can't all those who are pro-India, who are against divisiveness, who are against secessionists' conspiracy that is going on in Punjab, come together?

I am very sorry that those very parties who do not have a single worker to lay down life in Punjab, become very active to show that they are the great democrats in this country. We know, our people go there. On 26th January at Amritsar, CPI (M) and CPI gave a call for mobilisation of people, despite the *bandh* call given by the terrorists. Five thousand people came there. Not a policeman was there to give security to those who came there. Our people arranged their own security. They are the people who have to be taken into confidence.

Punjab is not anybody's party problem. Elections have to be held. I cannot oppose the cancellation of the Notification but to be sincere to the people of Punjab, we have to simultaneously declare another date. When the elections will be held, that should be the responsibility of the Government. That is very necessary. Otherwise it will be understood by the people that we are against giving democratic rights to the people of

Punjab. No. I am very sure in my mind that only through administrative measures we are not going to solve the problem of Punjab. We are very sure about it. We have to take certain measures to revamp the administration.

Mr. George Fernandes has referred to certain things. The same copy I have also got. Not doubt, para-military forces are doing a laudable job. They are passing through a difficult time. It is not ordinary time that they are passing through in Punjab. But there may be some black sheep who have developed some vested interests. They may be in league with the terrorist elements who are going on extorting money and kill somebody. They are getting money in their pockets. I do not know; it may be so. If we raise our voice about the allegations of excesses committed, it is not for condemning the whole police force or the para military force that is working there. It is only to make it appear to the world and show that what is being done is done with a purpose and not to harm the people. If there have been some excesses committed, then action is also being taken against them. This is very much necessary.

We have some time on our hands now. On the 11th of November the President's rule will expire. We have to sit together to find a solution. I mean all the political parties should discuss. Can the elections be held within this period? That is the question. We have to do this exercise very sincerely. All political parties should do it. I do not want that somebody must be excluded from elections in Punjab. If that happens, we may get one or two seats more. But, for the elections in Punjab, I want even the Congress party must also take part. They should also take part. They are the ruling party. Why do they not take part in the elections? I could oppose it. If I do that with a petty and sectarian attitude in my mind that since they are not taking part, we will get two seats more, then it is not the consideration for Punjab. We all have to sit together. This is the condition that we are in Punjab now.

Despite all the problems they are facing

in Punjab and despite all the difficulties, the people in Punjab are secular. They are not fighting each other enmass on communal lines. They are carrying on the economic activity. We have been told that their contribution to the food production this year has been great, compared to the previous years. It has increased. Life in Punjab is going on despite all the attempts to bring it to a halt. It is this which gives us inspiration. When we hear that the terrorists came and attacked a particular house and they faced resistance, we feel proud. But, all these instances of resistance are not properly highlighted.

Tenthousand people from Punjab came just two or three days ago to Delhi. Menfolk, women and children - all have come. They are demanding early elections in Punjab. You kindly understand what kind of risks which are involved for these people when they come here and demand the elections and demand the restoration of peace in Punjab. They are raising their voice against terrorism. Despite all these risks, they still came. But our media failed to highlight this.

What is the role of our electronic media? We should be politicking all the time. Since a particular party has brought the people, do not show them - should this be the attitude. This kind of attitude has really harmed us and will be harming us in the future also.

I do not want to take much time of this House. The unity and integrity of our country is at stake in Punjab. Democratic process of holding elections must be a contributing factor in bringing normalcy in Punjab and strengthening the forces who unite and who would stand for the unity and integrity of the country. If it is to be so, then we have to take certain effective steps on the ground to get the confidence of the people back. That is very much necessary. Nothing can be more harmful than just saying that you are a great democrat while acting in an irresponsible manner, announcing the date of election without making the ground ready for that and for mobilising all the patriotic forces for facing the election. But again we cannot postpone it any more. We have time. Please take

steps and announce a date and mobilise everybody so that the people are inspired and we really give a lethal blow to the conspirators who are designing to take Punjab away from India. With these words I conclude. Thank you.

[Translation]

PROF. PREM DHUMAL (Hamirpur): Mr. Chairman, Sir, discussion is going on two topics. The issue of budget does not seem as important as the issue of political process in Punjab. The Government is further complicating the situation in Punjab by cancelling the elections. Many candidates who were contesting for Lok Sabha and State Assembly were killed. Shri Rajdev Singh's security has been withdrawn. He was a member in the ninth Lok Sabha with us. He has not been provided security till now even after raising this issue in this House again and again.

I want to know from the Government what reply it would give to those families whose members were contesting the election and were killed. Who spent money in election campaign. You cancelled the Punjab elections at the last moment in the interest of your party. Due to some reason your party had decided to boycott the Punjab elections at that time but when your party got power in the centre, you cancelled the elections. You said that you would define when the conditions become conducive. When will you take it as conducive to hold election in Punjab?

Mr. Chairman, Sir, through you, I want to remind the Government that elections for corporation took place in three big cities, Jalandhar, Amritsar and Ludhiana, in the month of May. If elections could be held for corporation, why the elections can not be held for State Assembly and Lok Sabha. So I request you to take it as granted that our party will support your proposal only if you announce a particular date for holding elections in Punjab. As the hon. Member Safuddin Sahab has said-President rule is ending on 11th November. On each occasion, whenever proposal was brought to extend

[Prof. Prem Dhumal]

the president is rule in Punjab, it was appealed to extend it for the last time, we will hold election next time and democratic procedure will take place when you used to sit on this side, you used to ask very loudly about holding the elections in Punjab and now when you have got a chance, you are denying it. So you please announce a fixed date for the Punjab elections. Only then we will support your bill. What signal do you want to convey to the people by cancelling the elections? You said that

[English]

It is only one time measure who will believe? Whenever the President rule in Punjab, it was always said, it was only a one time measure, next time there will be a democratically elected Government in the State.

[Translation]

And the Minister of Home Affairs comes after 6 months by bearing a long face for the extension of President's rule for another six months. So none will believe you, what you are doing in Punjab today is a wrong practice. Tomorrow, you may be out of power, other party may come in the power, they may say at any time that the conditions are not favourable and they can say it for any state and thus that party may try to postpone the elections. So you will be establishing a wrong precedent. Therefore, it will be proper if you chalk out a time-bound programme for Punjab.

Mr. Chairman, Sir, I agree with Shri George Fernandes who said that according to the figures available, Rs. 100 crore had already been spent on the Punjab election before they were called off. The elections were due in June and para-military forces from all over the country were sent to initiate the election process there. Since the elections had been completed all over the country, a large amount of money was spent in movement of those forces from different

parts of the country to Punjab. Has anybody kept an account of the money spent in this regard?

Another important matter which I want to raise is that you should distinguish between the militant activities and other crimes in Punjab. The hon. Minister of Home Affairs is not present here, the hon. Minister of Law is, of course, present in the House. I want that you may ask him to look into the record of crimes committed during the last few years in Punjab. Whenever any crime is committed there, it is treated to be an act of militants. Quarrels and murders particularly due to land disputes used to be a common feature in Punjab in the past also. What happens today is that every crime is seen as an act of militants and no investigation is made into it. Therefore, these two different types of crimes should be distinguished and properly accounted for. Investigations should be made into the cases where police are alleged to be in collusion with the criminals. The President's rule is said to be a sort of heyday for the bureaucrats. It is a fact that the people manning the administration are working there in very trying conditions. I admit it. But corruption is also rampant. Due to such corruption, some vested interests do not want elections there. You should look into this aspect also because it is not the bureaucracy that is ultimately responsible to the people.

I want to draw your attention to one more thing. In Punjab small industries have a tremendous contribution to curb terrorism. People get employment in such industries. But today they are facing economic crisis. They do not get raw material on credit. They purchase it on cash payment but they have to sell their products to the outside buyers on credit. Therefore, the small industries should be given more facilities. Special facilities should be given to small industries in three border districts of Ferozepur, Gurdaspur and Amritsar. These facilities should be provided in Jalandhar and Ludhiana also, because there is hardly any area in Punjab which is unaffected from terrorism. Therefore, small industries should be given special facilities throughout the State.

I would like to reiterate one more thing which I have been mentioning repeatedly. The youths of Punjab, Haryana, Himachal and Jammu are fond of arms. If you could take a glance over the history, you will find that the majority of persons recruited in the army come from Punjab, Haryana, Himachal Pradesh and Jammu. The Central Government has amended the rules governing the recruitment of youths in the army. Thereby making the recruitment proportionate to the population of the State. As a result thereof, recruitment in the army and para-military forces from these small states has decreased sharply. This in turn has led to increase in unemployment there. When you do not give arms for the security of the nation to those who are fond of them, certain other forces arm them to commit wrong acts. This has further aggravated the problem. I suggest you to make a provision in the budget to recruit youths in the army and para-military forces from Punjab in the same proportion as in the past. Otherwise the terrorists are giving money to them and hiring them. You pay them Rs. 1000 a month whereas the terrorists recruit them on a monthly salary of Rs. 5000.

If you recruit them in the army and para-military forces they would take up arms against enemies. If you fail to cope up with their aspirations, they would get their arms from the terrorists and use them against you. Therefore, the most significant thing is to encourage small industry in Punjab. There is a song in Punjabi, "bharti ho jana ukde nahin khana" which means that it is better to be recruited in the army than to live on alms. Thus, every school boy in the State thinks that he will ultimately have to join the army. Since you reduced the number of persons from Punjab to be recruited in the army, terrorism has escalated.

I still see a silver lining there because there is no communal tension there. There is no feeling of Hinduism or Sikhism, though attempts were made at some place to disturb amity between Hindus and Sikhs and incite felloes against each other. If still there is unity or cordiality in them, the Government

must come forward to capitalize on this opportunity and channelise the same properly. Workers of every political party are being killed there. Those who are fighting for the cause of the country and speak of national interest, are attacked by the terrorists. Yet the majority of the people are ready to work for the cause of the country. I, therefore, would like to suggest you to recruit the persons from Punjab in the army and para-military forces. At the same time I would urge the hon. Minister that if he wants the Bill to be passed and declaration of elections nullified, the date for the forthcoming elections must be announced forthwith.

SHRI BHOGENDRA JHA (Madhubani):
 Mr. Chairman, Sir, earlier also we had discussed the Punjab problem. Right now, we are discussing the Bill regarding cancellation of elections announced earlier as well as the Punjab Budget. Mr. Chairman, Sir, keeping in view the situation prevailing in Punjab. We had supported the cancellation of elections in Punjab. We did so because we had no other option. Mr. Chairman, Sir, democracy has many drawbacks. But one of its merits is that it is in itself a panacea. There was a time when the Communist Party was under ban and we could not even imagine to participate in elections in the capitalist set up. Whenever we talked on these lines, we met with stiff opposition within the Party. But when we decided to participate in the Democratic system in 1952, Shri Ravi Narayan Reddy won elections from 4 places even though he was in the hiding and our party continued to be unlawful. He died recently. Now we struggle for our rights in this system. Therefore, to prevent somebody from contesting an election on the suspicion of being a Khalistani, terrorist, disruptive agent, will be a very harsh step and will amount to a cruel injustice against democracy. Someone may like to come and speak here. If anyone does so, he will be heard. He will come across the actual situation here. It will be a period of transition. Thus stepping into the troubled waters will not be proper. If we snatch away others rights, we too may meet the same fate. The happenings in the world stand

[Sh. Bhogendra Jha]

testimony to this fact. What happened in the Soviet Union recently? When democracy was advocated a bit too strongly, its very purpose received a big jolt with the result that they have started realising that such a gamble was not worth playing.

Mr. Chairman, Sir, manifestation of this problem is the result of an attack on democracy when Shri. Darbara Singh was the Chief Minister. He was out and out a non-communal and a freedom fighter. But due to the inner factionalism in the Congress Party, he was dismissed though he enjoyed huge majority in the Vidhan Sabha. The fate that befell the legislature of Punjab is no more a secret. Moreover, it was the Centre which started disruptive and destabilizing process. As a result of the inner factionalism in the Congress Party, the geographic and political importance of Punjab was lost sight of. Therefore, a chain of events followed. The hon. Member, Shri George Fernandes said that the Governor who was sent there to hold elections, recommended to postpone the election at the eleventh hour. In past, during the discussion on Punjab in the House, the galleries used to be packed. Today, I have come to know that people are no more interested in it nor have they faith in us. To postpone election at the last moment is wrong. This caused avoidable destruction as their demands are genuine. The dependents of the victims were to be given compensation. Has the Government learnt any lesson and does it admit that it has committed a crime? The Government of India should regret that it will not be the adequate compensation. It must think for a while. It is related with future. The people there should be convinced that this Government will fulfil its commitments. But the people of Punjab will hardly believe it. In such circumstances, I support this Bill with some reservations.

There is no other way out. We are not putting it as a precondition. Our B.J.P. colleagues have stated that you should announce the next schedule of elections. If the scheduled election is postponed, it will

be dangerous. There is still danger ahead. Still lives are being lost. People have sacrificed their lives for the sake of Independence and democracy. Elections were held peacefully in Assam. The postponement of elections has resulted in further spurt in killings. In such circumstances, the fresh schedule should be announced. If the Minister of Law is not in a position to announce it, the Cabinet should do it. This has to be done sooner or later. So let it be done right now so that we do not have to repeat the exercise of extending the President's rule in Punjab in the next session. Before November, the date of election should be fixed so that we are able to contest elections. Despite the vitiated atmosphere in Punjab, I happened to attend many meetings there. It is very risky to attend meetings in Punjab. It is a matter of great pride for the country that a large number of Communists in Punjab have laid down their lives and become martyrs. About 250 of them have attained martyrdom for the unity of the country. The previous martyrdom has its own importance. The Communists have become a team of martyrs for the unity of Punjab. Red Flag has become the flag of martyrs for unity and sacrifice for the country. In the name of all those martyrs, I request this Government to take steps against communalism. The people whose mother tongue is Punjabi but are non-Sikhs, are asked to learn Hindi. All this started in 1951 after Independence. Does it enhance the dignity of Hindi? If they encourage communalism, their language becomes Punjabi, but many Sikhs assert that their mother tongue is Hindi. It helps the protagonists of Khalistan to spread their propaganda. This is happening even today. We link language with communalism. What name should be given to Khalistani communalism? Indian communalism is not Hindu religion. But some of our colleagues are bent upon turning it into a religion... (Interruptions)...

SHRI RAJVEER SINGH (Aonla): Your misunderstanding has been removed. Thanks for it.

SHRI BHOGENDRA JHA: I shall not reply to it. Whether I have misunderstanding

or not. You may give thanks but do not give it a religious colour. However, giving thanks is better than abusing.

Similarly many things are essential for us. As I have already stated that it is not like a fight between two soldiers. In it innocent and honest people have been misled. They believe that if Babri Masjid is demolished in Ayodhya then what will be the fate of the Gurudwara of Patna. Will that also be demolished. (Interruptions)

PROF. PREM DHUMAL: You are deviating from the issue.

SHRI. BHOGENDRA JHA: Please listen, they think that if the mosque of Ayodhya is demolished, the Gurudwara of Patna will also be demolished. I want to mention about it because when talk of demolishing temple, mosque and Gurudwara here it has a reaction on the other side...(Interruptions)... Please have patience. I request you to listen to me. I went Amritsar and addressed a meeting at Putaligarh. There I also met same supporters of Khalistan. I told them that if they want Khalistan then what will happen to Patna Sahib. Where Guru Gobind Singh, the founder of Khalsa Panth was born. It is the first gurudwara of the world. Will you leave that? If you want to take that gurudwara within Khalistan then you will have to extend Khalistan upon Bihar. So tell us what will you do? Then, I ask them what they will do about the Gurudwara of Nanded where Guru Gobind Singh had died, and wherefrom our Minister of Home Affairs, comes who is not present here, at the moment. It is the fifth gurudwara of the world. The name of Khalistan will not be meaningful without Nanded and if you want to extend Khalistan up to Nanded, then you have to carry fight upto the border of Karnataka. If there is any conflict between us, we can resolve that by negotiation. At the end of the meeting when I was coming out four or five Khalistani youth who were taking tea outside who did not recognise me said during their conversation that I had created a commotion in their mind by disclosing these facts to them. They abused me also which

proved that they found some truth in my words.

That is why I say that there are many such people who are smugglers, criminals, there are others who belong to such gangs who make attacks on the public and save themselves from our security police by paying hush money and mislead the people. Those people should be identified and should be dealt with properly. So I again stress that the main solution to the Punjab issue is not the deployment of Army but it is political and involves intelligence and intelligency improvements. I have visited there many times and found that the intelligence service has become very ineffective. It can't distinguish between real and unreal, right and wrong, who wants to unite and who wants to disintegrate the country and who can create disturbances to preserve their profession. Some murder takes place and our Reserve force para military force and military reach there and start firing, those who opened fire in the village has fled away and those who were innocent were killed. It is defaming us, our country and our constitution. My submission is that T.V., radio and the newspapers should not give fillip to this aspect. Many of our friends belonging to Congress and Shri. Saffuddin said that recently a big procession with red flags was taken out in Delhi, Patna and Amritsar. Such a situation should not be placed before the country....

MR. CHAIRMAN: Please conclude.

SHRI BHOGENDRA JHA: T.V. radio and Press do not highlight the efforts being made for stabling unity in the country, they only give prominence to the killings in Punjab. There is an old saying that when a dog bites a man, it does not become a news, but when a man bites a dog it becomes a news which proves harmful to us. It is clear that there is a foreign hand behind what is happening in Punjab and there is a need to take firm steps in this regard. Political process should be initiated there. Mrs. Indira Gandhi was assassinated so a wave of anger was natural, but what had happened in the riots of 1984 in Delhi and other places, I will cite an example

[Sh. Bhogendra Jha]

in that report.

Mr. Chairman Sir, I was in Darbhanga. A procession of Lord Hanuman's statue was taken out there. There was nobody in Mirzapur to check the people from replacing a gurudwara by a Hanuman temple. People were already irritated. The population of Sikh is less there. Moreover, they were not in a position to face them, therefore we interfered...

MR. CHAIRMAN: Please come to the point. Your time is over..

SHRI BHOGENDRA JHA: I shall conclude my speech whenever you will ask for it. When we interfered the crowd left the statue of Lord Hanuman and ran away. The statue was kept for six months in the police station but nobody comes to claim it. We made an announcement that the owner of the statue should come forward and take that away.

SEVERAL HON. MEMBERS: Where?

SHRI BHOGENDRA JHA: In Darbhanga and in Mirzapur. Mr. Chairman Sir, the point is that the accused of the killings in Delhi during 1984 riots should be punished and in Pilibhit..

MR. CHAIRMAN: Your time is over.

SHRI BHOGENDRA JHA: Just a minute Sir. Strict action should be taken for Pilibhit incident. I wish that the Government should constitute an all party advisory committee at state level for Punjab and that should go to the lower levels. The parties which are ready to save the nation and Punjab should constitute that committee, so that a check could be placed over the arbitrary attitude of the bureaucrats. Mr. Chairman Sir, when I was about to speak, I received a letter.

MR. CHAIRMAN: Now, please leave it.

SHRI BHOGENDRA JHA: It is impor-

tant. The D.I.G. of Ferozepur range took two sons of Pritam Singh from his house in village Malhot and shot them. This rumour was spread that they were related to the terrorists. Then inspector of Malhot police station is not ready to commit orally or in writing that there was a feud between a land lord and a Zamindar and DIG accomplished the task. In this way on the one hand people are being made against us and our country and on the other hand killings are being continued. Therefore the constitution of an all party committee should be started at once and at all levels. Hon. Minister should announce it in this budget and assurance should be given that the election will not be postponed again and will be completed within the fixed period. In the constitution it is stated that we will hold the election even at the cost of our lives. As we sacrifice our lives for the nation similarly we will sacrifice our lives for the election. With these words I conclude my speech and support the Bill hoping that the Government will hold election at the earliest.

15.00 hrs.

[English]

MR. CHAIRMAN: Shri Reddaiah to speak.

SHRI. K.P. REDDAIAH YADAV (Machhliapatnam); Mr. Chairman Sir, I would like to speak in Telugu.

Sir, normally in public meetings senior leaders would be given a chance in the end and juniors speak in the beginning. But here the tradition is reversed, seniors are called to speak first and juniors last. Here also we could be called in the beginning and all the senior leaders may be given the chance at the end.

I oppose, speaking from my party, the postponement of elections to Punjab.

[Translation]

*Sir, my submission to the Hon. Chairman is that normally in public meetings senior

leaders are given chance in the last Junior leaders speak first.

HON. CHAIRMAN: Your party has got 5 minutes.

SHRI. K.P. REDDAIAH: The tradition has been reversed here. You called the junior leaders first and the senior leaders in the last.

Sir, we, the Members of Telugu Desam Party oppose the postponement of elections in Punjab.

Sir, Hon'ble Members who have participated in the discussion have already covered a lot of ground.

Sir, the discussion should not be confined to the only point, whether the elections should be held in Punjab or it should be postponed indefinitely. In 1991, elections were held throughout the country. The return of the Congress has proved ominous to the people of Punjab. Congress returned to power at a time when the people had lost their faith in the Congress party and its Government. It is unfortunate, not only to the people of Punjab, but to the entire country as well. Immediately after their return to power, even before assuming power, they cancelled in elections in Punjab. They once again displayed their characteristic short sightedness, crookedness and their selfishness beyond any doubt. The Prime Minister has taken oath at 12.50 P.M. Minutes before the oath taking ceremony, the Congress government order the postponement of elections in Punjab. The Congress culture of suppression of democracy, narrow mindedness, their preference of the party of the nation were once again made known to the world by the declaration of the postponement of elections. Sir, the people in Punjab are being projected as antinational, anti-socials and terrorists. This sweeping remark is being made against them time and again. What can be more far from truth than this statement. Sikhs believe in the unity and integrity of the nation. They made the supreme Sacrifice for the sake of the nation.

History is replete with their heroic deeds in saving the national from external aggressions. They feel proud to claim themselves as the citizens of this glorious land. There is not even a single instance which can prove that the entire Sikh Community is anti-national. They are not interested in secessionism. It is the Congress Party which is solely responsible for this sorry state of affairs in the country. Be it the naxalism in Andhra or terrorism in Punjab, it is the Congress culture and the Congress rule which are solely responsible for it. Disgusted with the long congress rule, the desperate youth in Andhra have taken up arms to fight the social injustice. Similar is the situation in Punjab. The Sikh youth never wanted to secede from the country. In their heart of hearts they do not entertain any idea of separatism. Actually, they never fought or fighting for an independent Khalistan. As a matter of fact, they are fighting against injustice perpetrated on them. They were denied to rule their own state. They were not given any opportunity. Sir, only this morning, one Hon. Member belonging to CPI-M, had been pleading with the Hon. Speaker to give a chance to speak. When it was denied to him, as there were several other members who too wanted to speak, the Hon. Speaker asked him to resume his seat. The agitated Member went on arguing his case with the chair. But, once the Hon. Speaker gave him the chance to speak, every thing was calm and quiet. The Member thanked the Hon. Speaker profusely for his gesture. This one incident makes one thing very clear that when the opportunity is given to the people there will no more be any tension. In politics at national level too, the same approach should be adopted. I want to ask the Congress government at the centre, as to how long are they going to deny the constitutional rights to the patriotic Sikh brothers who made the supreme sacrifice for the nation? How long are they going to deny their legitimate right given under the Constitution, to the people of Punjab to choose their own Govt? How can any one in the country forget their heroic deeds? Bhagat Singh continues to be a source of patriotism in this country even to this day. During 1965 war with Pakistan, thousands of Sikhs shed their

[Sh. K.P. Reddaiah]

blood to protect our beloved mother land. Even the women and children in the border areas formed a second line of defence to protect the country. They offered food etc. to the fighting soldiers. Yet, forgetting this fact, the Government has chosen to deprive them of their basic right to elect their own government to run the state administration. How is that they are being branded as antinationalists day in and day out? Who is the anti-national? Is it not the Congress which looted the country and brought the country to such a pass through BCCI and Multi Nationals? Not only that they did not allow any system to take roots. They did not allow any party to emerge as an alternative to the Congress. Their crooked and cunning politics destroyed every system. There is nothing wrong in the politics. But to introduce it where it is detrimental to the growth of democracy is abhorable. Let the Congress rule the country a hundred years more. I have no objection. But they should not resort to petty politics and destroy the foundations of democracy. They should not destabilise the country by their politics and actions. Sir, D.M.K. under the leadership of veterans like Anna Durai and Naicker, agitated for Dravidastan for sometime. Elections were not held in the State during that time. Pandit Nehru's Government, denied them the elections, saying that they were agitating for a separate country. Later on DMK party split, thanks to the manoeuvres of Congress men. Now the same Congress Party has alliance with AIADMK which is an offshoot of the DMK party. That is how they managed to remain in power. They did not allow any alternative to emerge. Sir, in 1983, Shri N.T. Rama Rao, our beloved leader founded Telugu Desam in Andhra Pradesh. He was voted to power with a thumping majority. An alternative to Congress rule emerged in Andhra. In all respects, it was unprecedented. The Congress, which could not withstand the emergence of Shri N.T. Rama Rao was at the game again to divide the Telugu Desam. They succeeded in their attempt and the Telugu Desam was divided into two Telugu Desam (Nadendla Bhaskar Rao, and Telugu

Desam (N.T.R.). This is the true colour of Congress culture. Similarly at National level, there was Lok Dal (Ajit Singh) and Lok Dal (Bahuguna). Congress is responsible in the fragmentation of Nation Front also. There was a movement in Andhra Pradesh for separate Telangana. Congress party did not allow certain leaders from Telangana to emerge. Well, as is known to everyone, the disgruntled Congressmen agitated for a separate State. Similar is the case with Punjab. National level leaders like Shri Tara Singh, Prakash Singh Badal and Surjit Singh Baranala were not allowed to emerge as the front ranking leaders. There were divisions in Akali Dal too. Who is responsible for this? It is the Congress. Akali Dal was not allowed to function. That is the reason, Sir, why the Sikhs wanted to teach a lesson to the leadership at the Centre by resorting to terrorist activities. They are giving a vent to their pent up feeling and frustration. This is the main reason for the terrorist activities in Punjab. They do not have anything against the country as such. Sir, the reason why I am narrating all that what has happened in the past is only to remind the Congressmen that they should discharge their responsibilities with wisdom and sagacity. As a national party, they have an enormous responsibility on their shoulders. They should conduct themselves in such a way as to show path to others. I want your organisation to be an ideal one for others to emulate. The congress. Akali Dal should not conduct themselves in Punjab as they conduct themselves in AICC. Such politics will not work in Punjab. The Punjabis are a brave people and they do not tolerate petty politics. Sir, we say that we are a democracy. What is the fundamental principle of the democracy? It is the hammering out a solution to the problems sitting across table through a dialogue. If you open a dialogue, something will come out. Have you ever tried to sit with them? You call them terrorists; but I do not call them So. They are the proud sons of mother India. Even the naxalites do not advocate a separate State. The Congress has reduced them to such a level. There is one rule for the Prime Minister's son and some other rule for the Common folk. They have one set of rules for the industrial magnets and yet some other set of rules for

the starving millions. The multi millenaries are allowed to loot the country while if a starving man commits a petty theft to get something to eat, the entire state machinery will pounce on him and punish him. Law enforcement is applied only on humble, weak, starved and depressed. Hence unable to withstand the tragic things that are taking place today, the youth in the country are taking up to arms and trying to seek solution to their problems through violence. That is the reason why many young educated men are resorting to armed struggle against state repression. Yet they are being branded as anti-nationals, naxalites or terrorists. What is strange is that the present Finance Minister is supporting BCCI, while many countries have already condemned its activities. Such a stand taken by the Government would naturally infuriate the youth. They want to take revenge on the politicians and bureaucrats who are responsible for this sorry state of affairs in a violent way. There is nothing wrong if they think so. Sir, one appeal that I make to this government is to give a chance to the people of Punjab to elect their government. I am sure, they will not go out of India. I am fully confident that they will not form Khalistan. They are better patriots than the rest of the people. They are certainly better than the congressmen Sir, the country is facing a crisis today. Situation is fast slipping out of our hands. Veteran leader, Shri Atalji mentioned about it only this morning. I appeal to the Congressmen to rise above the party politics and think about the nation. Today, Shri Madan Lal Khorana is looking very confident. Tomorrow, the congressman may see to it that such a disciplined party like B.J.P. is also divided into B.J.P. (Atalji) and B.J.P. (Advaniji). Everything is done behind the curtain to divide the parties. I am afraid, that day is not far off. If all the parties work together, we can make India as one of the front ranking nations. I appeal to the Congress men to think of the country first. Sir, when Telgu Desam, under the leadership of Shri. N.T. Rama Rao was in power in Andhra Pradesh, there was not even a single communal clash there. The moment the Congress part returned back to power, the old Hyderated city was reduced

to ashes in communal clashes. The state was tension free during the seven years of golden rule of Shri. N.T. Rama Rao.

I once again appeal to the Government to conduct elections in Punjab as early as possible. If they delay the decision and play politics, the situation will slip out of hands once and for all.

Similarly, I appeal to my Sikh brothers through this august forum not to harm the innocents. Let the innocent men, women and children be spared. Do not hurt them in any way. You may tease and terment the politicians and bureaucrats who crushed the society under their iron boots, but kindly do not touch the innocents.

With these words, Sir, I conclude my speech thanking you for the opportunity you have given me to speak.

[English]

SHRI. ANNA JOSHI (Pune): Sir, I rise oppose all the three items - 16, 17 and 18. All these items relate to the situation in Punjab. Therefore, if we consider the situation in Punjab, it has got three corners. On one side are the activities of the terrorists against the peace-loving people of Punjab and the support those militants are getting from Pakistan and, through Pakistan, from other foreign countries.

The second corner is our aim of keeping the people of Punjab in the mainstream of national unity and for that, holding the elections and giving them the democratic rule there to rule themselves.

The third point is the present administration and the difficulties they have to face.

Year after year, we are discussing the budget of Punjab State in this House which should have been discussed in the Assembly of Punjab by the elected representatives of Punjab. As my hon. friend, Prof. Dharmal has pointed out, on the one hand, you are holding elections for the local-self govern-

ment, corporations, and people are going out. In spite of threats, they are voting and they are having their leaders there, and they are doing the work of local -self government. On the other hand, you say that the conditions are such that you cannot hold elections. This is something contradictory.

When you can hold elections and people had voted in Amritsar and Hoshiarpur for Municipal Corporations, the same people are going to vote for the Lok Sabha and Assembly elections also. Therefore, the argument that the present situation is not proper to hold elections there is not correct. At least, we will have belief in the Government and vote for the Motion if only, as Mr. Jha has said, it will not be postponed for unlimited time. You must say here and now within how many months you will be holding elections there. Only then we can support this Motion.

Sir, the main problem in Punjab is the militant activities there and these activities are supported, accelerated and financed by different centres. It has been to the notice of the House that there are nearly 51 centres created in the Pakistan territory where these militants get arms, ammunition, money and everything. They get their shelter and training there. At the same time, these are centres from where the Pakistani trained terrorists smuggle drugs and narcotics into the Indian territory. Therefore, if our Government wants to get rid of the militants problem, its first duty should be to destroy all the centres come what may.

Only the other day, we were talking about solving the Punjab problem. We were saying that we must have no man's land strip along the Indo-Pak border of one kilometre wide so that we can be more watchful there and at the same time, rehabilitation of ex-service men is also necessary so that such activities may be curbed.

The next problem is about the hostages. This problem is not only in India but

in the whole world and nowadays, it is on the increasing scale. People are taken hostages for getting the militants freed from jail. Now, it has gone to such an extent that our Government and especially the Assam Government had freed 500 militants in the past. There was a cartoon which appeared in the newspapers also about two or three days back A PA of a Chief Minister was holding his phone in his hand and was talking to the Chief Minister. He said, "Sir, the condition of letting free the militants from the jail cannot be fulfilled unless we arrest some militants and kept them in jail so that we can free them". So, this is the state of affairs. How the militant activities can be stopped is up to the Government or the party leaders to sit and decide. But let a word go to the militants that if a person is taken as hostage or if he is killed or done something wrong, then the person for whom they have taken that person as hostage, will not see the next day light. If that kind of a warning is given to them, the militant activities will be controlled.

The next point is about the administration and taking the people into confidence. I think as the first step, we should announce the date of elections and only then, we can get the confidence of the people.

We will have to face the conditions whatever they may be and under any circumstances, the elections in Punjab should be held before this particular date. So, that will be the first step for creating confidence in the people of Punjab.

Now I come to the second aspect. I would like to read out a paragraph to show what is the best way for our administration. It must be clearly understood that the greatest argument against Khalistan can only be through civilized methods. I may clarify here that I am not criticising all our military and people. If some atrocities are committed and if people feel that these atrocities are committed in the name of militants, we should see that only civilised ways are adopted to tackle the problem along with a firm determination for safeguarding our national interests. Unfortunately, at the moment, the

methods appear to be neither civilised nor are they determined against the anti-national forces and those foreign countries who are behind them. Sir, the mettle of the Governor or the Government will be tested not by the number of militants killed or arrested by the security people, but by their ability to create conditions in which the people of Punjab refuse to be separated from this country even if they are offered an opportunity,

SHRI CHITTA BASU (Barasat): Mr. Chairman Sir, it is almost a decade that our nation has been facing one of the most intractable problems in Punjab. Although it is a problem associated with Punjab, it is not the problem of Punjab as such; it is a problem of our nation as a whole. And it is not only a problem relating to Punjab and nation as a whole, but it relates to the very unity and integrity of our country.

Sir, if you allow me to show the genesis of this problem and also the failure for not being able to achieve a breakthrough, I must refer to the partisan and narrow policies of the Congress (I) in sustaining and nourishing the problem as we find it today.

The situation has become very grave. It has become grave particularly because of the fact that forces across the border have intensified their evil activities in order to create a condition of destabilisation within our country. Along with that, the terrorists and secessionists in Punjab have also intensified or stepped up their activities by way of kidnappings, random killings, extortion of money and so on. Sir, it has been further complicated and compounded because of the corrupt practices indulged in by the police officials and persons placed in high authorities. With all these things taken together, the problem of Punjab has become intractable. The solution to this problem does not lie in the trigger happy police or army. The solution to the problem lies in the political approach. This political approach to the problem must be associated with an attempt - an honest and sincere attempt - to have a democratically elected Government

Sir, it is unfortunate that the Punjab Budget is being successively discussed in this House not in the elected Legislature of Punjab. Earlier, the election used to be held.

As a matter of fact, I rise to support the Bill which is now under consideration for the cancellation of process of election in Punjab. There is no other way except to support the Bill. It is not possible to hold election in Punjab by the 25th of this month. There is no other alternative for any of us, who are responsible to the cause of democracy and also to the cause of the country's democratic legacies and traditions than to accept this position. Therefore, I am reluctantly supporting this Bill. But at the same time, this Bill will be mis-construed and will give a wrong signal to the people of Punjab.

I think none of us is interested, including the Government to give a wrong signal to the people of Punjab, a wrong signal to the secessionists, a wrong signal to the terrorists of Punjab. If this wrong signal, that is, the Government is not willing to hold elections at any given point of time goes around, then it is not good. Therefore, in order to give a correct signal to the people of Punjab you should announce the date. If you say that the election is going to be held 'as soon as possible' then it does not give a correct impression among the people of Punjab. It does not give a clear and loud signal to the people of Punjab. Therefore along with the passage of this Bill, it is necessary that you should announce the date of holding the election. If we cancel the process of election and say that it will be held as and when possible, when there is a conducive situation, then, Sir, it will be a wrong signal and I cannot be a party to that wrong signal. Because that signal will destroy the country's unity and integrity. It will further strengthen Khalistani forces who want to destabilise our country with the aid of the foreign imperialists' power.

Therefore, a correct signal should go. In order to give a correct signal, I want that the

hon. Minister, who is piloting the Bill, in course of his reply, should announce clearly and loudly that election will be held by such and such a date.

It is not possible to hold the election immediately. But for that a conducive condition is to be created. I suggest that this political initiative should be immediately taken by the Government, that is a comprehensive and multi-dimensional approach to the problem to beef up the security arrangement in Punjab, immediate implementation of Rajiv-Longowal Agreement, by transferring Chandigarh to Punjab, river water dispute should be referred to the Supreme Court for adjudication, appointment of a Commission for the settlement of the territorial dispute, punishment of 1984 anti-sikh rioters, the new economic package for the reduction of the unemployment problem in Punjab and other economic problems to be solved and eradication of corruption.

These are the immediate steps which the Government should initiate so that condition conducive for free and fair election can be created and people's opinion can be mobilised in favour of unity and integrity.

Sir, my last appeal to the Government and to all the parties of the country would be that the election should be held only on one electoral plank.

That electoral plank should be unity and integrity of the country. The battlelines should be drawn between the forces which are for the unity and integrity of the country and those which want to de-stabilise the country, those who want to destroy the country. That should be the only electoral plank. I think the patriots, nationalists and democratic and secular forces should be united to fight finally the terrorists and secessionist forces and that will be the only way to save Punjab and save India.

Thank you.

MR. CHAIRMAN : If you want to conclude this debate I must now allow the hon. Minister to reply.

Shri Shantaram Potdukhe

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SHANTARAM POTDUKHE) : Mr. Chairman, I am thankful to the Members who had made their points. They have made useful suggestions also. As far as Punjab is concerned, it is doing very well despite difficulties in law and order, though it is under a fear psychosis. I must say that it is doing well.

As far as the Budget of Punjab is concerned, the Budget provides for a Plan outlay of Rs. 1010 crores and the Central Government will be providing a special assistance of Rs. 600 crores to finance the Plan. As far as the Plan outlay is concerned, in 1990-91 the Plan outlay was Rs. 905 crores and the actual performance was Rs.945 crores. The growth rate in the Sixth Plan was 5.08 per cent, and in the Seventh Plan it is going to be 6.40 per cent. As far as the increase in the Plan outlay is concerned, it is 11.6 per cent. That is the increase in the Plan outlay.

As far as agriculture is concerned, I wish to inform that with only 2.5 per cent of India's population and 1.54 per cent of the gross area of the country, Punjab produced 23 per cent of wheat and 24 per cent of cotton, 9 per cent of rice of the country's total production. Wheat production in 1990-91 is estimated to be 121 lakh tonnes and of paddy 65 lakh tonnes. Punjab's contribution to the central pool had been substantial, that is, 60 per cent for wheat and 50 per cent for rice.

As far as industries are concerned, the industrial sector has also performed very well in the recent years. Up to 31.3.1991 the total small scale units were 1.60 lakh and they were giving employment to 6.68 lakh persons. Similarly, the number of medium and large scale units was 372 giving employment to 1.74 lakh persons. The number of

Letters of Intent/Registration issued were only 85 in 1987-88 and went up to 229 in 1989-90.

As far as power is concerned, I must tell you that the thermal power plants are functioning at very reasonable levels of Plant Load Factor and agriculture consumes 46 per cent of the total power. Adequate power supply to industries has been ensured. The Ropar Thermal Power Plant Stage III with 420 Megawatt capacity will be commissioned in 1992-93. Additional investment of funds will be required to meet the needs of the consumers. The Dam Project is also proceeding smoothly and adequately. Sufficient outlays are being provided with the outlay for 1991-92 at Rs.170 crores.

Sir, in Punjab there is decentralised planning. One of the major innovations introduced last year was the decentralisation of planning to the district level. Rs.284 crores out of the annual plan outlay are being provided to the districts to be spent on various development schemes at the discretion of the District Planning Boards. These Boards, in the absence of elected Zila Parishads, provide for representation of Sarpanches and Gram Panchayats on the Boards with four Sarpanches coming from each Block. Additionally, representatives of the major political parties are also members of the Board. Funds placed at the disposal of the Boards are utilised in accordance with the felt needs of the people and specific requirements of the areas concerned in accordance with the local priorities. This mechanism also encourages voluntary contributions from the public.

As far as employment is concerned, about, 5,000 persons were provided subsidy for loans on dairy, poultry, piggyery and fisheries, etc. The youth in the boarder areas are especially focussed upon and loans upto Rs. 1 lakh are arranged with a subsidy of 15 per cent being provided by the Government. A centre for training and employment for the body youth has been established as a registered society with the object of selecting youth for imparting training in various skills and also social integra-

tion. Out of 4,304 young men trained during the year 1990-91, 2,330 have been selected for training in the Army, Para Military Forces, various corporations and private sector units.

As far as relief and resettlement are concerned. The Government is providing relief on a substantial scale to the females affected by terrorist violence, to sikh migrants, who came to punjab after the 1984 disturbances, and also to internal migrants within the State. Subsistence allowance to widows of persons killed by terrorists have been increased from Rs. 250 to Rs.1,000 per month with effect from 1.5.1990. In addition, marriage grants for unmarried daughters and priority for employment are some of the other benefits provided. Ex-gratia grants for the families of persons killed in terrorist violence has been increased from Rs. 20,000 to Rs.50,000. To facilitate the return of the families who have left their homes and gone out of Punjab, a number of benefits have been provided, including an ex-gratia grant of Rs. 2,000 per family to cover expenses of returning to Punjab, transport grant of Rs. 500 and a rental of Rs. 300 per month for hiring a private house at the new place of residence. For internal migrants also, the same facilities are given at their new place of residence in Punjab. An amount of over Rs.34 crores has so far been given as a one time ex-gratia grant to the families of 7,057 persons killed in terrorist violence. Over 14,000 internal migrant families have been given cash relief of Rs. 7.41 crores upto June 1991.

Sir, during this debate, some points were raised by the hon. Members. Shri George Fernandes has said that interest receipts, profits, dividends is Rs. 1,439 crores in 1991-92 whereas it was only Rs.60 crores in 1990-91. Also he has said that on power, in 1991-91 an amount of Rs.4,355 crores is provided whereas an amount of Rs.1,700 crores was provided in 1990-91. Sir, the Punjab Government have committed to provide subsidy for rural.. (Interruptions)

SHRI GEORGE FERNANDES : Sir, the Minister is getting all my figures wrong. What I said is this. Your Budget says that in regard

to receipts, there is a net receipt of interest receipts, dividends and profits, of which interest receipts alone are Rs. 1,439 crores in the current Budget as against Rs.60 crores in the last Budget. You are saying Rs. 1439 crores. In so far as power is concerned, whereas in 1989-90 there was Rs. 1000 crores, in 1990-91 there was no money at all allocated. in the current Budget, you are allocating Rs. 1377 crores. But, you gave wrong figures. You gave figures that I have not mentioned.

SHRI SHANTARAM POTDUKHE: The Punjab Government have committed to provide subsidy for rural electrification to the Punjab State Electricity Board but the amount could not be paid any time in the past. Punjab State Electricity Board has also defaulted on payment of interest on loans given by the State Government. This year, Government decided to adjust ... (*Interruptions*)

SHRI GEORGE FERNANDES: Some one has to tell us where from this money comes Rs.1400 crores? (*Interruptions*)

MR. CHAIRMAN: Let him complete. You listen to him fully.

(*Interruptions*)

SHRI GEORGE FERNANDES: I can understand the Minister explaining as to how the money is going to be spent? But, from where did the money come? You said that the money has come through interest. interest on what? (*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM) : The loan given by the Government to the Department of Electricity.

(*Interruptions*)

SHRI GEORGE FERNANDES: Then,

for Grants on Account (Punjab), 91-92
 you have to call it as loan, not as an interest. In fact, you are misleading the House (*Interruptions*)

SHRI. SHANTARAM POTDUKHE: Sir, this year, Government decided to adjust the two outstanding that is, interest and subsidy and consequently, a provision of Rs. 1377 crores has been made on receipts and expenditure side for giving to P.S.E.B. These entries are only book entries but it was necessary to provide for it and to obtain vote of Parliament. Thus, although it is classified as non-plan expenditure, it is not for payment of salaries and allowances.

SHIR GEORGE FERNANDES: Sir, I seek your protection. The Budget papers say...(*Interruptions*) Sir, we would like to know where did the money come from and where is it going to be disbursed?

On Page 1 of your document, you have a specific entry. The entry is "B- Non-tax Revenue in which other Fiscal Services" - there is nothing, "Interest Receipts Dividends and Profits" is the sub-title. Then, you say specifically Interest Receipts Rs.14,39,22,77. (*Interruptions*). Now, you have said this year. Now, you are telling that this is a book entry. You are saying that this is an interest receipt. Now, you are telling that this is a book entry. Then, you are showing on the other side as an expenditure of Rs. 137736 lakhs under the title power. Now, are you telling me that these are being written off. And then you said that these are book entries. Does it make any sense? It does not make any sense.

SHRI SHANTARAM POTDUKHE: These are adjustments both to the receipts and expenditure side.

SHRI GEORGE FERNANDES: Sir, this is not adjustment. You asked under a specific title. You said you have received through interests. Interest Receipts as against Rs.60 crores last year, this year it is Rs.1439 crores.

Last year's Interest receipts were Rs.60,11,00,000 and this year they are Rs.14,39,22,00,000. You cannot say that

these are book entries. You are on a specific point of interest receipts. Interest on what? From where? Either he is trying to fudge or there is a move somewhere to siphon off. One of the two things is happening here, Sir. The Government should explain what exactly this is. I do not understand this.

SHRI SAIFUDDIN CHOUDHURY (Katwa): We can give him time, Sir,

SHRI GEORGE FERNANDES: Let him come prepared tomorrow, Sir. You adjourn the House. Let him come prepared tomorrow. But we need to hear an explanation. we must get a reply to this..(Interruptions)

SHRI TARIT BARAN TOPDAR (Barackpore): If the Minister is not prepared, then the House should be adjourned. This is a pertinent proposal, Sir... (Interruptions)

MR. CHAIRMAN: He is trying his best to explain (Interruptions)

SHRI SHANTARAM POTDUKHE: Sir, the amount owed by the Punjab State Electricity Board to the Punjab Government has been taken as interest receipts and the corresponding amount owed by the Punjab Government to the Punjab State Electricity Board has been taken as an expenditure..(Interruptions)

SHRI GEORGE FERNANDES: In other words, you are writing off all your expenditure. That is what you are saying ..(Interruptions)

SHRI RANGARAJAN KUMARAMAN-GALAM: Sir, with the leave of the hon. Minister, may I kindly intervene? I think if the hon. Members are not able to catch on to the terminology and understand, we can have that exercise later. There is no objection to that. But the point is he is making it very clear that this is not actual receipts and actual expenditure. It is a matter of adjustment of account where earlier outstandings have been shown as having been brought in, and it is being shown as expenditure also. That is all he is trying to say. If they want to go into

the minor details, he is willing to go into that.. (Interruptions)

SHRI GEORGE FERNANDES: Sir, this is nothing private between the junior Minister and myself. The House has to be told what they say...(Interruptions)

SHRI RANGARAJAN KUMARAMAN-GALAM: This is not the way in which it is being done, Sir, I have never seen a budget discussed like this. After so many years, do not teach us how budgets are discussed...(Interruptions)

SHRI A. CHARLES (Trivandrum): I am on a point of order, Sir,

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

SHRI A. CHARLES: Sir, my point of order is whether there is a terminology like 'junior Minister'. If so, let it be explained who is a junior Minister and who is a senior Minister...(Interruptions)

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

MR. CHAIRMAN: The hon. Member is entitled to ask clarifications and the Minister in charge must explain, and let us see ultimately what is the outcome...

(Interruptions)

SHRI BUTA SINGH(Jalore): Sir, may I with the permission of the Chair, inform this august House that the electricity boards all over the country, in all the States, are autonomous bodies and they continue their day to day business by taking loans from the respective State Governments and they are shown in the Government's records as receipts and expenditure. The hon. Minister has explained that position to the satisfaction of the House and we are satisfied with whatever has been told (Interruptions)

SHRI SHANTARAM POTDUKHE: Sir, just one more point. Shri Madan Lai Khurana

[Sh. Shantaram Potdukhe]

has referred about the Budget document. The Budget documents presented to Lok Sabha in connection with Punjab Budget 1991-92 are the same as those presented with the Budget of any State under President's rule. These include:

- (i) Annual financial statement;
- (ii) Demands for Grants;
- (iii) Expenditure Memorandum; and
- (iv) Vote on Account

No other document is required to be presented

[Translation]

SHRI MADAN LAL KHURANA: ... (Interruptions) It is very essential to consult the last year's Performance Report and Administrative Report in order to know as to how much the amount has been allocated and how much has been spent out of it. The same has not been supplied to us. I would like to know the reasons therefor.

(Interruptions)

[English]

(Interruptions)

SHRI SHANTARAM POTDUKHE: Sir I shall supply the information to the Hon. Member Shri Madan Lal Khurana.

MR. CHAIRMAN : You write a letter.

(Interruptions)

SHRI RANGARAJAN KUMARAMAN-GALAM: Mr. Chairman, Sir, firstly I am extremely grateful to Hon. Members, Shri Madan Lal Khurana, Shri P.K. Bansal, our former Prime Minister Shri Chandra Shekhar, Shri George Fernandes, Shri K.D. Sultanpuri,

Shri Saifuddin Choudhury, Shri Prem Dhurnal, Shri Bhogendra Jha, Shri Anna Joshi and all others who participated and who have spoken on the Bill and also all the others who participated in the debate.

Some of the speakers did actually support the Bill some reluctantly and some whole-heartedly. But the fact is that the majority of the speakers have mentioned in their own way that there was no other alternative but to bring about this Bill to cancel the notification.

I am sure the House and the Members must have understood that other options were available to the Government. One was to do interpretative exercise using the General Clauses Act and saying that the power to notify has the power to de-notify. We did not go through that as we sincerely felt that it had legal lacunae as well and it is not really feasible in such matters. The other was to amend the Representation of People Act and give a general power in such cases when such situations arise where the President may-of course, on the aid and advice of the council of Ministers decide to cancel the elections. But, because we felt it may not be appropriate since cancellation of election is a very important matter, we did not do it.

Since this is about the first time that a general election in a State is coming up in such a manner, we felt that precedent should be laid down that cancellation of elections should be by a special Bill of Parliament, a special statute, so that the supreme democratic institution, Parliament, representing the sovereign people, would take a decision in circumstances which are prevalent and which are special enough for cancellation.

The points that have been raised by some of our Hon. Members especially the more vocal and stronger Members, all turn around the fact that there is a presumption being made by many Members that the decision of postponement of election taken by the C.E.C. was ours. It was not ours. Nether it is by the Government-even when we were in power I repeat, even if we were in

power-let us presume that the Congress Government did not-hypothetically-take the oath on the 21st but actually took it on the 19th...even then the power to postpone an election is solely with the autonomous authority known as the chief Election Commissioner. And he did it as a conscious act taking into consideration various reports that were at his disposal and I do not think it is proper for me to stand up say that these are the reasons for which he did it, whether they are right or wrong. But we feel personally on a *post facto* examination of various reports that were available, that it was justified. But leaving it aside, the most important issue that is before us is that the postponement of the election, the impact it had on the general friend of elections as well being conducted in the sense that we had to look after thousands of candidates from their security point of view in Punjab especially and looking after their security right up to the 25th of September is not simple. Before postponement of elections well as, in fact, just before elections, we saw a lot of violence. Many of the Members have spoken of the increase in the type of violence and the change also in the type of violence there in Punjab. Terrorism has taken an ugly turn. We are noticing that terrorism has kidnapping as a new method, kidnapping for ransom, as a revenue earning technique on one side, and the other side is kidnapping for the release of comrades, militants and armed terrorists as another technique.

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Comrades?

SHRI RANGARAJAN KUMARAMAN-GALAM: Obviously they are comrades (*Interruptions*). 'Comrade' is not a sanctified thing which only the Communists can have. (*Interruptions*) I beg your pardon, this, I would say, is most unfair. You cannot have a trade mark that it belongs only to Communist movement. (*Interruptions*) That is the point, some of them don't use it nowadays. (*Interruptions*) But the point which is important and should be considered is that actually the situation today in Punjab is that you cannot hold elections without taking immediate steps to set right matters there. We would need not

too much time for it, but a little time is required, but definitely the point that has been made by almost all Members is that we cannot have in Punjab a situation in which we would never have elections. Elections have to be held and unless election is held, we cannot bring back full normalcy in Punjab. That is clear, and our Government is totally in tune with that. We would like to hold elections as soon as possible.

SOMEHON. MEMBERS: When? (*Interruptions*)

SHRI RANGARAJAN KUMARAMAN-GALAM: Will you allow me to speak?

SHRI ATAL BIHARI VAJPAYEE: Why not indicate a firm date?

SHRI RANGARAJAN KUMARAMAN-GALAM: I would tell you why I cannot. (*Interruptions*) Shri Vajpayee is a very senior leader. Shri George Fernandes said using an English parliamentary term calling me a 'junior Minister'. Unfortunately I am not that junior, I come in between in the ranking. But that does not matter. The issue that is important is to declare a specific date for holding elections. It cannot be done by me here. It may be mentioned that under the relevant provisions....

SHRI ATAL BIHARI VAJPAYEE: The Government has to make a recommendation to the Chief Election Commissioner.

SHRI RANGARAJAN KUMARAMAN-GALAM: The Government does not recommend to the Chief Election Commissioner. (*Interruptions*)

SHRI ATAL BIHARI VAJPAYEE: I know all the technicalities. But you can indicate a firm date to the House.

SHRI RANGARAJAN KUMARAMAN-GALAM: The Government does not recommend it to the Chief Election Commissioner.

SHRI ATAL BIHARI VAJPAYEE: I know all the technicalities. Mr. Minister, I know you are referring to the technicalities. I know. the

Notification has to come from the President. But how is the mind of the Government working? Do you want elections?

SHRI RANGARAJAN KUMARAMAN-
 GALAM: Now you asked a specific question.
(Interruptions)

SHRI GEORGE FERNANDES:... If you want to hold elections in November, you will not come with an amendment before the House or you will not issue an Ordinance.*(Interruptions)*

SHRI RANGARAJAN KUMARAMAN-
 GALAM: Mr. Chairman, you kindly note that I have not yielded to Shri George Fernandes. He has a tendency of taking on the Ministers without even asking them to yield, and then talking of parliamentary ethics. It is a little unfair. But if I may submit, if you are asking what is in our mind, I can tell you, we are very clear.

20.00 hrs

We would like to have elections as soon as possible in Punjab.

SHRI ATAL BIHARI VAJPAYEE: How soon would you like to have elections?

SHRI RANGARAJAN KUMARAMAN-
 GALAM: The President's Notification is valid till 11th of November, 1991. We have not brought anything before you today in the form of Statutory Resolution asking you to extend the President's rule. If you are asking how soon the elections would be held there, it cannot be tomorrow and we have said that the atmosphere is such. *(Interruptions)*

SHRI GEORGE FERNANDES (Muzaf-
 farpur): Will the Minister assure that the Government would come forward with a notification calling for elections in Punjab before the next Session of Parliament?

SHRI RANGARAJAN KUMARAMAN-
 GALAM: Mr. Chairman, Sir, I am not yielding to him and I request you to wipe that out of the record, because they must learn to ask us to yield at least. I am willing to do it. Why can they not give that courtesy? *(Interruptions)*

SHRI GEORGE FERNANDES: Will the Hon. Minister please yield for a minute? I am happy that he is confronting to very strict parliamentary practice.

SHRI RANGARAJAN KUMARAMAN-
 GALAM: It is not strict practice; it is common respect to each other.

SHRI GEORGE FERNANDES: I have a specific question. Will the Minister assure the House that in the period between now and the convening of the next Session of Parliament- if it should be after the month of November, that is, the convening of the next Session of Parliament- the Government would not come forward with an Ordinance for extending the President's rule in Punjab?

SHRI RANGARAJAN KUMARAMAN-
 GALAM: I think, the law is a little unclear in the minds of the Hon. Member. He should look at the relevant article in the Constitution; he will come to know whether we can bring an Ordinance or not. Let him get clear about it. Then I would reply to it.

I can only say so much today and I do not think it is fair for me to say more. If I go beyond this. I would be breaking conventions and etiquettes. We are clear in our minds that we want elections to be held as soon as possible, as soon as the atmosphere improves and we would like to have the cooperation of all the parties in this regard. *(Interruptions)*

SHRI GEORGE FERNANDES: Mr. Chairman, Sir, I am sorry; his answer does not satisfy us. So, in protest we are walking out from the House.

229 *Cancellation of General Elections in Punjab Bill Punjab* BHADRA 25, 1913 (SAKA) Budget, 91-92 Demanda 230
 20.00 hrs for Grants on Account (Punjab), 91-92

Shri George Fernandes and Some other Hon. Members then left the House

[Translation]

SHRI MADANLAL KHURANA (South Delhi): Since he has not given a definite date, we are walking out of the House

Shri Madan Lal Khurana and some other Hon. Members then left the House

[English]

SHRI SAIFUDDIN CHOUDHURY (Katwa): May I, through you, ask a question to the Hon. Minister who is replying, that about fixing the date for elections in Punjab will he or his Government very soon call an all party meeting to discuss the matter?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI K. VIJAYA BHASKARA REDDY): Sir, on this point, we are absolutely clear. We will call an all party meeting. This is an important matter and this is a national issue. As the Prime Minister made it very clear, on national issues a consensus will be evolved by consulting all the parties. We will call you and discuss about the situation in Punjab very soon and decide about the date of elections. We will do this at the earliest.

SHRI RANGARAJAN KUMARAMAN-GALAM: Sir, Mr. Pawan Kumar Banlas very rightly focussed upon the need to take the right steps immediately. There should be a joint front of all like-minded parties who are interested in bringing about peace and normalcy for prosperity in Punjab. There is a mild meeting of minds already and let us hope that this would extend and all parties would together decide on taking steps.

Lastly, I would only like to state that an impression is being sought to be made out by some of the Opposition leaders, especially the former Prime Minister that this Government seems to believe only in strong

arm tactics. That is totally untrue; on the contrary, we are very clear that while we will be very firm with the terrorists and anti-nationals, at the same time, we are open totally to discuss with anybody who wishes to work within the constitutional framework.

Now, I request that the Bill be taken into consideration.

SHRI K. VIJAYA BHASKARA REDDY: Let me again repeat that we will take all the Parties into confidence and we will call and discuss with them about the Punjab issue and also about holding elections in Punjab. It will be done as early as possible.

MR. CHAIRMAN: First I take it that we extend the time of the House till the business is over.

Now the question is:

"that the Bill to cancel certain notifications calling for general elections in relation to the State of Punjab, be taken into consideration."

The motion was adopted

MR. CHAIRMAN: The question is:

"Clause 2 stand part of the Bill".

The motion was adopted

Clause 2 was added to the Bill

MR. CHAIRMAN: The question is:

"Clause 1, the Enacting Formula and the Long Title stand part of the Bill"

The Motion was adopted

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

SHRI RANGARAJAN KUMARAMAN-GALAM: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: Motion moved:

"That the Bill be passed".

SHRI BHOGENDRA JHA: The Government has moved the Bill to cancel the previous notifications calling for general elections in Punjab. The evasive reply given by the Minister will not do here. Tomorrow is the last day of the Session. Thereafter, 11th November, 1991 is the last day for the President's rule in Punjab. So, I do not require any reply from him. But I feel that if not today, at least by tomorrow, the whole country must be told through this House, preferably by the Prime Minister or the Home Minister that the elections shall be held in Punjab. The conditions are to be created there. It is not merely the conditions are to be created but he should say that the conditions shall be created. He should say that with all, out cooperation from the Parties, they will hold the elections.

DR. KARTIKESWAR PATRA (Balasore): I beg to know from the Hon. Minister one or two things.

I want to know from the Hon. Minister categorically what are the root causes for the situation due to which the elections in Punjab have not taken place.

Who are the terrorists? Why have they become terrorists? What is the percentage of people's support in their favour?

MR. CHAIRMAN: The question is:

"That the Bill be passed".

The motion was adopted

20.08 hrs.

**DEMANDS FOR GRANTS ON ACCOUNT
(PUNJAB), 1991-92**

[English]

MR. CHAIRMAN (SHRI SHARAD DIGHE): I shall now put the Demands for

Grants for Punjab 1991-92 to the vote of the House.

The question is:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, be granted to the President, out of the Consolidated Fund of the State of Punjab, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1992, in respect of the heads of demands entered in the second column thereof against Demands 1 to 30."

The motion was adopted

20.09 hrs.

**THE PUNJAB APPROPRIATION (VOTE
ON ACCOUNT) NO. 2 BILL, 1991**

[English]

**THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI SHANTARAM POTDUKHE):** I beg to move for leave to introduce a Bill provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Punjab for the services of a part of the financial year, 1991-92.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Punjab for the services of a part of the financial year, 1991-92."

The Motion was adopted

SHRI SHANTARAM POTDUKHE: I introduce* the Bill.

SHRI SHANTARAM POTDUKHE: Sir, I beg to move**

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Punjab for the services of a part of the financial year 1991-92, be taken into consideration."

MR. CHAIRMAN: The question is:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Punjab for the services of a part of the financial year 1991-92, be taken into consideration."

The motion was adopted

MR. CHAIRMAN (SHRI SHARAD DIGHE): The House will now take up Clause-by-Clause consideration of the Bill.

The question is:

"That Clauses 2 and 3 stand part of the Bill".

The motion was adopted

Clauses 2 and 3 were added to the Bill

MR. CHAIRMAN: The question is

"That Schedule, Clause 1, the Enacting Formula and the Long Title stand part of Bill.

The motion was adopted

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

SHRI SHANTARAM POTDUKHE: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed

The motion was adopted

MR. CHAIRMAN: Now, the House will take up Matters under Rule 377.

21.10 hrs.

MATTERS UNDER RULE 377

- (1) Need to look into the grievances of the workers of Orient Paper Mills at Brajarajnagar in Orissa

[English]

SHRI SRIBALLAV PANIGRAHI (Deogarh): Mr. Chairman, Sir the Orient Paper Mills at Barajaraj Nagar is one of the oldest and important industries in Orissa. Due to the sincere and hard labour of the workers, this industry has all along been running on profit. But the workers of this factory are not being looked after properly. Their demand for payment of 20 per cent bonus has not been conceded by the management. This matter is pending before the Industrial Tribunal since long.

Secondly, the management has penalised the workers by deducting their one day's salary as they stayed away from duty on hearing of the news of the assassination of former Prime Minister Shri Rajiv Gandhi, to observe condolence day. Such attitude of the management is causing serious resentment and anguish among the workers of this factory.

I would, therefore, request the Union Government to take appropriate action in this regard urgently.

- (ii) **Need to provide compensation to the adivasis and others killed by Naxalites in Bastar district of M.P.**

[Translation]

SHRI MANKU RAM SODI (Bastar): Mr. Chairman, Sir, I would like to raise the matter under Rule 377 that there is a need to give compensation to the families of adivasis, harijans and other people of the village killed by naxalites in Bastar district of Madhya Pradesh. Since 1985, several police personnel have been killed in armed encounters with the Naxalites and the families of such policemen have been provided financial assistance as compensation at the rate of Rs. one lakh per family by the Government.

Naxalites kill those adivasis who assist the police in anti-naxalite drive. More than a dozen of such people have been killed by the naxalites, but their families have not been paid any compensations till now. Under such circumstances these adivasis are now reluctant to cooperate with the administration.

It is, therefore, requested that the Administration should give compensation at the rate of Rs. One lakh each to the families of all such persons as have been killed.

- (iii) **Need to construct shades on railway platforms at Bareilly Junction (U.P.)**

SHRI RAJVEER SINGH (Aonla): Mr. Chairman, Sir, I would like to present the following under rule 377:-

"In the absence of adequate provision of shades on the railway platform No. 2, 3 and 4 at Bareilly Junction, railway passengers have to face a lot of difficulties on account of rains, scorching heat of sun and cold winds, for which I have been repeatedly requesting the Government. In spite of assurances given by the Government for the construction of shades, nothing has been

done in this regard and the situation remains the same. There is no progress in this direction. Besides, the waiting room provided there is very small and it is very urgent to convert it into a bigger room so as to provide more space. The public is repeatedly urging upon the Government to provide these facilities but the Government is adopting a negligent attitude.

Therefore, in the public interests, I urge upon the Government to take effective steps to get such shades constructed on the 1st class railway platform at Bareilly junction and the waiting room also should be made more spacious.

- (iv) **Need to develop Sitamarhi as a tourist place of National Importance**

SHRI NAWAL KISHORE RAI (Sitamarhi): Mr. Chairman, Sir, "Sitamarhi, the birth place of Sita, mother of the Universe can be developed into a place of tourist centre of a national level. Many tourists visit this place daily, but in the absence of adequate hotel arrangements, the tourists coming from other places face great difficulties. So the Government can earn considerable revenue by setting up hotel there. All the more it can help mitigating unemployment problem to some extent. Construction of a railway line from Muzaffar Nagar to Sitamarhi which will connect Delhi by direct rail link, can also help to increase the number of tourists.

The Central Government should, therefore, allocate special grants and funds for developing Sitamarhi as a tourist centre of National Level so that the birth place of Mother Sita may be developed".

- (iv) **Need to ensure payment of family pension to the dependents of workers under Family Pension Scheme**

SHRI HARADHAN ROY (Asansol): It is

learnt that the total accumulation of Rs. 3500 crores of the Family Pension Scheme has become a scandal in the country. The Scheme which commenced in 1971 has deprived lakhs of workers from the Family Pension despite the fact that they have made contributions thereto. Their widows are suffering for want of pension due to mismanagement in administration of the scheme. It is necessary to enquire how such huge accumulation has taken place and how the workers have been deprived of their legitimate pension.

Now I understand that this huge amount will be forming a corpus of the new pension scheme prepared by the Provident Fund Organisation. I want to know what is the guarantee that the workers' contributions will not meet the same fate.

I want that the Government should ensure that all the workers' families who have not received the benefits are provided the pension due to them. Otherwise, the credibility of the Government of India will be at stake and the workers will have no faith in this mockery of social security scheme.

(vi) **Need to open a branch post office at Kadupissery in Irinjaikuda**

PROF. SAVITHRI LAKSHMANAN (Mukundapuram): Sir, I would like to raise the following matter under rule 377.

Kadupissery South is 8 kms far from Irinjaikuda and one of the biggest harijan colony. The nearest Thumboor Junction is also not connected with a Branch Post Office. The villagers are facing lot of problems without a Branch Post Office. In the year 1982, a Mass petition was submitted to the Postal Authorities by the residents of Kadupissery South.

In the year 1984, the Superintending Officer (Posts), Irinjaikuda had enquired the matter and found it as a genuine case. With due recommendations the Officer had forwarded the matter to the Communication

Ministry for its final approval. But due to financial constraints, this proposal was extended for another 5 years.

In the year 1989, once again the matter was taken up in the Parliament where upon a full assurance was given by the Government that it has already been sanctioned and by March, 1990, the Branch Post Office at Kadupissery will start functioning. But until 27.1.1991, all the repeated reminders got no response. And at last on 28.1.1991, the Post Master General of Cochin replied to the Petitioner that there is an order from the Higher Post Authorities at Delhi, through telephonic communications, to stop all the proceedings pertaining to the new post offices, due to general elections.

Now the General Election is over. I would, therefore, urge upon the Government to issue necessary orders immediately, so as to open the said Post Office at Kadupissery.

(vii) **Need to provide regular air service between Rajkot and Delhi**

[Translation]

SHRIMATI BHAVNA CHIKHALIA (Junagarh): Mr. Chairman, Sir, there is no direct air link from Junagarh, Porbandar, Jam Nagar, Amareli, Rajkot, Surendra Nagar Parliamentary Constituencies of Saurashtra region of Gujarat to Delhi. Previously there was one daily air service from Rajkot but later on it was withdrawn.

If Rajkot-Delhi air service is regularised on daily-basis, all these Parliamentary Constituencies and District headquarters will be benefited, because Rajkot is located in the centre of these places. The people can reach Rajkot within one or one and a half hour and can reach Delhi by plane. It will help the M.P.s also and they can discharge their Parliamentary duties smoothly.

Apart from this, industry and trade are developing by and by in all these areas. The

[Shrimati Bhavna Chikhalia]

people engaged in trade and industry will also get the benefit of this service. They can reach Delhi as well as other northern parts of India conveniently.

An Air Strips and other facilities are already available at Rajkot airodrome, because Rajkot-Delhi air service was already there. Therefore, it will not entail any new expenditure.

Finally, we the M.Ps from Saurashtra region and the Public of that area urge upon

the Government to start an air service from Rajkot to Delhi on a regular basis.

[English]

MR. CHAIRMAN: The House now stands adjourned to meet again tomorrow at 11.00 a.m.

20.21 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, September 17, 1991/ Bhadra 26, 1913 (Saka)