

LOK SABHA DEBATES

(English Version)

Third Session—Second Part
(Ninth Lok Sabha)



सत्यमेव जयते

(Vol. X contains Nos 22 to 24)

LOK SABHA SECRETARIAT
NEW DELHI

Price : Rs. 6.00

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LOK SABHA DEBATES

LOK SABHA

Monday, October 1, 1990/Asvina 9,
1912 (Saka)

*The Lok Sabha met at Eleven of the
Clock*

[MR. SPEAKER in the Chair]

OBITUARY REFERENCES

[English]

MR. SPEAKER: Hon. Members, as we meet today after an interval of about three weeks, it is my sad duty to inform the House of the demise of two sitting Members, namely Shri Shashibhai Jamod and Chaudhary Multan Singh and two of our former colleagues, i.e., Sarvashri Raj Bahadur and Prafulla Chandra Sen.

Shri Shashibhai Jamod was elected to this House from Bhavnagar Constituency of Gujarat State in the General Elections held in November, 1989. Earlier, he had been a Member of the Gujarat Legislative Assembly during 1985-89 and also a Minister in the State Cabinet for a short period between March and May, 1985.

An engineer as well as lawyer by profession, Shri Jamod played significant role in the promotion of education in the State of Gujarat. An active, social and political worker, he served as a member of the Backward Classes Commission in the State Gujarat between 1987-89.

An able parliamentarian, he made valuable contributions to the proceedings of the House.

Shri Jamod passed away at Bhavnagar on 19 September, 1990 at the age of 52.

Chaudhary Multan Singh was elected to this House from Jalesar Constituency of Uttar Pradesh in the General Elections held in November, 1989. He had represented the same constituency in the Sixth Lok Sabha (1977-79) and Seventh Lok Sabha (1980-84). Earlier he had been a Member of Uttar Pradesh Vidhan Sabha continuously for four terms, during 1962-67, 1967-69, 1969-74 and 1974-77.

He served on the Parliamentary Committee on Public Undertakings and also Consultative Committee for the Ministry of Petroleum, Chemicals and Fertilizer for about 2 years. As a Member of Uttar Pradesh Vidhan Sabha also, he was associated with its various Committees, viz. Estimates Committee, Public Accounts Committee etc. Therefore his services and contribution as a legislator were enormous.

Chaudhary Multan Singh served the country in a multi-faceted capacity, as an agriculturist, political worker and an able parliamentarian. He had been actively involved in the Socialist Movement.

He relentlessly worked for the upliftment of agriculturists, villagers and depressed and the downtrodden and was instrumental in establishing 'Krishak Manch' for voicing the cause of farmers. He worked hard for promotion of education among masses. Age and fragile health did not deter him from undertaking the social and political activities even till the last moments of his life. He passed away at Rewari on 23 September, 1990 at the age of 75 years while he was participating in a social function.

Shri Raj Bahadur was a member of the Constituent Assembly and Provisional Parliament from 1948-1952. Later he was elected to the First Lok

Sabha from Bharatpur constituency of Rajasthan, which position he retained in the Second, Third and Fifth Lok Sabha.

He held with distinction various important portfolios in the Union Council of Ministers during his long and illustrious parliamentary career. An able parliamentarian, he took keen interest in the proceedings of the House and made significant contributions thereto. As a Minister of Parliamentary Affairs, his contribution for smooth functioning of the House will always be remembered.

A veteran freedom fighter, he actively participated in the freedom struggle from his college days and led the movement in erstwhile State of Bharatpur in 1940-41 to 1947 and suffered imprisonment.

An Advocate by profession, he was associated with several social and political organisations. He worked relentlessly for the social upliftment of the backward classes and vigorously campaigned for abolition of forced labour in the State of Bharatpur.

A widely travelled person he took keen interest in sports too.

Shri Raj Bahadur passed away at Delhi on 22 September, 1990 at the age of 78.

Shri Prafulla Chandra Sen was a member of the Constituent Assembly. He was elected to Sixth Lok Sabha from Arambagh constituency from West Bengal in 1977. Earlier he had been a member of West Bengal Assembly. Shri Sen was one of the oldest living Gandhians and freedom fighters in the country.

He suffered imprisonment for a total period of 11 years for participating in Non-Cooperation Movement, Civil Disobedience Movement and the Quit India Movement. Even as a student, he was attracted by the call of nationalist movement. Later on, he was drawn towards Gandhiji and his principles of non-violence.

A well-known social and political worker, he preferred constructive rural work and upliftment of depressed and downtrodden classes in Arambagh which earned him the sobriquet of the 'Gandhi of Arambagh'.

An able administrator, Shri Sen held the portfolio of Food with distinction in the State Cabinet headed by Dr. B.C. Roy, right from 1948. Subsequently on the demise of Dr. Roy, Shri Sen succeeded him as Chief Minister of West Bengal in 1962 till the general election held in 1967.

A well-known and soft-spoken parliamentarian, his contributions in the proceedings of Lok Sabha, particularly in regard to upliftment of weaker sections of the society and spread of education amongst the masses, shall always be remembered.

Shri Sen, despite having indifferent health over the last few years, took active part in the political affairs. He passed away at Calcutta on 25 September, 1990 at the age of 94 years.

We deeply mourn the loss of these friends and I am sure the House will join me in conveying our condolences to the bereaved families.

The House may now stand in silence for a short while to express its sorrow.

The Members then stood in silence for a short while

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir, people are committing self-immolation. (Interruptions)

[English]

MR. SPEAKER: Please take your seats.

(Interruptions)

MR. SPEAKER: Mr. Prime Minister.

(Interruptions)

MR. SPEAKER: Please take your seats.

I have called the hon. Prime Minister.

(Interruptions)

MR. SPEAKER: Will you please take your seats?

(Interruptions)

MR. SPEAKER: Mr. Rawat, please take your seat.

(Interruptions)

SHRI AJIT PANJA (Calcutta North East): How can he speak Sir? He has forfeited his right to speak. *(Interruptions)*

[Translation]

MR. SPEAKER: Rawatji, please take your seat.

(Interruptions)

[English]

MR. SPEAKER: I am on my legs. The Speaker is on his legs. Please take your seats.

(Interruptions)

MR. SPEAKER: Mr. Agarwal, take your seat. I am not going to hear you.

(Interruptions)

MR. SPEAKER: Mr. Rawat, I am on my legs. Please take your seat.

(Interruptions)

[Translation]

MR. SPEAKER: Rawatji, it will not do. Please take your seat. I have called the hon. Prime Minister.

(Interruptions)

[English]

MR. SPEAKER: I request all of you to allow me to conduct the House smoothly. Mr. Prime Minister.

(Interruptions)

MR. SPEAKER: Will you now hear the Prime Minister?

(Interruptions)

[Translation]

MR. SPEAKER: Shri Kalpnath and Shri Kumaramangalam, please take your seats.

(Interruptions)

[English]

SHRI AJIT PANJA: He has no right to speak. He must first visit the crying mothers whose children were killed and visit the injured now in hospitals. *(Interruptions)*

MR. SPEAKER: I will allow you after the Prime Minister. Now, will you please take your seat?

(Interruptions)

MR. SPEAKER: Mrs. Jamuna, please go to your seat.

(Interruptions)

SHRIMATI J. JAMUNA (Rajahmundry): He should resign Sir.

(Interruptions)

[Translation]

MR. SPEAKER: Please take your seat

(Interruptions)

[English]

SHRIMATI J. JAMUNA: How many mothers have lost their children! *(Interruptions)*

[Translation]

MR. SPEAKER: Please take your seat

PROF. YADU NATH PANDEY (Hazaribagh): I have been brought here in police custody. May I know the charges on which I have been arrested *(Interruptions)***

MR. SPEAKER: Please take your seat.

[English]

Nothing goes on record.

*** (Interruptions)*

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Speaker, Sir, according to the rules, the Motion of Privileges should be taken up first. I have given a notice that Prof. Yadunath has been arrested without any reason. He was prevented from going to his constituency and was kept in Tihar jail (Interruptions)**

MR. SPEAKER: Please take your seat.

[English]

Nothing goes on record.

(Interruptions)**

[Translation]

MR. SPEAKER: Yadunathji, please take your seat. I will look into the matter.

(Interruptions)

SHRI HARISH RAWAT (Almora): This Government is responsible for the bloodshed.....

MR. SPEAKER: Shri Rawat, please take your seat. A discussion will be held on this issue.

[English]

SHRI VASANT SATHE: (Wardha): Mr. Speaker, Sir, I have already informed you that I have commenced a fast unto death from 11.00 O' clock in protest against the action taken by the Prime Minister and his Government. Until he amends his decision, I am sitting in this House on fast unto death right from 11.00 O' clock today. Mr. Speaker, Sir, I had already informed you about it.

MR. SPEAKER: No, that is not done, Mr. Sathe.

[Translation]

PROF. YADU NATH PANDEY: Mr. Speaker, Sir, everybody is equal in the eyes of law...(Interruptions)... on the 15th. I wrote to the hon. Home Minister and to the Hon. Prime

Minister. I was prevented from going there.....(Interruptions)

MR. SPEAKER: Pandeyji, please take your seat. Please listen to the Hon. Prime Minister first.

PROF. YADU NATH PANDEY: I tried to contact them on telephone on the 18th. If a Member of Parliament will not go to his constituency...

(Interruptions)

MR. SPEAKER: I have not allowed you. Please take your seat first. I will call you after that.

(Interruptions)

[English]

MR. SPEAKER: I am on my legs. You please take your seat.

[Translation]

All of you, please take your seats. Let me conduct the proceedings of the House properly. I am on my legs. All of you, please take your seats.

(Interruptions)

MR. SPEAKER: Rawatji, please take your seat first. When I am on my legs, all of you should take your seats.

PROF. YADU NATH PANDEY: Mr. Speaker, Sir, (Interruptions)
[English]

MR. SPEAKER: Nothing will go on record. You must first take your seat.

(Interruptions)**

MR. SPEAKER: I have not allowed you.

(Interruptions)

MR. SPEAKER: When I am on my legs, you please take your seats.

(Interruptions)

MR. SPEAKER: Mr. Rawat, I am on my legs and you are still continuing your speech.

(Interruptions)

MR. SPEAKER: Nothing will go on record.

*(Interruptions)**

[Translation]

SHRI DAU DAYAL JOSHI (Kota): Mr. Speaker, Sir, Did you receive information about the arrest of the hon. Member?

MR. SPEAKER: Please take your seat first. Not in this way.

(Interruptions)

SHRI HARIN PATHAK (Ahmedabad): Mr. Speaker, Sir, please tell us whether you had the information about the arrest of the hon. Member.

MR. SPEAKER: Unless all of you take your seats, I cannot allow anyone.

(Interruptions)

MR. SPEAKER: Mr. Rawat, you know the rules. Please take your seat. First let the proceedings of the House be conducted properly.

(Interruptions)

AN HON. MEMBER: Mr. Speaker, Sir, it is a very serious matter.

MR. SPEAKER: I have not denied it, but it is my first duty to conduct the House properly. I have not prevented them also. They don't want the proceedings of the House to be conducted properly.

(Interruptions)

MR. SPEAKER: Pandeyji, I know that, but there are some rules of the House. Under those rules, you have got various ways to raise your points.

(Interruptions)

SHRI KALKA DAS (Karol Bagh): Mr. Speaker, Sir, it is a matter of denial of right to an hon. Member. Please give your protection to the hon. Member and listen to what he wants to say.

MR. SPEAKER: But when I am on my legs, as per rules, all of you should take your seats and allow me to conduct the proceedings of the House properly.

(Interruptions)

MR. SPEAKER: Pandeyji, this is not the way. Please take your seat first.

(Interruptions)

MR. SPEAKER: I did not refuse permission to anyone. I have said that all of you should take your seats. I will call everybody turn by turn. Kalka Dasji, please take your seat.

(Interruptions)

SHRI DINESH SINGH (Pratapgarh): Mr. Speaker, Sir, I would like to say . . . *(Interruptions)* . . .

SHRI GUMAN MAL LODHA (Pali): Mr. Speaker, Sir, you are the custodian of the rights of all the hon. Members of this House. *(Interruptions)*

MR. SPEAKER: I am not denying it, but it is also my responsibility to conduct the proceedings of this House properly. I did not refuse them permission but the proceedings of this House will not be allowed to be conducted in that manner. Please take your seat.

(Interruptions)

MR. SPEAKER: No, no. Not like this.

(Interruptions)

MR. SPEAKER: Information regarding Shri Yadunath Pandey's arrest is given in the Bulletin.

.. (Interruptions)...

MR. SPEAKER: That information has appeared in the Bulletin. However, whatever he wants to say, I will listen to him, but first let the proceedings be conducted in a proper

way. Won't you listen to the Leader of the House? Won't you listen to the Prime Minister?

...(Interruptions)...

SHRI KALKA DAS: Mr. Speaker, Sir, please do listen to Shri Pandey...
...(Interruptions)...

MR. SPEAKER: Please be seated.

...(Interruptions)...

[English]

PROF. SAIF-UD-DIN SOZ (Bara-mulla): Sir, I want to speak on Jammu and Kashmir....(Interruptions)...

[Translation]

MR. SPEAKER: First, the Prime Minister was standing and I had asked him to speak. The Leader of the House will speak first.

...(Interruptions)...

DR. SHAILENDRANATH SHRI-VASTAVA (Patna): Mr. Speaker, please do listen to Shri Pandey.

MR. SPEAKER: I have not disallowed? I am here to listen to him also.

DR. SHAILENDRANATH SHRI-VASTAVA: Please listen to Mr. Pandey first.

MR. SPEAKER: I will listen to him after I have heard the Prime Minister.

...(Interruptions)...

SHRI GUMAN MAL LODHA: Mr. Speaker, Sir, Shri Pandey has been brought here under police custody even today. He is present before you just like a prisoner. Mr. Speaker, does it behove the government that somebody is arrested without any legal warrant. In this way, they are violating the law of the land. You are the custodian of our rights. Our security is your duty. (Interruptions)

MR. SPEAKER: Mr. Pandey, I had received information about your arrest, and it has been published in the Bulletin. Now do you want to

say anything else, if so, say it in brief.

PROF. YADU NATH PANDEY: Mr. Speaker, Sir, to be brief, I would like to know whether any Member of Parliament can be prevented from visiting his constituency? But I was prevented. It is murder of democracy. If we can't go to our constituency, where else can we go? Why the administration is pursuing this dual policy? On the one hand, an M.P. of B.J.P. cannot visit his constituency, a restriction is imposed on him and no notice is issued to him, but the people of other parties can take out big processions with the co-operation of the administration and no restriction is imposed in that case. Please let us know first as to why the administration is adopting this dual policy there? ... (Interruptions)... Mr. Speaker, please let us know as to what is our fault in this case? .. (Interruptions)... Honourable Speaker, you may recall that I had raised a question about the problem of that area on 6th September during the Zero Hour. But the Government turned a deaf ear to the problem to which I wanted to draw its attention. No follow up action was taken in this regard. I apprehend that the district or the local administration is prepared to go to any extent. I wrote letters to the Home Minister, the Prime Minister, the Chief Minister of Bihar and Home Secretary of that State on the 13th asking them as to what action had been taken against the people who prevented the demonstrations held by the people with flags of Rama Navami on 2nd April? ... (Interruptions)...

I had mentioned in the letter that the District Administration would be ready to do something, but on 16th, I came to know that Army had been alerted in Hazaribagh. I left this place on 17th. On 20th September, 1990, when I was going there, I came to know that our idols were being immersed in the "Pitra Paksha" (dark fortnight of the month of Ashwin) and the ensigns were broken by the administration. Later on when I went there, I was arrested on 20th in the

evening and was told that I could not enter Hazaribagh. Hazaribagh had been in turmoil for the last six months but the Chief Minister did not bother to look into the causes of it. I was arrested without a warrant and no notice was served on me regarding any restriction on my movement and after my arrest I was kept in the lock up. No intimation was given to the House at that time. And today, I have been brought here before you, direct from Tihar Jail. Some workers had come here, who have been arrested by the Delhi Police...(Interruptions)...

[English]

MR. SPEAKER: Dr. Shrivastava, I have not allowed you. Please take your seat.(Interruptions).....

[Translation]

PROF. YADU NATH PANDEY: It was announced from All India Radio that I was kept in Hazaribagh prison. Whereas the District Administration informed the Newsmen that I was in Koderma jail but even the most distant people know as to where I was kept. What credibility is enjoyed by our Aakashwani (All India Radio)? Very recently the House has passed the Prasar Bharati Bill. Is that our concept of freedom? When an MP is not allowed to visit his constituency, what will happen there?

MR. SPEAKER: Please conclude.

PROF. YADU NATH PANDEY: I tried to contact the honourable Prime Minister on telephone on 19th. His secretary told me that it was not a matter concerning his department. If the matter concerning an MP is not their concern, then whose concern it could be. I had already given a notice. However, it is my submission that the Home Minister and the Prime Minister should not confuse this issue ...(Interruptions)...

[English]

MR. SPEAKER: I will look into it.

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Speaker, Sir, I have given a notice of Breach of Privilege under the rules. Member has been prevented from visiting his constituency and he has been obstructed in the discharge of his duty.

MR. SPEAKER: I am not allowing you. I am coming to the business of the House.

...(Interruptions)...

SHRI DINESH SINGH (Pratapgarh): Mr. Speaker, Sir, you are seeing the conditions prevailing in the country. You are also seized of the sentiments of this House on this issue. On the one hand, when innocent children are being killed, how can we listen to the Government. Home Minister is present here. He may tell us as to what step he has taken to prevent the killings of children? ...(Interruptions) ..

MR. SPEAKER: I am not allowing, please sit down.

...(Interruptions)...

SHRI MADAN LAL KHURANA (South Delhi): I would like the Home Minister to reply ...(Interruptions)...

MR. SPEAKER: Please take your seats, why are you coming here.

...(Interruptions)...

[English]

MR. SPEAKER: Go to your seat. Mr. Shrivastava. I have called the Home Minister.

...(Interruptions)...

MR. SPEAKER: Mr. Shrivastava, will you please take your seat?

...(Interruptions)...

MR. SPEAKER: Mr. Pandey, I have not given you permission.

[Translation]

DR. SHAILENDRANATH SHRIVASTAVA: Shri Dinesh Singh has stood up and you are asking us to sit down.

MR. SPEAKER: Mr. Shrivastava, please take your seat.

...(Interruptions)...

DR. LAXMINARAYAN PANDEYA: Mr. Speaker, Sir, this is a matter of Privilege ...(Interruptions).. Honourable Member seeks your protection.

MR. SPEAKER: Pandeyaji, I am not allowing you to speak.

...(Interruptions)...

SHRI RAM NAIK (Bombay North): Mr. Speaker, we are walking out of the House in protest against the manner in which a Member of Parliament has been arrested.

11.41 hrs. *At this stage, Shri Ram Naik and some other hon. Members left the House.*

...(Interruptions)...

[Translation]

MR. SPEAKER: All of you, please sit down and allow me to work..... (Interruptions).....

SHRI DINESH SINGH: Mr Speaker, Sir, I have to make an humble submission. You are seeing the present condition of the country and are also seized of the feelings of this House. You can yourself imagine as to how we people have resisted ourselves to sit here with great difficulty when we find the hands of the present Government stained with the blood of innocent children. Just now, one of our elder colleagues has submitted that he is on hunger-strike...(Interruptions).....

[English]

SHRI A. CHARLES (Trivandrum): Sir, translation is not coming.

MR. SPEAKER: You will get the translation.

...(Interruptions)...

[Translation]

SHRI DINESH SINGH: Mr. Speaker, Sir, one of our senior colleagues is here on hunger-strike. He says that he will remain on hunger strike as long as excesses are committed on children. The Government have not taken any step to save the lives of children, but the way the police assaulted the children...(Interruptions)...

[English]

MR. SPEAKER: I have permitted him. Mr. Jadav, you please sit down. Will you please take your seat?

...(Interruptions)...

[Translation]

SHRI DINESH SINGH: Mr. Speaker, Sir, just now, you witnessed a drama in the House. Leaving aside the issue of excesses on the children, the B.J.P. has wasted the whole time of the House on a personal issue.

This drama that they have enacted is not going to benefit the country in any manner. I want to make an humble submission that first of all, you should take up the adjournment motion. It won't be proper to take up any other matter. This misunderstanding (Interruptions)..... This misunderstanding is being created that we are against the Mandal Commission Report and against reservations. This is totally baseless and our complaint is...(Interruptions)

MR. SPEAKER: Mr. Dinesh Singh, why are you looking at that side, you please address the Chair...

(Interruptions)

SHRI DINESH SINGH: Mr. Speaker, Sir, in between ...(Interruptions).. ...

MR. SPEAKER: Mayawatiji, please take your seat.

(Interruptions)

SHRI DINESH SINGH: We are against the manner in which the announcement regarding the implementation of the Mandal Commission

Report was made on 7th August, because it is not going to benefit the backward classes in any way. On the contrary, we feel that it was a desperate attempt on the part of the Government to save its skin. The police excesses on students should not be linked with the issue of reservations. We request you to accept the notice of adjournment motion that we had submitted and not to take up any other matter before it. *(Interruptions)*

[English]

MR. SPEAKER: Please take your seat.

[Translation]

You please sit down. Allow me to conduct the business of the House. Mayawatiji, please take your seat. I am not listening to you. *(Interruptions)*

[English]

MR. SPEAKER: I have to inform the House that I have received six notices of adjournment motion regarding police excesses on students in various parts of the country and self-immolation by students against the decision of the Central Government in regard to reservation policy from the following Members:

Shri Jagpal Singh
Prof. Saif-ud-din Soz
Shri Ram Lal Rahi
Shri Dinesh Singh
Shri R. N. Rakesh
Shri B. Shankaranand

*(Interruptions)**

[Translation]

MR. SPEAKER: Mayawatiji, you please listen to me. I am not permitting you. I think you will speak in support of reservation. You please go back to your seat.

(Interruptions)

MR. SPEAKER: Mayawatiji, please take your seat.

SHRI YAMUNA PRASAD SHASTRI (Rewa): I am on a point of order.

MR. SPEAKER: Mr. Shastri, please sit down. A Point of Order is not raised in this manner. Mayawatiji, please take your seat. This is not proper.

*(Interruptions)**

MR. SPEAKER: You are speaking without the permission of the Chair. I have not allowed you. You please sit down.

[English]

MR. SPEAKER: Nothing will go on record.

*(Interruptions)**

[Translation]

MR. SPEAKER: Mayawatiji, please take your seat.

*(Interruptions)**

[English]

MR. SPEAKER: Nothing will go on record.

*(Interruptions)**

[Translation]

MR. SPEAKER: Mayawatiji, please take your seat.

*(Interruptions)**

MR. SPEAKER: Mayawatiji, this type of conduct is not proper. Please take your seat.

*(Interruptions)**

MR. SPEAKER: Mr. Khurana, please sit down. I am speaking. Please take your seat.

*(Interruptions)**

SHRI MADAN LAL KHURANA : Mr. Speaker, Sir. Water supply is very erratic in West Delhi. Where from people will get drinking water? There is no water. The Government controlled media is misleading the public and there is no water and petrol too is not available ...*(Interruptions)*... Students are committing self-immolation...*(Interruptions)*

11.53 hrs.

RE. ADJOURNMENT MOTION

Police atrocities in dealing with students' agitation against Government's decision on Mandal Commission Report and resort to self-immolation by students against the decision

[English]

MR. SPEAKER : I have to inform the House that I have received six notices of adjournment motion regarding police excesses on students in various parts of the country and self-immolation by students against the decision of the Central Government in regard to reservation policy from the following members :

1. Shri Jagpal Singh
2. Prof. Saifuddin Soz
3. Shri Ram Lal Rahi
4. Shri Dinesh Singh
5. Shri R. N. Rakesh
6. Shri B. Shankaranand

I give my consent to Shri Jagpal Singh who has secured first place in the ballot to move the motion. Is Mr. Jagpal Singh there? — not present. Prof. Saifuddin Soz.

PROF. SAIF-UD-DIN SOZ (Bara-mulla): I withdraw in favour of either Shri Dinesh Singh or Shri Shankaranand.

[Translation]

SHRI RAM LAL RAHI (Misrikh): I withdraw in favour of Shri Shankaranand.

[English]

SHRI DINESH SINGH (Pratapgarh): I withdraw in favour of Shri Shankaranand.

MR. SPEAKER : Shri R. N. Rakesh—*not present.*

SHRI B. SHANKARANAND (Chikkodi): I beg to move for leave to move my motion of adjournment.

MR. SPEAKER : Is the leave opposed? — The leave is not opposed. The leave is granted.

SHRI B. SHANKARANAND (Chikkodi): Sir, I may kindly be permitted to move the motion in the form in which I have given. I now read my motion.

“The unprecedented situation resulting in a total collapse of administration, police atrocities on students and youth, desperate acts of self-immolation by young girls and boys and loss of precious lives, and arising out of the deplorable haste, ineptitude and obstinacy of the Prime Minister in dealing with a sensitive issue affecting the society as a whole.”

MR. SPEAKER : You have now moved your own Resolution. Is the leave opposed? — Leave is granted. Under Rule 61, the adjournment motion is to be taken up at 16.00 hours or at an earlier hour and not less than 2½ hours are allotted for its discussion. The motion will be taken up at 16.00 hours today.

(Interruptions)

PROF. P. J. KURIEN (Mavelikara): Sir, in the same Rule it is also mentioned that if the Speaker wants, he can allow the motion to be taken up earlier after taking the sense of the House.....*(Interruptions)*. Please hear my submission. Punjab Bill is very important. We accept that

and for that only we have met here. But the point is that never in the history of this country we have come across such a number of self-immolation by our youths. How many of our young students have died? This is equally important subject, may be more important subject and, therefore, adjournment motion should be taken up immediately.

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA):

Sir, in the meeting of the leaders which was convened this morning the consensus was that we will take up the Adjournment Motion between 4.00 and 4.30 P.M. after finishing voting on the Constitution Amendment Bill and it was also agreed that we will forgo lunch hour today. We will also sit late in the night. Dinner has been arranged for the hon. Members.

SHRI RAJIV GANDHI (Amethi): Sir, both the issues are important. As the Government is so worried about Punjab, we are cooperating with them on Punjab. Let them cooperate with us on the Adjournment Motion. Let us have Punjab first. You have set 3 hours for Punjab which means now it is 12 O'clock and it may go upto 3.00 P.M. Let us compromise a little bit on that. Let us have the adjournment motion at half past 2.00. You have 2½ hours for Punjab. We will vote and we will help you in that. After that the Adjournment Motion may be taken up.

MR. SPEAKER: Voting on Punjab Bill will be at 2.30 P.M.

SHRI RAJIV GANDHI: Earlier, it was decided that the adjournment Motion would start at 2.30 P.M. Voting will take 20 minutes at least, if not more. So let voting begin at 2.00 P.M.

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): Agreed.

MR. SPEAKER: I think it is the sense of the House that voting will take place at 2.00 P.M.

12.00 hrs.

[Translation]

SHRI RAJIV GANDHI: Let the voting take place at two O'clock.

MR. SPEAKER: Agreed, but the Members should be informed about the time of voting.

[English]

SHRI P. UPENDRA: Let it be at two O'clock, Sir.

MR. SPEAKER: I think it is the sense of the House that the voting will take place at 2 p.m. so that we can pass the Bill by 2.30 p.m. Now, papers to be Laid on the Table.

12.01 hrs.

PAPER LAID ON THE TABLE

Amendment to the Draft Notification re. Investment Limit for Small Scale and Ancillary Industrial Units

[English]

THE MINISTER OF INDUSTRY (SHRI AJIT SINGH): I beg to lay on the Table a copy of an amendment (Hindi and English versions) to the Draft Notification No. 12(3)/90-SSI(P)* regarding Investment Limit for Small Scale and Ancillary Industrial Units under sub-section (3) of section 11B of the Industries (Development and Regulation) Act, 1951. [Placed in Library. See No. LT-1534/90]

*Draft Notification was laid on the Table of Lok Sabha on 7-8-1990.

(5) The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Bill, 1990.

[English]

12.024 hrs.

(Amendment of Article 356)

[English]

- THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED):** Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. SPEAKER: The question is:
"That leave be granted to in-
troduce a Bill further to amend
the Constitution of India."

The Motion was adopted.

SHRI MUFTI MOHAMMAD SAYEED: I introduce the Bill.

Sir, I also lay on the Table copies, duly authenticated by the Secretary-General of Rajya Sabha, of the following five Bills passed by the Houses of Parliament during the first part of the current session and assented to since a report was last made to the House on the 8th August, 1990:—

- MR. SPEAKER: Now we shall take up Matters under Rule 377.....

(Interruptions)

[1 translation]

PROF. SAIF-UD-DIN SOZ (Bara-mulla): What about the Zero Hour?

SHRI MADAN LAL KHURANA
(South Delhi): Mr. Speaker, Sir, people in Delhi are not getting water for the last four and a half days, this is a very important matter. (*Interruptions*)

12.03 hrs.

MATTERS UNDER RULE 377

- (i) **Need to bring Kakinada town in East Godavari District of Andhra Pradesh on the main railway line**

[English]

SHRI M. M. PALLAM RAJU (Kakinada): Sir, Kakinada town, the headquarters of East Godavari District in Andhra Pradesh, which is fast developing into a major industrial port, suffers from the handicap of not being on the main railway line, which has turned out to be a major hindrance in the town's progress.

An Asian Development Bank loan of Rs. 134 crores has been sanctioned to develop Kakinada into a deep water port which will increase ship traffic and hence multiply the inflow and outflow of goods from the port. Rapid industrialisation over the last few years has also resulted in increased passenger and goods traffic.

The nearest railway station to Kakinada on the main line is Samalkot Junction which is thirteen kilometres away. The quota of berths on all the trains is negligible and most of the super-fast trains do not stop there.

In view of these facts, and since Kakinada is on the verge of unprecedented growth in the district, I urge upon the Government to take immediate steps towards bringing Kakinada onto the main railway line.

As an intermediary measure, I urge upon the Minister of Railways to increase the quota of berths on all the trains at Samalkot and at Kakinada and ensure the stoppage of all super-fast trains at Samalkot Junction.

[Translation]

PROF. SAIF-UD-DIN SOZ (Bara-mulla): Mr. Speaker, Sir, the Kashmir issue is a very important one.

MR. SPEAKER: Please take your seat. Matters raised under Rule 377 too are important.

SHRI BHAJAN LAL (Faridabad). Mr. Speaker, Sir, I want to draw the attention of this august House towards a very important issue. (Interruptions)

Mr. SPEAKER: Mr. Bhajan Lal, please sit down. Shri Rahi is raising a matter under rule 377.

(Interruptions)

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir, for the past four and a half days, the people of Delhi are not getting drinking water. This is a very important matter and the hon. Minister should give a statement in this regard. (Interruptions)

MR. SPEAKER: Mr. Bhajan Lal, I am not allowing you. I am not permitting even Shri Khurana. You have been a Chief Minister and you must be aware of all the rules. I have refused permission to you, even then you are going ahead with your speech.

(Interruptions)

MR. SPEAKER: Mr. Khurana, I agree with you that you are raising a very important issue regarding water supply. The Government will see to it. Now, please take your seat. Mr. Bhajan Lal you also take your seat. I am not permitting you.

(Interruptions)

MR. SPEAKER: Please take your seat. Now, Mr. Ram Lal Rahi.

(Interruptions)

12.05 hrs. |MR. DEPUTY SPEAKER
in the Chair]

(ii) Need to give financial assistance to Uttar Pradesh for construction of bridges over river Gomti between Shahjahanpur and Lucknow

SHRI RAM LAL RAHI (Mirh): Mr. Deputy Speaker, Sir, the Gomti River flows from the Shahjahanpur district of Uttar Pradesh and from there it flows demarcating the border line of Hardoi and Sitapur districts and thereafter it flows towards Lucknow. This river flows along the border of these two districts in a stretch of about 100 kms. In such a vast stretch there are only two bridges over the river. One is at Bhakurahaghat on the Pisavan Gopamau highway and another one near Neimsharanya on Sitapur Hardoi Highway. Now the construction of three bridges one at Kulhaghat on Magheli-Pihami highway, another one at Hathiaghat on Hatyahan-Nemisharanya highway and one bridge at Bhatpur ghat on Sidhaulti-Atrauli Highway has become absolutely essential. Pending the construction of all the three bridges, the overall development of the rural areas in a vast stretch of hundred miles on the bank of this river is not possible. The demand for construction of a bridge on Gomti river at Bhatpur Ghat is being made ever since a long time. In Uttar Pradesh and also in this river the material for construction of bridges is lying unutilised at many places. By utilizing it, for the convenience of the people, bridges can be constructed on the rivers. Our demand is that permanent bridges may be constructed on Gomti river at Bhatpurghat, Hathiaghat and Kulhaghat and for this purpose the Central Government should make available required funds to the U.P. Bridge Corporation so that construction work of the bridges may be taken up as per its schedule. It is also requested that pending construction of permanent bridges at Hathiaghat, Bhatpurghat & Kulhaghat, without further loss of time, U.P. Government should be asked to construct pontoon bridges

at the proposed sites of these three bridges immediately after the rainy season is over. Even for the construction of Pontoon bridges Central Government should provide immediate financial assistance to Uttar Pradesh Government.

SHRI MADAN LAL KHURANA (South Delhi): Mr. Deputy Speaker, Sir, what else would be greater injustice than this? The Government wants the people to die of thirst. I would like to know as to which of the officers and the Government were responsible for this. There was no supply of water in Delhi for 90 hours. Despite our repeated requests drinking water could not be made available to the people of Delhi. It is not that they did not get water for twelve or twenty four hours but people were deprived of water for 90 hours at a stretch. (*Interruptions*)

(iii) Need to withdraw the orders regarding closure of Supply Department of DGS&D and its decentralisation

[*English*]

SHRI BASUDEB ACHARIA (Bankura): Sir, the Central Government has decided to wind up the centralised purchase organisation, i.e., Directorate General of Supplies & Disposals, Department of Supply, under the Ministry of Commerce. With this decision, the purchase work which had been done by D.G.S.&D. will be handed over to the respective Departments without giving its employees any specific guideline. This will render at least 4000 employees surplus. This decision is against the recommendation of the Estimates Committee of Parliament which had recommended the continuation of the centralised purchase through the D.G.S.&D. and its extension to other public sector undertakings. Without consulting the trade union, the Commerce Ministry has recently issued orders to wind up the Disposal wing of D.G.S.&D. and offices at Kanpur, Kulti, Rourkela and to merge the offices at Bombay, Bhadrabati etc. This is unusual and against the policy

of the Government. This order is now postponed for 2 months due to agitation amongst the employees of D.G.S.&D. Although the order has been postponed, yet another order was issued on 6th September, 1990, to decentralise the D.G.S.&D. and to transfer the *ad hoc* indents to the indenting Ministries/Departments along with the officers and the staff of D.G.S.&D. dealing with the work.

I would request the Government not to initiate any change in the present from of D.G.S.&D. and immediately withdraw its orders regarding closure and decentralisation.

(iv) Need to take steps to provide drinking water in Jahanabad, Bihar

[*Translation*]

SHRI RAMASHRAY PRASAD SINGH (Jahanabad): Mr. Deputy Speaker, Sir, in thousands of villages in Jahanabad there is no drinking water facility for Harijans and the poor. To this day they get their supply of drinking water from temporary wells and rivers and consequently thousands of people suffer from cholera and succumb to this disease every year. It is causing resentment among the youths and a feeling of aversion. As a result the people are coming forward to join the armed wings of the extremist organisations. In this connection, I have made written requests to the Bihar Government and the Government of India. I request the Central Government to provide drinking water in the villages where the Harijans and the poor reside and expenses thereof should be borne by the centre.

(v) Need to provide more L.P.G. connections and need to regulate the supply of gas cylinders in Jaipur, Rajasthan

SHRI GIRDHARI LAL BHARGAVA (Jaipur): Mr. Deputy Speaker, Sir, registration for new L.P.G. connections in Jaipur was done in 1980. At that time 88,000 people were on the waiting list. The population of Jaipur which is the capital city of Rajasthan has increased rapidly, and

accordingly during the last ten years, total demand has gone upto one lakh gas connections i.e. at the rate of 10000 per year. All the three Government agencies combined together provide a total of 5500 new connections every year. In this way the waiting list is showing approximately 1½ lakh people.

So, I would like to urge upon the Government to raise the quota of new connections in case of Jaipur to at least 20000 per year. Moreover, even the supply position in respect of gas cylinders in Jaipur is so bad that one gets a refill not before 15 days of his request for the same. The supply position needs to be improved immediately and a refilling unit should be immediately set up at Jaipur. In view of the difficulties being faced by the consumers the Government had started a scheme of providing second cylinder but at present even this facility is not provided inspite of a request for the same. After looking into the matter the Government should improve the supply position in respect of the availability of second cylinder to the consumers.

(vi) Need to provide compensation to workers rendered jobless due to closure of 16 Textile Mills in Ahmedabad

[*English*]

SHRI PRAKASH KOKO BRAHMBHAIT (Paroda): Sir, sixteen Textile Mills in Ahmedabad city were closed down and as a result of which 40,000 workers have been rendered jobless. These 16 mills should be allowed to be scrapped. The State Government of Gujarat has urged that the state may be allowed to sell a viable section on the composite mills to any entrepreneur and recover rent of full amount. The unviable units which could not be worked, could be scrapped. Land building and machinery should be allowed to be sold.

The State Government and the Central Government have fully agreed that full and partial closure whatever is in the interest of the nation must be executed. The Union Finance Minis-

[Sh. Prakash Koko Brahmabhatt]
ter has been urged to pay the gratuity, retrenchment compensation and rehabilitation allowance from the assets of the companies as per the recommendations of the Abid Hussain Committee. The veteran labour leader and advisor to Majoor Mahajan Sangh has suggested a formula to Union Finance Minister regarding the closed textile mills of Ahmedabad in order to pay the dues of the jobless workers.

I urge the Union Government to take immediate measures about the rehabilitation/paying of compensation to the affected workers of the 16 mills in Ahmedabad city which have been closed for a long.

12.14 hrs.

CONSTITUTION (SEVENTY-FIFTH AMENDMENT) BILL

(Amendment of Article 356)—Contd.

[English]

MR. DEPUTY SPEAKER: The House will now take up item No. 6.

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Sir, I beg to move :

"That the Bill further to amend the Constitution of India, be taken into consideration."

As the House is aware, the President issued Proclamation under article 356(1) of the Constitution on 11th May, 1987 in relation to the State of Punjab. The Legislative Assembly of the State which was initially kept under suspended animation was dissolved on 6th March, 1988. The Proclamation issued by the President was approved by the Lok Sabha as well as the Rajya Sabha on 12th May, 1987. Approval of both the Houses of Parlia-

ment was obtained for continuance of President's rule for a further period of six months with effect from 11-11-1987.

As the law and order situation in the State continued to be disturbed, President's rule in Punjab has been further extended from time to time with the approval of Parliament. The present term of President's rule is due to expire on 10th November, 1990.

Under the then existing provisions of article 356 (5) of the Constitution, President's rule could not be extended beyond a period of one year unless the two conditions relating to proclamation of Emergency being in operation in the whole of India or whole or any part of the State and a certificate by the Election Commission of India to the effect that the continuation of the Proclamation issued under clause (1) of article 356 is necessary on account of difficulties in holding general elections to the Legislative Assembly of the State, were met. As both these conditions were not fulfilled, article 365 (5) of the Constitution was amended by the Constitution (Fifty-ninth Amendment) Act, 1988 so as to make clause (5) of that article in-applicable to the Proclamation issued on 11th May, 1987 with respect to the State of Punjab. With this amendment, President's rule could be extended, if necessary, for a total period of three years in Punjab without fulfilment of the conditions mentioned in clause (5) of article 356. By virtue of this amendment, President's rule in Punjab was extended up to 10-5-1990 with the approval of both the Houses of Parliament every six months. The Constitution (Fifty-ninth Amendment) Act, 1988 was repealed by the Constitution (Sixty-third Amendment) Act, 1989.

The three year period of President's rule in Punjab was to expire on 10-5-1990. As the law and order situation prevailing in the State at

that time did not hold out good prospects for free and peaceful elections to the State Legislative Assembly, it was felt necessary to continue the President's proclamation of 11th May, 1987 beyond 10-5-1990. Accordingly, clauses (4) and (5) of article 356 of the Constitution were amended by the Constitution (Sixty fourth Amendment) Act, 1990, to enable the extension of President's rule in Punjab for a total period of three years and six months, which is due to expire on 10th November, 1990.

It was expected that it would be possible to hold elections to the Legislative Assembly of Punjab within the extended time. However, the prevailing circumstances in the State are still not conducive for holding free and peaceful elections to the State Legislative Assembly. Clause (4) of article 356 of the Constitution is, therefore, proposed to be amended so as to facilitate extension of the said Proclamation up to the total period of four years in relation to the State of Punjab.

In view of the position explained, I request this august House to approve and pass the Constitution (Seventy-fifth Amendment) Bill, 1990.

MR. DEPUTY SPEAKER. Motion moved:

"That the Bill further to amend the Constitution of India, be taken into consideration."

SHRIMATI SUKHBUNS KAUR (Gurdaspur): Before we can decide whether we want to support or not, we would like to know what steps they would take in Punjab so that the elections can be held within six months. We should know what steps you are going to take in the next six months.

MR. DEPUTY SPEAKER: He has made some statement. Prob-

bly you will get this point when he replies.

Before we start the discussion, I may say that it is decided that the adjournment-motion will be taken at 2-30 p.m. That means, we have, at our disposal, only two hours and fifteen minutes. At least 30 minutes would be required for voting. So, we have at our disposal one hour and forty five minutes for discussion. May I request the hon. Members to cooperate and see that we are in a position to take up this matter as well as adjournment motion on time? This is just a request to the hon. Members. I call upon Mr. Kamal Chaudhry to finish his speech in time.

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): What will happen to the amendments which have already been given?

S. ATINDER PAL SINGH (Patiala): Mr. Deputy Speaker, Sir, more time should be given for it. It is a very sensitive matter. 1 hour and 45 minutes.

[English]

MR. DEPUTY SPEAKER: It was decided in the House before, I suppose. What was decided, I have brought to your notice. I am seeking your cooperation.

[Translation]

S. ATINDER PAL SINGH: It is my request that more time should be given for it.

[English]

MR. DEPUTY SPEAKER: I think it is just some minutes before, Mr. Kamal Chaudhry please.

SHRI KAMAL CHAUDHRY (Hoshiarpur): Hon. Deputy Speaker, Sir, the voice of the people in this

[Sh. Kamal Chaudhry]

country is being throttled. Democracy in Punjab has been throttled. I would not waste my time and the time of this House in trying to repeat what all the hon. Members who are sitting on the other side have said when they opposed the extension of the President's rule in Punjab when the Congress was ruling. I would also not go into the details of how many people in Punjab have been killed in terrorist violence and also in police excesses.

I would just come to the point that the Government does not want to hold elections in Punjab.

It is this bureaucratic system that we inherited from the Britishers. The ICS Officers who were recruited by the Britishers to rule India by remote control and this Indian Administrative Service that we inherited from them, today these are the people who are ruling this country and who have convinced the politicians in this country that elections in Punjab should not be held. It is their rule and they wish to continue indefinitely. It is not a question of three years, 3½ or four years. The politicians who have been guided by the bureaucracy, the ruling National Front Government or minority government, the Janata Dal and its allies, the BJP and the Communists, let us see what are their stakes in Punjab. Janata Dal is positive that it cannot win even one seat in Punjab. The Communists are also sure that not more than three or four seats they can get in Punjab. Same is the case with the BJP. (Interruptions) Who wants me to sit down? Have the guts to get up and say something? Do you want to say something? Do not ruin Punjab any further. Today you are drinking the blood of the younger generation of this country. Ask those politicians in Punjab who do not want to have elections. Each such candidate is positive that he cannot win this coming election. He is the one who is saying that elections in Punjab should not be held. It is not because of the fear of the terro-

rists. People say that I have been elected from Hoshiarpur. I challenge this Government that you nominate any one Constituency out of 117 Constituencies in Punjab. I shall contest from there. Let there be any opponent. I have been travelling in Punjab freely. This minority Government has created such conditions where the law and order situation has totally collapsed. It is a Government of eunuchs. The moment this Government was formed, it started political gimmickry like going to Golden Temple. The Prime Minister made all sorts of funny statements. But what happened? This Government wanted a few days and then a few months to hold elections in Punjab to bring peace. The atmosphere in Punjab was congenial. The previous Congress Government created that atmosphere and elections were held in a peaceful atmosphere. The Prime Minister called all Members of Parliament just the other day. It is a matter of shame that the Prime Minister did not tell the press what the Members of Parliament told him. He was hiding the truth. But this Government has cheated. I will tell you, there were seven Members of Parliament who went and met the Prime Minister. The session was on. Some person came to the Central Hall and checked up from the Members of Parliament from Punjab if they could see the Prime Minister at 7 O'clock. I got the message at 6 O'clock. There was no agenda in that letter. The time given was 7 O'clock. The same time was given to the Nepalese Delegation—one at 7, Race Course Road and the other at 9, Parliament House. This is how this Prime Minister's office functions. We went there and asked the Prime Minister to state what he wanted and what was the agenda. Even in the meeting he did not say anything. The full Cabinet Committee on Political Affairs was also present. We were just asked to say something on Punjab. Thereafter all the seven Members of Parliament from Punjab spoke. That is the beauty. Each Member said that

elections should be held in Punjab. That is exactly my view and I have been holding this view for the last three years that the democracy should not be throttled. Thereafter, rest of the gimmickry started like the all party meeting. But what happened in that? Only those people who are positive that they cannot win the elections in Punjab they are the ones who are saying time and again that election should not be held.

[Translation]

SHRI RAJVEER SINGH (Aonla): Are you in favour of holding elections in Punjab?

SHRI KAMAL CHAUDHRY: Yes, I am in favour of it.

SHRI RAJVEER SINGH: It is good that we have come to know your views.

SHRI KAMAL CHAUDHRY: But you don't have the guts to do anything practically. You simply speak here. You come with me to Punjab and see the situation yourself.

SHRI RAJVEER SINGH: But the leader of your party have not yet reached there. *(Interruptions)*

SHRI KAMAL CHAUDHRY: You should have conducted the election in Punjab immediately after the Parliamentary elections.

S. ATINDER PAL SINGH: I am going to invite all the Hon'ble Members to come to Punjab. Please accompany me. I will take you to all the rural areas.

SHRI KAMAL CHAUDHRY: I do not require your invitation. Kamal Chaudhry does not need the invitation of Atinder Pal Singh to go to Punjab.

S. ATINDER PAL SINGH: My invitation is not confined to Kamal Chaudhry alone but to all the Members of this House.

MR. DEPUTY SPEAKER: Singh Saheb, please.

(Interruptions)

[English]

SHRI KAMAL CHAUDHRY: What is needed in Punjab, what is needed in this country is the control of population. We are drinking the blood of the students, the younger generation. I have said in this very House in April 1986 that the people in this country are going to come out on the street and that there will be a civil war. This Govt. has created the condition for a civil war. I am not feeling sad. I am happy that the younger generation has come out in the streets today telling the elder generation to wake up. A child is born—a human being—and we are making a *chooda* or a *chamar* or a backward or a scheduled caste out of that child. This is what our elder generation is doing. This is what all these politicians are doing sitting in this Parliament. You are putting a caste stamp on the child's mind.

Today our bureaucrat's wife, an IAS officer's wife who goes to UK or America and does a course of beautician can open up a shop at home. She does not want to call herself a 'Nai'—that is called a beautician's saloon. But the boy who is born in the street is called a *chooda* or a *chamar*. This House is doing it. I am challenging it. Stop this gimmickry. Stop this caste system: stop poisoning the minds of the younger generation. I am waiting for the day when the younger generation is going to get up and catch the neck of the parents who are producing ten to twelve children and ask them to stop it. One Chief Minister in this country gets up and proudly says that this is his tenth child. *(Interruptions)*

[Translation]

SHRIMATI BIMAL KAUR KHALSA (Ropar): Has not the congress been giving scholarships to

[Smt. Bimal Kaur Khalsa]

the students in the schools? They continued with their slogans of alleviation of poverty... (Interruptions)...

MR. DEPUTY SPEAKER: No, Bimal Kaur Khalsaji, you will not interrupt in this way, you may speak on your turn. Now, take your seat.

[English]

SHRI KAMAL CHAUDHRY: I am waiting for the day when a child is going to grab his father or mother and asks them to stop producing the next tenth or the twelfth child. That is the need of this country today. But these politicians who are to guide the people in the streets just want another vote because when the child is going to become 18 years old, he becomes eligible for voting.

We are talking about reservation. For whom? How many people in the streets are going to be given this reservation? Stop this political gimmickry.

[Translation]

SHRI PRAKASH KOKO BRAHMBHATT (Baroda): Speak on Punjab, Sir.

SHRI KAMAL CHAUDHRY: Now, they are asking me to speak about Punjab while it is they who have instigated the children.

SHRI PRAKASH KOKO BRAHMBHATT: Who is responsible for that? They governed the country for a period of forty years.

[English]

SHRI KAMAL CHAUDHRY: Who is behind them?

[Translation]

SHRI PRAKASH KOKO BRAHMBHATT: It is the government of that party which has created this disturbed situation.

SHRI KAMAL CHAUDHRY: They want to aggravate the situation.

(Interruptions). They will have to face the consequences of the situation they have created in this country.

[English]

Are you happy with what is happening in the streets?

I went to my constituency two days back. I heard that some boys were serious and they were trying at self-immolation. You are blood suckers. You ask this from those children. I am waiting for the day when the children are going to hold you responsible for this.

[Translation]

SHRI KALKA DAS (Karol Bagh): They have misled the children in order to keep themselves in power. A boy of fourteen years is unaware of the consequences and they have compelled them to commit self-immolation.

[English]

SHRI KAMAL CHAUDHRY: If this House wants to know my views, I will tell the students to pick up guns and kill you politicians who are ruling this country. I very much believe in this. This is what has been done in Punjab. (Interruptions). It is the boys in Punjab who are challenging the Constitution. Who else is challenging the Constitution? What have you done for them? What this country has done for them? (Interruptions)

[Translation]

SHRI PRAKASH KOKO BRAHMBHATT: One of the Ex. M.Ps. came to me and asked as to why I was supporting that Government.

SHRI KAMAL CHAUDHRY: They are self-dependents. They are not at the mercy of others.

(Interruptions)

[English]

MR. DEPUTY SPEAKER: Shri Kamal Chaudhry, please address the Chair.

(Interruptions)

SHRI KAMAL CHAUDHRY: That is the reason, the youth in Punjab today have picked up the guns. I have been requesting this House for the last five years that even those who do not respect the Constitution, those who have guns in their hands and want to kill you should talk to them. They also have some problems. That is the only way by which you can defuse the situation. It is needed today. You have to talk to them. I talked to everyone. The only thing which they want is this that they need somebody to talk to them. Why I am saying that elections should be held is this. Some militants are also likely to get elected in the elections. They should also have some representation in the Punjab Assembly so that they can express their views on the Table and not with the guns when they are hiding. How many of them will get elected? Will it be five, ten or twenty? If the nationalist forces get together, then some militants may not be able to get elected. It depends on how much strength the nationalist forces, this country has. That is why I am pleading with the whole House and with all the political parties at the national level to get together and speak to their Party people in Punjab. They have representatives in Punjab. All the parties should unite to fight the election against terrorism. This is an election of nationalist forces versus anti-nationalist forces. I am positive that out of 117 seats, at least 80 to 90 nationalist people will get elected and that is what is needed. I very strongly oppose this Bill and I want this whole House to oppose this Bill. Lastly, I plead with the Government to hold elections in Punjab. Thank you.

[Translation]

SHRI YAMUNA PRASAD SHASTRI (Rewa): Mr. Deputy Speaker, Sir, just now I listened to a congress member and it is very surprising that though this spokesman of the congress party has been elected from Punjab but about the Punjab situation, he has spoken hardly 2-3 sentences. The situation is grim in the country. Only after a few minutes we are going to have a discussion on it. But he made a mention of only those things which were in a deviation from the topic under discussion in the House. Instead he should have expressed his views on the Punjab Bill which has been introduced here by the hon. Home Minister.

Sir, it is a circumstantial requirement, otherwise we never intended to avoid or postpone elections in Punjab. But this is not the question of today only but for the last 8 to 10 years, the elections have been frequently postponed time and again there. And now they are asserting that they have been demanding for the Assembly elections in that state for the last five years. Was there a Government of our party in the country in 1987 when an elected council of Ministers in Punjab was dismissed and the State Assembly, kept in abeyance for some time, was dissolved later on? They did all this in the name of the circumstances prevailing in that State as they felt that the situation was not favourable for completing the term of an elected government in Punjab so they resorted to the step of dissolving the state Legislative Assembly. And now, they are shedding crocodile-tears over the postponement of elections in Punjab. If they were genuinely interested in elections why did they initiate the 59th constitutional amendment which meted out a different treatment to Punjab apart from rest of the country because it sought to provide for the declaration of emergency in Punjab alone. That step was taken by the previous government. Moreover they also got the elections postponed. It was after Rajiv-Longowal accord

[Sh. Yamuna Prasad Shastri]

that the Assembly elections were held in Punjab and a popular government was installed in that state and I remember that it was followed by a period of peace for a shortwhile because it was a government elected by the people themselves. But the then Prime Minister having signed an agreement with Mr. Longowal, reduced it to a mockery. The public did cast their votes in the hope that the elected government would implement the provisions of the aforesaid accord under which Chandigarh was to be handed over to Punjab before the 26th January of the next year. It was also followed by the enactment of a drama of appointment of a number of commissions one after the other with an assurance that the entire territory of Fazilka and Abohar would be handed over to Haryana. But since there was no unanimity on this point, they chose to hold a referendum in Kandukhera. In spite of that, neither Fazilka and Abohar could be given to Haryana nor Chandigarh could be handed over to Punjab. After that a new drama of constituting various commissions began. One such commission recommended to give away 70 thousand acres of land to Haryana but a mention thereof was not made in the accord. Even then no final solution could be found out. Thereafter another commission was constituted with a direction that it was required to submit its report within 24 hours. There could not be anything more funny than this drama because it was the only event of its kind in the world. Can the people of Punjab ever forget it? In spite of all that, Chandigarh could not be given to Punjab. After that the people of Punjab felt that the Accord was an act of betrayal. People of that state thought that Shri Barnala, whom they have praised highly, had joined hands with Shri. Rajiv Gandhi and that they could not expect justice from him. Neither were they happy with that Accord nor were we, but the Government should have implemented at least some provisions of the Accord. Such

a step would have placated the people to some extent but the Government chose to do nothing. That hurt the feelings of youth in Punjab.

Sir I do not want to go into the details of the past events. The painful memory of the November 1984 riots is still with them. Yet they were betrayed by the Government. Subsequently the terrorists approached the public for their support. They told the public that since the latter did not follow their advice to boycott elections, Punjab could not get Chandigarh.

We had given an assurance in our election manifesto that we would annul the 59th constitution (Amendment) and we fulfilled that assurance. We wanted to hold elections there but the misdeeds of the previous Government created such an atmosphere in the State which was not conducive for conducting free and fair elections. That is why we had to introduce the 64th Constitution (Amendment) Bill. The other side extended their co-operation because they realised that the atmosphere was not conducive for elections. At that time the Governor of Punjab summoned all the MPs representing Punjab and the Congress suggested the postponement of elections in view of the prevailing situation. That is the reason why they supported the Bill in Parliament. Also the elections were postponed for six months. We had thought that the situation would improve in the meantime. And our hon. Prime Minister tried his best to restore normalcy in the State by going there 2-3 times and building the confidence of the people. But the Congress (I)'s machinations only made the situation worse. An all-party conference was organised here to solve this national problem. We need everyone's co-operation to restore normalcy in this border State. They went to attend that meeting but later walked out when the final resolution was being passed. We never received their co-operation in this direction. This led to the worsening of the situation. The present Government is finding it difficult to undo

the damage done by the previous Government. Can a life-time of sins be washed off in just one day? Despite our best efforts the situation has not become normal. The hon. Prime Minister announced that 1 lakh youth in Punjab would be given jobs, because we know that unemployment is a major factor contributing towards growth of terrorism. This will be an effective step in releasing Punjab from the clutches of terrorism. Steps are being taken in this direction but it will take some time.....

MR. DEPUTY SPEAKER: Now Please conclude.

SHRI YAMUNA PRASAD SHASTRI: So this necessitates the extension of President's rule in Punjab. If this amendment is not made in the Constitution, there will be a Constitutional crisis in the State.

Elections will have to be held before 10th November. Hon. Shri Kamal, I would like to say that we should not be misled by some of our leaders who have betrayed the people of Punjab. Can Shri Kamal honestly say that the situation in Punjab is conducive to holding free and fair elections. I believe that more than half of the local population will not be able to cast its vote without any fear. The present situation must be changed as it does not allow freedom and security for voters. As far as the youth is concerned the hon. Prime Minister said that he would undertake a 'padyatra' in Punjab to instil in local youth a feeling of hope and confidence to make them shun the path of violence. We don't believe in the suppression of our youth at the gun point of our armed forces. We do not want to control the situation by suppressing the youth but favour peaceful methods to restore democracy in the State. Recently the hon. Home Minister and his deputy visited the State and organised a meeting of 'Sarpanches' in every block. This process is still going on to allay the fear from the minds of the people. But people should rest assured that normalcy will return to Punjab even though it may take time.

Our hon. Prime Minister certainly does not favour elections to be postponed indefinitely. In fact he has said that there is no hard and fast rule that elections should be held only after the expiry of the six-month period.

MR. DEPUTY SPEAKER: Time is short and there are others who want to speak. So please conclude.

SHRI YAMUNA PRASAD SHASTRI: I want to conclude as quickly as possible. The hon. Prime Minister has said that election dates can be fixed even before the expiry of the six-month period. As soon as we are sure that every voter can cast his or her vote fearlessly, the elections will be held.

There should not be such a situation which obstruct the free exercise of their franchise. So the need of the hour is to create an atmosphere that allows free and fair elections. As hon. Shri Kamal and hon. Shri Rajiv Gandhi said they are willing to co-operate with the Government in solving the Punjab problem. All the political parties are willing to co-operate in this matter even though all have not said that in so many words. It means that they too are well aware of the gravity of the situation in Punjab. At this point, let me clarify that the Janata Dal is not speaking in this manner in order to gain votes the Janata Dal may or may not get votes but its stand remains unchanged. It is wrong on anybody's part to think otherwise.

MR. DEPUTY SPEAKER: Shastriji, please conclude as others too want to speak.

SHRI YAMUNA PRASAD SHASTRI: Neither the Janata Dal nor the B.J.P. nor C.P.I. is concerned about gaining political mileage. What is important for us is the preservation of democracy and the holding of elections in a democratic manner. This is an issue that every person sitting here is concerned about whatever may be said we want to follow the right path.

[Sh. Yamuna Prasad Shastri]

"Nindanatu neeti nipuna, yadi vas-
tuvatantu."

Laxmi Samavishatu, gachhatu va
yatheshtam."

It means that the learned persons or policymakers may criticize us. Goddess Laxmi may come and go and we may not be securing seats and votes—we are the least bothered about it

"Adyaiva va maranmastu yugan-
tareva"

If we die today or even if after ages, but

"Nyayata pathah pravichlanti, pa-
dam na dhiraha."

People with patience never deviate from the path of justice and always want that every one should be treated justly. This means that elections should be held and fear should be removed from the minds of the people. An atmosphere conducive to free and fair elections should be created. It is with this objective that this Bill has been introduced. So I would request the House and the Congress (I) in particular, to support this Bill in view of the problems being faced by the people of Punjab and the country as a whole. Even today Pakistan is training terrorists and supplying arms to them. Can we afford to hold elections in such a situation? The crisis in Punjab must be resolved and elections held there at the earliest. It is with this objective that this Bill has been introduced here and seeking your support for the same I conclude my speech.

PROF. PREM KUMAR DHUMAL (Hamirpur): Mr. Deputy Speaker, Sir, it is very unfortunate to not hold elections in a democracy on time. But it is all the more necessary that there should be a congenial atmosphere for holding free and fair elections.

Six months ago a Resolution was brought forward in the House for the extension of President's Rule by ano-

ther six months. The Resolution was adopted and in no time six months elapsed. What were those circumstances? I quite remember when the Government announced that elections would be held within those six months. It was expected that the situation would improve. But the situation did not improve, rather it deteriorated further. The hon. Prime Minister did a right thing by visiting Punjab and announcing to undertake a padayatra. He had to undertake his Padayatra in Punjab, but he was not able to pay a visit to the former Chief Minister of Haryana at Rohtak hospital. Just see, how the circumstances are changing. While flying in the air, he is making an announcement that President's Rule would be extended for 6 months only and dates of the elections would also be announced simultaneously. Though he is giving a firm assurance, yet the Punjab situation is not so congenial there elections could now be held in the State. I would like to know from the Government whether it is so confident that the situation will improve before the polling date which the Government is likely to announce today or some days later. Is it so confident that the situation would improve within a period of 3, 4, 5 or 6 months? If it is not so, I would definitely like to say that Punjab situation has deteriorated due to false and uncalled for announcements. It deteriorated due to lack of farsight on the part of politicians who are making unnecessary announcements and not fulfilling them. If the youths of Punjab are sad today, it is only due to these announcements. The BJP and the Left Parties have all along been opposing the elections. Creating a congenial atmosphere in the State is the first and foremost requirement. It should first be ensured that the elections would be held free and fair. One of our hon. friends cautioned me that in case elections are held the B.J.P. would draw a blank. The C.P.I. might get 3-4 seats and the militants would get 15-20 seats. In this connection I would like to reiterate that it hardly matters whether we win or lose the elections,

but it must be ensured that, the elections are held free and fair. It must be ensured that the people cast their votes fearlessly. Let one party capture all the seats. It would make no difference for us. Why to take of six months, let the elections be held tomorrow. But there should be a congenial atmosphere. (Interruptions)

I would like to quote a few lines from the article he wrote:

It has been written therein that .

[English]

"The previous regime was wicked,
The present is headless."

I don't want to comment on this since you are restricting my time.

[Translation]

The present situation is more critical than what it used to be earlier. The question of possession of AK-47 rifles by the militants was taken into consideration in 1989. It was estimated that the militants would have been possessing above 575 or 600 rifles and the present estimate is of 1700 rifles. Of them, above 600 rifles have been captured. When the militants possessed above 575 rifles, the atmosphere was not considered to be congenial for holding the elections, then how does the Government feel that the elections could be held when the number of rifles has gone upto 1700.

The hon. Prime Minister is sitting here. He is implementing the election manifesto in a haste. There is one more point which I expected from Mr. Kamal Chaudhry that he would raise it. I had met the hon. Prime Minister in this connection during the last session. The point is about granting one rank—one pension to ex-service men. There are a large number of ex-servicemen in Punjab who are prepared to make every contribution for the country's defence and for the overall development of the country. Why is the hon. Prime Minister silent over the point? Why is he not giving a reply to the ex-servicemen

who defended the country during their service career and are prepared to serve the country in even after retirement.

THE PRIME MINISTER (SHRI VISHWANATH PRATAP SINGH): We had had long discussions with the ex-servicemen organisation in this connection. We have finalised nearly 85 per cent of work, and we will also do the remaining work very soon, (Interruptions)

PROF. PREM KUMAR DHUMAL: I would like to express by thanks to the hon. Prime Minister for the reply he gave. (Interruptions)

[English]

SHRI SONTOSH MOHAN DEV (Tripura): Before deciding, you should consult with your friendly parties, if not Congress Party. That is our request.

[Translation]

PROF. PREM KUMAR DHUMAL: I would like to make an earnest request to Shri Sontosh Mohan Dev not to bring party issue in ex-servicemen matters. One thing for which I am very much worried is what the former Prime Minister, Shri Rajiv Gandhi had said that out of 1 rupee sanctioned by the Government, only 15 paise reach the actual beneficiaries and the remaining 85 paise are swindled away. It is a very disturbing equation. The Government should take steps to reduce this gap. One more thing is that earlier recruitment in the army used to be made on the basis of service rendered to the country and now a days it is done on population basis.

13.00 hrs.

The Youth of Punjab want to join the army and para-military forces. I would therefore like to urge the Government to do away with the practice of making recruitment in the army on population basis so that youth in Punjab could get

[Prof. Prem Kumar Dhumal]

better chances for joining the armed forces. Given a chance, they would come forward in the service of the country. They know how to handle weapons. They know how to fight for the country.

Mr. Deputy Speaker, Sir, I would like to make yet another submission which is very important. Security belt at the border has been constructed on a stretch of 120 kilometres only and a stretch of 280 kilometres remains to be done. I learnt that even though the Punjab Public Works Department was prepared to take up the work of constructing the security belt, the C.P.W.D. did not agree. I would like to urge the Government to complete the work on security belt at the earliest. (*Interruptions*)

It is a discussion on Punjab if you do not understand, please sit down. (*Interruptions*)

One more thing that I would like to say is that we welcome the elections in Punjab. As and when elections are held, the elected representatives of the people should come to the seat of power and solve people's problems. I came to learn that proposals have come from certain quarters that dates of the elections should also be announced. I cannot support this more. I feel that a congenial atmosphere should be ensured first so that free and fair elections could be held.

I, on my own behalf and on behalf of my party would like to support the Resolution seeking extension of President's rule in Punjab. At the same I would like to have a categorical reply from the Government as to what steps it is going to take in next six months so that the law and order situation in the State could improve and the free and fair elections could be held.

[*English*]

SHRI SAIFUDDIN CHOUDHURY (Katwa): Sir, this is the seventh time that we are extending the President's rule in Punjab. We have extended

the President's rule many times. The last elected Assembly was dissolved. So, the mistake that we committed in dissolving the Elected Government there and the Assembly there, for that we are paying a heavy price. Because of that we have faced the situation of uninterrupted President Rule there and also we could not hold elections there and restore democratic process there. It is not a very happy situation. If at that time that mistake was not committed, then we would not have to come before this House for the Seventh time to extend the President's rule there.

Last time also, during the discussion, we demanded that we should try our best to see the revival of Assembly and many people, I believe objected to that. Why did they do so? When we are all in favour of restoration of democratic process and when on the other hand we had demanded the revival of Assembly through a process of law, how is this considered position to be taken by some people I do not understand. It is not a very happy situation that again we are extending the President's rule. It cannot be a permanent feature for Punjab. Today or tomorrow, the elections are to be held. But the moot point is, whether we are really utilising the extended time to create a situation whereby free and fair elections will be possible. Whether this extended time will be utilised properly by the Government, by the patriotic political parties to organise and mobilise people in order to put them into fight against the terrorists. That is a very important question. No one in this country can espouse postponement of election as a method of achieving certain goal. Nobody can do that. Elections are to be held. But we have to self-analytically try to realize what mistakes we committed in the past, how we failed to utilize the time in the past, and what we should do in the future.

Now, if we again extend President's rule for six months, and if we again remain idle as we remained idle in

the past, then this extended time will not benefit us. It will again worsen the situation. It is not a question of fixing a date. The question really is to utilize the time very properly.

There are some people in our country who think that the provisions of the Punjab Accord which was signed, have no relevance in the present situation in Punjab, and they have nothing to do in finding a solution to the Punjab tangle. We do not subscribe to this view. In our opinion, within this Punjab Accord we have clues for establishing a link with the people who can be mobilized. Most of them are patriotic. 90% of the people of Punjab, or more than that, are patriotic. They are not supporters of Khalistan. But they do not have faith in the Central Government also. (*Inter-ruptions*) 99% of them. I stand corrected.

I advocate that the provisions of the Punjab Accord should be taken into consideration very seriously. Government has to decide, after due consultations with the respective parties; it has to announce a decision in regard to transfer of Chandigarh, may be today, may be tomorrow. I do not know. But we should not delay much on this. We have to take a decision in regard to the water question. We can refer it to a tribunal. We have been suggesting this for long. Then on the territorial question, we have to take a certain decision. Then there are certain questions which we have been repeating in this House from time to time, e.g. regarding punishing the culprits of the 1984 riots. So, these things are very serious. These can really provide a basis of foundation for a solution.

Another thing we have to be serious about, viz. the alleged excesses being committed by the security forces, or the mishandling of the situation by the bureaucracy. There, we have to have some check. For the security forces who are fighting the terrorists in Punjab, we have all admiration and appreciation. But there may be some

undesirable things happening. Some excesses have been committed. That is not helping us. A due check has to be put on them. For that purpose, what is necessary is that a State-level Council comprising the representatives of political parties, trade and commerce and other professions and renowned people should be formed—it should be of a manageable size—mass organization have to be there also. And they should be given some powers, so that on certain aspects of administration, on certain aspects of economic development, what they deliberate—and the consensus that they may reach—should be implemented by the regime of the Governor. We should not allow things to go unchecked, unmonitored or undeliberated upon. So, some kind of a representation of the people at the administrative level with power at the district level, comprising representatives not only people from the political parties but also people from the panchayats should be there. They are active. I know; we all know that. In the economic process, they can be associated and this suggestion should be taken up very seriously.

The third point is that there has to be some economic package in terms of providing employment to the people of Punjab, to the young people of Punjab. This is very necessary.

If we all can take these measures, then I believe that the kind of fear that is there in the mind of the people, namely, that due to these extensions and further postponements of elections there will be further alienation, I must say that that alienation will be overcome ten times. If you really use this time to organise the people, those who are patriotic, those who are against terrorism and try to have a link with them, then I think this problem will be solved. This is very important.

Another thing that I must say is that a correct signal has to go. It is not that the Government should run after one individual or the other. Then there will be disappointment. You

[Sh. Saifuddin Choudhury]

think that somebody will help you. The next day you find that he is not helping you. So, don't run after an individual. You try to reach to the people. In that way, I believe, all the political parties which abide by the Constitution, which are in the best interest of the country, should jointly go there and use this time—not casually—in solving this problem. This Government has developed a very respectable goodwill among the people of Punjab. The visit of the Prime Minister created enthusiasm among the people over there. So, We should utilise this opportunity in solving this problem. Our approach has to be to mobilise those people who are patriotic and direct them against terrorism. We have to remember that after signing the Punjab Accord a large number of people came out defying terrorism; they all stood for elections. That situation has to be restored by honouring the provisions of the Accord and taking certain other measures. No confusing signal should go.

There are certain things which are coming in the papers. I have a memorandum with me submitted by Mann Party (Akali Dal) to Mr. Kleik. Its copies are there. I believe that it has come in the papers. They have demanded self-determination. I have a copy of the daily *Jagbani* dated 15th September, 1990. There interviews of the terrorist leaders are given. They are saying that they will take part in the election; they will get their people elected in the Assembly. After taking oath, they will declare Khalistan. Can we allow that to happen? It is really an unfortunate situation in a State where people are fed up with terrorism. That due to our inefficiency, we had not been able to mobilise them and help them to participate in the democratic process defying terrorism. So, these six months should be utilised for that. During this period, you should take certain measures and try to isolate terrorists from the masses and expose them who are in league with foreign elements

and are trying to destabilise our country.

With these words, I support this Bill and hope that all appropriate measures will be taken by the Government to see that election could be held next time in Punjab.

SHRI INDRAJIT GUPTA (Midnapore): Mr. Deputy Speaker, we have set our time-table to complete this discussion and voting by 2.30 P.M. So, I think, it is time that we should keep that thing in mind and try to be as brief as possible.

MR. DEPUTY SPEAKER: I thank you very much.

SHRI INDRAJIT GUPTA: I will try to cooperate. But I did not find you pulling up anybody as far as I could observe.

MR. DEPUTY SPEAKER: He is suggesting that I should pull up the Members.

SHRI INDRAJIT GUPTA: My party will, of course, vote for this amendment, that is for the letter of this amendment. But we are not in favour of its spirit. If I could vote in spirit, I vote against it. Why? Because we are convinced that these repeated doses of President's Rule have become a chronic feature now in Punjab; it is not going to help improve the situation if we go on in the old way. I agree with what my young friend Mr. Saifuddin Choudhury has said. I would request gentlemen of the Press sitting upstairs to be a little indulgent and not to go on...

MR. DEPUTY SPEAKER: You should not have referred to them.

SHRI INDRAJIT GUPTA: They should not give an impression, as they go on giving, that the left parties particularly the two Communist Parties are absolutely dead set against elections; they do not want elections under any circumstances like the BJP. And they say that because the BJP and the Left allies are taking a stand

like that, therefore, the Prime Minister has no option but to go in for another spell of President's rule. This is not our stand. We are fully aware of the grave dangers, risks and hazards of holding an election in the present situation of the Punjab. There is no doubt about that. I do not want to go into details. Everybody knows what the situation is. But you cannot take a one-sided view. What has happened on the other side? There is a total alienation of the people taking place because of the President's rule which the Punjab people have begun to feel is going to be their lot for ever and they are never going to be allowed to participate in this democratic process. This applies to Sikhs, Hindus and everybody. And while we are very much concerned with the security of the common people there, it is actually, I think, the Sikhs now who are the worst victims of terrorism. The people as a whole are caught between two cross fires from which there is no way out. One is the fire of terrorists and the other is the excesses committed by the security forces particularly Punjab Police. We know what they are doing. Why should we try to hide this fact? You talk to anybody there and you will know that. So continuing with this President's rule without any other measures being taken simultaneously will not lead to any improvement of the situation. We are for restoration of the democratic process, but it requires the cooperation and a consensus between at least all the major parties. Without that, it is no use, nothing can be done. Therefore, this Constitutional amendment which we are now bringing should not be seen as putting a further brake on the democratic process. It should be taken as a challenge, as an opportunity given for six months or less than six months. We are not compelled to wait for six months to take some measures, to initiate democratic process and to improve matters so that we can go for elections next time. At present, I am aware of the fact that if the Government just gets up and says that yes,

there will be no more President's rule and we will go in for elections in six months or before six months, nobody in the Punjab will believe them. Therefore, I am appealing to the Prime Minister, if he so thinks fit, that on behalf of the Government, he should make some positive, concrete and specific response here in the House and make it clear that they are going to hold elections by such and such time. I do not say that the dates should be mentioned because they are not authorised to fix the date. That has to be done by the Chief Election Commissioner. But it should be made categorically clear that within three months or four months or five months the elections will be held and in this intervening period some concrete steps will be taken which last time they did not take at all. They extended the President's rule and went home and went to sleep. That way the situation is getting worse; it is not improving. And there is nobody in the Punjab, no representative of the people to whom anybody can go. To whom anybody can go with any grievance or representation when there is nobody there? The police rule and bureaucratic rule is going on there. These people have now acquired vested interest in seeing that this situation continues because it is a way of extorting money from innocent people. Both the sides are doing it. This is the way of being able to make profit out of this big trade in drugs and narcotics going on across the border. Everybody knows it. Of course, I agree that hundred per cent sealing of the border may not be possible. But we were assured so many times in this House that the wire fencing had been completed in a considerable portion of the border and what is remaining now will also be done. But even now we do not know when this work will be completed. And there is a constant movement going on of terrorists back and forth across the border. The number of AK 47s which is available in the Punjab, I am sure, is about five to ten times

[**Shri. Indrajit Gupta**]

what it was two years ago. Where is it coming from? Therefore, I say that without some concrete measures being announced from now that these six months or five months will be spent in carrying out these measures, there will be no improvement and at the end of this spell of President's rule we will find ourselves back to square one. Again we will face the same dilemma. It is a dilemma. It is a dilemma for all of us, we should admit the fact that if we go for elections, there is a big risk. If we don't go for elections and we go for President's Rule, in my opinion a worse situation will be created. I am not scared of all this business, that all the seats will be captured by the terrorists' nominees and the new Punjab Assembly will immediately declare independence and all that. I am not worried by this because I don't think that such a thing will happen. I agree. Mr. Kamal Chaudhry is not sitting here now, the only sensible thing he said, if I may say so, is that all the parties which are against terrorism, which are for the unity of the country, for national integrity, for restoration of peace and normal conditions—other issues need not be bothering us just now, we may have differences on so many issues, but on these three or four things we may agree, those parties do agree. If they come to mutual understanding—that includes the Congress, that includes the BJP, that includes the Left Parties—if they come to a mutual understanding and stand together in the elections, I don't think that the terrorist nominees will sweep the polls at all; and some of them may be elected naturally because people have got sympathies for them because of what is happening as a result of police excesses but they cannot get away, they have to go to the Assembly, they have to take their oath under the Indian Constitution before they take their seats and if they declare independence or something, well, we are all here, the Central Government is here, the Parliament is here, the people of this country are here, they are not going to allow such a thing to happen, we know how

to deal with such a situation. But at least people will feel that 'we were allowed to take part in a democratic process and to elect our own representatives, whoever they may be'. That is not worse, it is better than what is going on now. Therefore, I would request the Prime Minister to make it clear that we are not in for this kind of indefinite President's Rule which is really playing havoc, which will become another Kashmir, that is all. Punjab will become another Kashmir. It is well on its way to become another Kashmir if we go on giving them the impression that they will never be allowed to participate in election. Therefore, Sir, some measures have been suggested, I support them. Every six months we not only bring in President's Rule, but we also change the Governor. I find every six months we are changing the Governor also. They may also consider that matter. If it is time to have somebody who is capable of taking some new initiatives, some political initiatives, it is not enough to sit in Raj Bhavan, we have to find some suitable people also who can mix with the people, who can talk to the people, who can take some political initiative, who can give people some feeling of confidence. And this kind of Council, the Advisory Council or something which has been suggested by Mr. Saifuddin Choudhury, is a good idea provided that the Council and the Governor work in co-operation and not at loggerheads with each other. That means, as Advisory Council, it should be a representative body, all the Punjab M.Ps. who are elected from Punjab must be on it, the other representatives of the major parties should be on it, the peasants' organisations, the farmer's organisation, should be represented on it, the representatives of the Punjab industry and commerce, business people, should be on it, ex-Servicemen should be on it. Such type of people should be formed into an Advisory Council which will consider all the major problems of Punjab and the understanding should be that if they come to some agreed recommenda-

tions or conclusions, the Governor should generally accept those things and get them implemented with the Governor's authority. Similarly, Sir, down below at the lower level, district level, panchayat level and so on, there is no reason why we should not activate similar type of bodies and give the panchayats a chance to intervene more energetically in the situation. All the Sarpanches of the Panchayat, most of them, are Sikhs, and I think they can do a very useful and positive work within their own sphere. Many of them also have been protesting against these police excesses. Some time ago I remember in Gurdaspur there were reports that many Sarpanches who are Sikhs, mind you, have threatened to resign if these excesses and atrocities by the police were not stopped. I do not know when the last panchayat elections were held in Punjab. But my suggestion is that if Assembly elections are held, then why not panchayat elections should be held simultaneously also? Let the panchayat elections be held down below and the Assembly elections on top. Large numbers of people will be involved in all these elections. It will be a good thing, it will divert their mind from all the problems created by terrorism and violence. And then coming to the Accord, I do not know how much of that Accord can be implemented now. Chandigarh can certainly be transferred if our Haryana friends are willing to cooperate. Of course, they have to be given some compensation and all that. The case about this division of water can be given to another court or tribunal or somebody to go into it. Something should be there. The sealing of the border must be completed as soon as possible. I am also a great supporter of it.

Finally, I am saying this about the political mobilisation of the people. Last time our understanding was that all these parties which have a common idea about how to tackle the Punjab problem should jointly go and campaign among the people in Punjab

hold joint meetings, rallies and all that in the rural areas, where the farmers are willing to come and respond. But unfortunately for various reasons we could not do anything last time. I suggest that this time we should make a determined effort to change the situation. It is not enough to impose President's Rule. That will only worsen the situation. We must try to create a new atmosphere to change the situation, provide some more economic incentives for the unemployed youth, give them some loans for self-employment for jobs and all those things. This should be done and these measures should be announced as a big package, for implementing which we are taking time for four or five months by this new amendment of the Constitution, not in order to halt and stop the democratic process, but in order to bring it nearer and to treat this as a beginning of that democratic process which has to be brought in. So, this is our stand.

I want to make it clear. Since everybody in their wisdom has decided that the Constitution amendment should be made and the President's Rule should again be continued, we will not vote against it, we will vote for it. But I am against the spirit of this thing.

Also, I do not think that the Press should go on distorting our stand and saying that we were dead set against elections, that we do not want elections under any circumstances and that is why the Government has no other go. That is not our stand at all. That is not our stand. We want to keep open the options for the democratic process and the sooner it can be implemented, the better it will be for Punjab.

With these words, I will conclude.

DR. THAMBI DURAI (Karur): Mr. Deputy Speaker, it is a very sad day today that we are once again extending the President's Rule in Punjab.

[Translation]

SHRIMATI BIMAL KAUR KHALSA: Sir, Member from Punjab should also be given an opportunity to speak.

[English]

MR. DEPUTY SPEAKER: Yes, yes.

DR. THAMBI DURAI: When we passed the Punjab budget, at that time itself I disputed that we have not yet formulated any concrete steps to solve the Punjab problem. Every time we are bringing Punjab budget here and getting it passed. I said this last time also.

Our Finance Minister when he was in the Opposition, whenever this kind of Punjab Budget was passed, used to express his concern that he wanted immediate elections in Punjab. But this is happening now also.

Most of our political parties which are represented here, they said that they want elections immediately. At the same time they said that we are unable to conduct the elections because of the prevailing situations and that the elections should be postponed. But my feeling is this excuse is always being expressed in the House and the President's Rule in Punjab is being extended. Every time they are saying that terrorism is existing there and that because of the terrorist activities they cannot conduct a free and fair election. But we are forgetting why that kind of terrorism is existing in Punjab. We have to find out the root cause for it. Because of the system which is prevailing in our Constitution, as we are not functioning according to the spirit of the Constitution, because the Central Government is not functioning properly, because of this only this kind of a situation is prevailing in Punjab. When the people of Punjab have expressed their concern about their language, culture and religion, we neglected those things. This

kind of a situation is existing not only in Punjab, but it is also existing in Jammu and Kashmir, in Assam and to some extent even in Tamil Nadu. We should not forget it. We are forgetting the root cause of all that. If you want to give some kind of a treatment to solve it temporarily, you cannot solve it. I want to express through you to the Prime Minister and to this Government that let them take some concrete measures to solve the root-cause of the terrorism. Let them solve the language problem. Let them solve the problems of minorities. Let them solve all those things. What are the steps the Government has taken to promote the language of Punjab and to develop that culture? Also for the development of that State, what are the amounts you are allocating, what are the programmes you are implementing? Therefore, when you are not able to do all those things, you cannot bring peace in that area. Then, once again you have to extend the President's Rule. Therefore, extending the President's Rule is not the solution. The solution is to conduct the elections immediately to solve the Punjab problem. We have to know the feelings of the people of Punjab. In 1985 we conducted the elections for the Lok Sabha and the Punjab Assembly and also we conducted the 1989 elections for Lok Sabha. Then, what is the fear for having to postpone the elections in Punjab, I cannot understand. Therefore, whoever comes first to the democratic process as the peoples' representative, we must welcome. Before contesting, they are accepting the constitutional provisions and only then they are elected. I cannot understand what is the concern we are having. Let them pass anything in the Assembly based on the majority. But, we are here to see that the Assembly functions according to the Constitution. When that is the feeling, why are you always postponing the elections?

The root-cause for the terrorism is that you are neglecting the youth.

You are not giving proper employment to them. So, whatever the steps you have taken at that time, I had requested that let the Government come forward with a package of schemes. When does the Government plan to bring the Right to Work? Have they brought any Bill? They are so concerned about Punjab to implement the Presidents Rule there. When you are holding a special Session for this, why cannot you take up the Right to Work immediately and see that that bill is also passed in the same House. Why can't you do some kind of things to solve the problem of terrorism in the country? The hon. Prime Minister is here. Let him take this kind of measure to bring this Right to Work Bill and try to solve certain problems in this country. Without all these things, simply by talking about terrorism, you cannot solve the problem.

Thirdly, I will say some thing about the language. The hon. Home Minister is here, the hon. Prime Minister is here. All the languages in the Eighth Schedule must be made the national languages and also official languages of this country. When you will do that, the confidence will be created among the people of this country and that kind of confidence is more important. Whatever measures you have taken to solve the economic problems are not sufficient.

I wanted to speak more, but, there is not much time left because many Members are yet to speak. The hon. Prime Minister has said that he will undertake a march in Punjab to meet the people, to find out the problems in person. It is not necessary. The problems of the people of Punjab are known to everyone. There are similar problems in other regions of this country. These problems must be solved by taking necessary action by this Government. Election is the only solution. In order to respect the democratic rights of the Punjab people, I request the hon. Prime Minister to see that elections must take place as early as possible in Punjab.

[Translation]

SHRIMATI BIMAL KAUR KHALSA: Hon. Deputy Speaker, Sir it is very sad that Governor's rule is continuing in Punjab for the past three and a half years and it has been kept apart from the rest of the states. Government is not inclined to hold elections in the Punjab. It is very unfortunate.

13.34 hrs. [DR. THAMBI DURAI
in the Chair]

Hon. Chairman, Sir, it is being said that there is no peace in Punjab. Hence, elections cannot be held in Punjab. I would like to ask the Government as to who is responsible for restoring peace in Punjab? Does our constitution allow the persons who do not maintain peace, to impose President rule permanently? If there are disturbances in all the states, will Government choose not to hold elections to the Lok Sabha? Rules provide that elections to the Lok Sabha can be postponed only when emergency has been declared in the country. But Punjab has been continuously under Governor's rule for the last four years, though no emergency has been declared there. In fact, it is bureaucracy and police which is ruling there and police is implicating innocent youths in false cases and killing them. I would like to give some examples. Three months ago two youths named Harpal Singh Man and Baljeet Singh Bhutto of Ajmer tour were shot dead by the police in broad daylight. When this incident came to our notice, I myself and two of our colleagues went there to see the Governor. After hearing our complaints the Governor assured us that an open enquiry in this regard would be completed within three days. But it is very unfortunate that the Governor has no say in face of police because the enquiry has not been completed even after three months. We met Governor later also but nothing could be done so far. Here one more example can be cited. The Police killed one boy Kulwant

[Smt. Bimal Kaur Khalsa]

Singh just at a distance of hundred yard from our house. His fault was that he was riding a scooter with two other boys. When police ordered them to stop, they obeyed. The police searched them and started beating them. When police was beating him, his turban and chappals fell down there. When the police men were taking the boys into their van, one of the boys managed to run away. The Police chased him and fired at him. He was shot dead at a vacant plot. When I came to know about it I reached there within ten minutes. There DSP misbehaved with me which everybody knows. DSP asked us to take away the dead body of that boy. We told him that we would not lift that dead body from there until he told us as to whose body it was and why they had killed him. He replied that though he knew as to who was that boy but he would not tell about him. We told him that we would not allow them to lift the body from there. In spite of informing him about my being a Member of Parliament and telling him my authority to enquire about the dead boy, he did not oblige and rudely told me that he did not care for an M.P. Anybody could become an M.P. Even his constable could become M.P. He told me that he was not afraid of any enquiry either from centre or state. Many enquiries were held in Punjab but nothing could be done. After that they forcibly took away the dead body. A revolver was kept near his body, which was brought there after half an hour of killing. At the time of firing he was not holding anything and he had nothing to retaliate. When they took him forcibly everybody was panicky. The people who had assembled there, were beaten with the rifle butts. When we went to the Police Station to register this case the SSP and the DC were present there, we told the DC that this boy was running empty handed and was crying that he had not done anything and the people were eyewitness to it but the policemen murdered him. Even after narrating all these facts they refused to register the case. More

than two months have passed but no case has been registered. I brought this case to the notice of the Hon'ble Home Minister and told him about the misbehaviour of a DSP with an M.P. But it is very sad that no action has been taken on it so far. When Dr. Rajvansh of internal vigilance was marked this case for enquiry, he took the evidence of people and asked the DSP about his behaviour with an M.P. He admitted everything. Dr. Rajvansh was supposed to sent that report to centre within two days but that report has not reached there as yet. Later it was learnt that the case had been filed and Dr. Rajvansh of internal vigilance who was posted at Chandigarh had been promoted and posted at Jalandhar as SP. Do you want to extend President's rule so that bureaucracy and Police may rule the state and kill the innocent boys? Two years back a boy named Indermohan of Ludhiana was picked up from his house. When his parents asked about his whereabouts, they were told that he would reach his home after fifteen days. But I am pained to tell you that more than two years have passed but no information is being given about that boy. There are so many other incidents which have gone unnoticed or are being suppressed.

Some parties are apprehensive of their total defeat, so they are opposing the elections in Punjab. They do not have any right to speak in the matters of Punjab because they have no following in that state. They want that elections should not be held there. It is being said that elections can be held there only at the gunpoint. But the 1989 elections for Lok Sabha has proved that their claim is not correct. During Elections not at a single untoward incident happened there as it was in the other states.

When Shrimati Sakhbuns Kaur Bhindar who won the election in the year 1985 on the ticket of the Congress(I) had secured 1 lakh 80 thousand votes but this time she has won within a margin of 2 lakhs 26 thousands votes. Has she got there votes on gun point?

In 1985 elections, CPI and CPI(M) secured two lakh votes in Punjab whereas in 1989 they secured three lakh votes. How did they secure these additional one lakh votes on gun point? Secondly, the Minister of Foreign Affairs, Shri I.K. Gujral has won election from Jalandhar Parliamentary Constituency in Punjab. Our party as also the Sikh Students Federation had fully supported him. So I would like to ask the Government whether Shri I.K. Gujral has been appointed as the Minister of Foreign Affairs for winning election on gun point? Such propaganda is being made to postpone the elections and to bring this Amendment. It is being said that atmosphere in Punjab is not conducive to holding elections. Earlier also the Amendment was made to extend President's Rule in Punjab for six months. Therefore, I would like to know as to what steps were taken by the Government to restore normalcy in Punjab? Can the Government say it confidently that... ..

[English]

MR. CHAIRMAN: Madam, please take your seat now. You have already taken 10 minutes.

[Translation]

SHRIMATI BIMAL KAUR KHALSA: Now President's Rule is being extended for another six months, so will it bring peace in Punjab? The Government does not want to bring peace in Punjab. Besides holding elections, the Government have to take certain other measures also. The Government should immediately release all the youth who have been detained without any cases against them. Now-a-days, every Sikh is looked upon with a suspicious eye. Earlier the recruitment of Sikhs in Army was 60 per cent, but now it has been reduced to 10-12 per cent. I would like to know the reasons for it. There is large scale unemployment in Punjab. Educated youth are wandering in search of jobs. But the Government

have imposed ban on Government jobs. Therefore, I want that the ban on Government jobs should be lifted immediately... ..*

[English]

MR. CHAIRMAN: Nothing will go on record. Now Shri Kapil Dev Shastri will speak.

[Translation]

SHRI KAPIL DEV SHASTRI (Sonepat): Mr. Chairman, Sir, since this discussion will last upto 2.00 P.M., I will be brief in my submission.

I am fully acquainted with the situation in Punjab and whatever I will say.... ..

SHRI BHAJAN LAL (Faridabad): Will be the truth.

SHRI KAPIL DEV SHASTRI: I will speak the truth only. Regarding Punjab I would like to say that our Government will have to adopt a policy different from the one we have been following so far. Till now five Governments have been dismissed in Punjab—Shri Prakash Singh Badal's Government was dismissed twice and the Governments of Justice Guruam Singh, Lakshman Singh Gill and Surjeet Singh Bernala were dismissed and the entire country know as to who was responsible for the dismissal of these Governments. We were not responsible for that. At present there is no one in Punjab with whom the Government can initiate a dialogue. Drastic changes have taken place since the dismissal of the Surjeet Singh Bernala Government in Punjab. In this changed scenario, there is no one in Punjab with whom the dialogue can be initiated. Some people say that the Prime Minister does not initiate dialogue with them, but whom should be Prime Minister talk to? Who is their representative and that is the main hurdle

[Sh. Kapil Dev Shastri]

in Punjab. Whatever Shri Simranjeet Singh Mann says is not his own view, he says so under the pressure of these terrorists. Shri Prakash Singh Badal also gives statement under the fear of these terrorists. Under such circumstances the only alternative left with us is to hold elections. Our Government should take such courageous step and hold elections in Punjab and whoever wins, the power should be handed over to him. When the people all over the country eat the foodgrains produced by Punjab and Haryana, why we hesitate to hand over power to the people of Punjab? They are our own people and they cannot go against us. They talk about Khalistan but when the Sikhs come to power that would automatically be a Khalistan. How will you deter them, the rule of Sikhs is bound to come there.

So far as the question of unemployment is concerned, it is not the problem of Punjab alone. The unemployed youth all over the country are wandering here and there in search of job. I was also one of the participants in the meeting held at Akal Takht in which the decision to separate Haryana from Punjab was taken. It was decided in the meeting that Fazilka—Abohar be handed over to Haryana but no decision in respect of Chandigarh was taken in that meeting. Mr. Chairman, Sir, Shri Bhajan Lal is sitting in front of me, he has made efforts to transfer four villages of Haryana to Rajasthan, four villages of Rajasthan to Punjab and Fazilka Abohar to Haryana. Had it been done at that time the problem of terrorism in Punjab would have been solved to a great extent. If Fazilka—Abohar are given to Haryana, the flow of arms to the terrorists from Rajasthan would be stopped.

The Second question relates to Chandigarh which is a Union Territory. Had Fazilka—Abohar been a Union Territory, the problem of Punjab would not have deteriorated to this extent.

The third question relates to sharing of water. I have got with me the records

of all the agreements. Earlier also when I spoke on Punjab problem I had given details about them. Till now four agreements have been signed regarding Fazilka—Abohar and Chandigarh and four agreements have been signed regarding water. I have complete records of all the agreements. I was the Secretary of Haryana Sangharsh Samiti in which all such things were discussed. Therefore, I would like to say that the only solution to the Punjab problem is elections. The hon. Prime Minister should also take bold step to hold elections in Punjab as he has taken the decision to extend President's Rule in Punjab.

One more thing I would like to say is that if elections are held there, neither Congress nor BJP-Janata Dal will come to power. Only the Akalis whichever faction it may be will form the Government there. You talk about the elections on gun point, but I would like to give you the instances of last elections. Dictates were issued by the terrorists to the voters that before casting their votes they had to show the ballot paper to their agents sitting at the polling booths. No one could dare to disobey their dictates. It happens in Bihar also and now it is being done all over the country. Though such things are there, yet we should not feel scared of holding elections. (Interruptions)

One thing more I would like to say is that we have been discriminated in respect of sharing of waters. The canal is being constructed by the Central Government, but its construction should be completed before holding elections in Punjab. I would like to convey to the hon. Prime Minister my feelings through you that if the construction of canal is not completed within four-five months, they would not allow us to have our share of water from it. We are facing discrimination at the hands of Punjab Government.

I would conclude after making one more submission. The Railway Coach Factory which has been set up at

Kapurthala in Punjab was to be given to Haryana. Similarly special CRPF and BSF Units were given to Punjab. Many such concessions have been given to Punjab but the only thing which is not being given to them is the self-rule. Therefore if the Government also give them the right to self rule by holding elections, the problem will automatically be solved and there will be no trouble in Punjab.

With these words I conclude.

[English]

SHRIMATI SUKHBUNS KAUR (Gurdaspur): Mr. Chairman, Sir, it is very unfortunate that today again we are discussing the extension of President's rule. The Government, it seems, does not have much time for Punjab and unfortunately today even the House does not have time for Punjab. The Prime Minister has said that he has to bring this Bill because the BJP and the Leftist parties want extension of President's rule.

THE PRIME MINISTER (SHRI VISHWANATH PRATAP SINGH). They are all for election and democratic process. I want to dispel this wrong impression. There should be no allegations against the BJP and the Left parties. Here we are all for election and the conditions for fair and free election should be created and political initiative should be taken and economic packages should be there in this region as also contact with the masses. They are all for democratic process in Punjab. They are not against the election as such. In this present position, there is certain advice but not just to postpone and sit idle. That is not their advice. We have to go ahead with the people. That is the position. That is the condition.

SHRIMATI SUKHBUNS KAUR: I am very glad to hear this and it has been very sound advice. It is very sound advice from the Leftists and the BJP and I hope the Prime Minister and his Government will pay attention to this.

Last time, when President's rule was extended, in this House the Prime Minister had said that six months is the outer limit and that elections will definitely be held in six months and from time to time whether it is Mr. Gujral in Jullundur, whether it is Mr. Bhupinder from the South, whether it is Mr. Devi Lal in Bangalore or the Prime Minister whether it was in Boeing aircraft in Punjab, had maintained that elections will be held. But these pronouncements had no action.

I am not going to say whether I would support this amendment or oppose it till the Prime Minister has told us what steps he is going to take in the next six months to ensure that free and fair poll can be held. You have just said that you are bringing an amendment for the next six months. That means nothing because as somebody earlier had said the people of Punjab are not willing today to believe what the Government says because you go back on everything that you have said.

We would like to know from the Prime Minister. The Home Minister, of course, does not bother. So he left. But thank God, the Prime Minister is here. We would like to know from the Prime Minister what steps you contemplate in the next six months or three months or two months, whatever it is. I am just waiting for the Prime Minister's attention.

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): He is thinking whether he should respond.

SHRIMATI SUKHBUNS KAUR: I know he must try. I would be very glad if he would. But what we have seen in the last six months is the situation has gone from bad to worse. The Congress Government, under the Prime Ministership of Shri Rajiv Gandhi, had made certain efforts, and had taken certain action, to bring peace to Punjab. I do not say that he was successful.

[Translation]

SHRI KALKA DAS (Karol Bagh): He visited Punjab at least once but the previous Prime Minister did not visit even once to bring peace to Punjab.

SHRIMATI SUKHBUNS KAUR: Please listen.

[English]

I would like to draw the attention of the Prime Minister to the fact that during the Congress regime certain steps and actions were taken. The conditions in Punjab had improved. The law and order situation had improved with the result Lok Sabha elections were held. There is, of course, difference of opinion how they were held, whether there was rigging or not.

MR. CHAIRMAN: I request the hon. Members to keep silence.

SHRIMATI SUKHBUNS KAUR: They have been always referring to my victory as an example of the fact that there was no rigging. But after that the new Government took over.

14.00 hrs.

The manifesto of the National Front had said that peace would be brought to Punjab within fifteen days. And may be that is why, the country voted for the Government hoping that Punjab which had been suffering for a long time would see some peace, some calm. But unfortunately, in spite of the fact that the Prime Minister went to Amritsar in an open jeep--a very nice gesture there is no doubt about it--he seemed to have won the hearts of people of Punjab and Sikhs in particular, what happened after that? The Government goes to sleep. Nothing happened after that, no action. May be they were too busy with their internal problems. I can appreciate that. But Punjab is a bigger problem than the problems within the party--whether one is a leader or the other one is a leader, that does not matter. The Punjab should have got the first priority.

Then after that, he went again to Amritsar not in an open jeep. There was security. I do not know whether the Prime Minister is aware of it. There was like a total curfew in Amritsar. Then again he came back, he said something, he said something on board the aircraft. But unfortunately, nothing happened. And the sad part of it is that only three weeks ago, when the Punjab Budget was being discussed here and Prof. Dandavate was here, I think, everybody asked: "What are you doing about Punjab?" Not a word. The Government was absolutely mum. After eight months of rule, the Government, perhaps, did not know what the conditions in Punjab were. And the Prime Minister very kindly said that he would undertake a *Padyatra* to Punjab to find out from the people of Punjab what they wanted. It is a sad state of affairs if the Prime Minister does not know about the conditions in Punjab. He had to go to Punjab on a *Padyatra* to find out from the people of Punjab to know what the conditions in Punjab were. At the fag end of the Session, MPs from Punjab were called. As I told the Prime Minister it is better late than never.

[Translation]

In the end they called us to listen to our views.

[English]

That meeting carried on and if I remember, it was forced to carry on. It was not finished. It is still hanging. We have not been called again. I do not know what happened to that meeting. Three weeks ago, Government did not know whether they could hold elections or could not hold elections. But I would like to know what had happened within three weeks that suddenly you made up your mind that you could not hold elections. We want elections. I think, election is the best thing that can happen to Punjab. Of course,

the Prime Minister said that the conditions in Punjab were not ripe for holding elections. Why are the conditions not conducive for holding elections? What has this Government done for the last nine months? If you look at the figures.....(Interruptions) I will just take two more minutes. May be this is one opportunity when the Prime Minister and the Home Minister are listening together to what we think about Punjab. In the beginning of the last year, in 1989, the killings used to be around seventy. I do not have the correct figures. Therefore, I would stand corrected if anybody corrects me. Today they are double. According to the information supplied by the Government of Punjab, 1600 civilians have been killed including 305 security officials. 879 terrorists have been killed. Last year, may be there were 300 terrorists. When this Government has come, suddenly more terrorists are sprouted up. Why has the Government sat back to think about it? Why is this happening? Why are more people becoming terrorists or so-called terrorists as you say? Why are they feeling that they have arrested 1323 terrorists? I would like to know from the Government what was the reason for increasing the number of terrorists? Is there something wrong with your policy? There must be something wrong somewhere either with the administration or with the policy. I do not actually blame the district administration or the Punjab administration because they will do what you tell them to do or may be what you tell them not to do. Soon after taking over there was a sort of relaxation in the administration which you have not been able to control till today. What are the steps that you are going to take to ensure that the killings come down whether it is of these terrorists or the so-called terrorists—I don't know who the terrorists are? There used to be such a hue and cry from the Opposition benches about fake encounters. How are these people killed today? Are these not encounters? Today have they become genuine encounters?

What has happened to all the arms that are coming in?

One Governor was sent there; he was sacked and another one was sent. In the beginning we have read a lot of statements from the Governor that he will do this or he will do that; but now that man is very quiet. I don't know what has happened to him. May be with the extension of the President's rule another Governor will be sent. What directions are you giving to the Governor or to the administration to do or not to do something?

People are suffering in Punjab, Mr. Prime Minister. The conditions in Punjab are very bad. Please for heaven's sake, for the sake of the country and for the sake of the people of Punjab—you have said time and again that your heart bleeds for the people of this country—do something about Punjab; please let us know what you want to do about Punjab, what steps are you going to take about Punjab. I can assure you that the people want a democratic set up; people want a self-elected Government and we also would like to see that the Government does something. As I said before, we are crushed from both the sides—from the terrorists or the people who are killing civilians and on the other hand from the administration. The conditions in Punjab, particularly in the border areas, are very very bad. I request you to take certain measures and announce them here as to what you are going to do, so that we can hold the elections.

MR. CHAIRMAN: Hon. Prime Minister is going to intervene now.

SOME HON. MEMBERS: We may also be given some time before the Hon. Prime Minister speaks.

MR. CHAIRMAN: It is only the intervention. I am going to call others also later.

SHRI VISHWANATH PRATAP SINGH: Let the hon. Members from Punjab speak first: I will speak later.

[Translation]

S. ATINDER PAL SINGH (Patiala): Mr. Chairman, Sir, today is the most shameful and distressing day for the democratic and elected parliamentary system. In this House, which is called temple of democracy we are going to pass a constitutional amendment bill to suspend the democracy.

Mr. Chairman, Sir it appears as if entire India has decided to hand over Punjab to police for good. It appears as if entire India has negotiated a bargain with the bureaucracy that the massacre of sikh youths will be continued in Punjab. It appears as if whole of India has decided to hand over Punjab to paramilitary forces for spreading lawlessness there. Mr. Chairman, Sir, I would like to ask all the citizens of this country, who believe in democracy why after all they have given this special status to Punjab? We have been demanding special status for Punjab and the special status which you have given to Punjab includes massacre and discrimination in the constitutional and legal system. This is such a system which is opposed most by the people of Punjab. On behalf of the people of Punjab and sikh community all the world over, I would oppose this amendment in this House even upto the last drop of my blood. I want to tell the people of India that the people of Punjab can't be won over through Police rule or through the barrel of the gun or any other method. Until this country fulfils its promises the confidence of the people of Punjab can't be won over. I want to make it clear that the people of Punjab have all alone been expressing their faith in India. Now they have to think before expressing their faith once again. Please don't take such an action by which.....(Interruptions)

Mr. Khurana, you have got the

chance to speak, now listen to me. When you don't have the courage to face the truth you can in no way do good to the country. The welfare of the country lies in this that we accept the truth and reality with open heart and faith. The people who are struggling in Punjab these days are as good citizens of this country as you and me who are sitting here. How can you discriminate them? How can you push them before the police. How can you subject them to the bullets... (Interruptions)... If you can give full freedom to Police in Punjab, then we too have got the same right to live as you have. Even if a goat is confined in a slaughter house it also resists the butcher's knife. Keep this thing always in mind. Every problem in Punjab, such as water or linguistic area problems or the problem of Chandigarh have become secondary. Now the citizen of Punjab who is a citizen of India is struggling for his constitutional rights. The citizen of Punjab is himself is raising the issue of his rights. There won't be any solution in Punjab unless you give them their rights. The confidence of Punjab is difficult to be won over unless the country has some faith and confidence in its people. Goveglian approach has been adopted in the whole of India and the confidence of sikh community is difficult to be won over if they are slandered. You yourself are maintaining distance from them. The House has to see how the sikhs can come closer. The sikhs will come closer when attempts will be made to bring them closer. I want to tell the entire nation through this House that this time more than fifty per cent of the strength of B.S.F., more than seventy per cent of the strength of C.R.P.F. and Maharashtra Police etc., are working in Punjab. Whenever there is a move to make some changes in the Punjab Police Administration, it is said that Punjab Police will be demoralised. I want to submit to the government and the Prime Minister that there is no question of demoralisation of a force which is devoid of morality. Disciplinary system is adopted to deviate the morale of security

forces. Punjab Police and para-military forces are driven to lawlessness because of lack of discipline. Those who are lawless can't be demoralised because they are already demoralised. If the government wants to regain the confidence of the people of Punjab then this House should observe silence for two minutes to express regret for the happenings of 1984. In order to gain the confidence of Punjab, the Prime Minister should this time make an announcement of elections in Punjab. If this House wants to win the confidence of the people there, an announcement should be made that all the sikh women and youth would be released, as more than 250 women are arrested and cases registered against them. If the government wants to gain the confidence of the people of Punjab it should tone up the administration, and police administration and assert its powers more firmly.

Mr. Chairman, Sir, in the end I would like to tell the government and the entire nation through this House that this amendment will strengthen the separatist tendencies in this country. I want to inform the whole nation through you that you can't bring Punjab closer by this, instead they will go away from you. I want to say that I would oppose this amendment even upto the last drop of my blood. On behalf of the people of Punjab and on the strength of the mandate given by them, I demand ...**. If you can't give, we shall take to a course by which we would get our rights. This is what the people of Punjab are doing these days. If some solution to this problem is to be found that government shall have to talk to the people because of whom this problem has arisen. This is beyond my comprehension and the comprehension of the nation why the government avoids talking to them. So it is not possible to find a solution by keeping those very people aside who are the reason of that problem. If the government wants to

find a solution to this problem, they should call the struggling youth and talk to them and recognize their political leadership. I oppose this amendment tooth and nail and walk out of the House.

14.19 hrs. At this stage, S Atinder Singh left the House.

[English]

MR. CHAIRMAN: I want to request all the members to be very brief. We have already Committed that it would be over before 2.30. If you are taking more than the allotted time, then it will be very difficult for us to complete it. Therefore, I request other members to be very brief.

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): I have a point of order. In this House, which is the supreme body of India, we can deliver speeches within periphery of our constitution, but in our speeches we should not speak like '... ..' and this should not form a part of the proceedings. What will be the effect of such words on the posterity when they will see that the people are demanding a separate constitution and a separate symbol. So we want a ruling from you whether such words should be allowed or not?

SHRI JAG PAL SINGH (Hardwar): How for this is correct when you are talking of a Hindu nation? (Interruptions)

[English]

MR. CHAIRMAN: Please listen to me. In the hon. Member's speech, if there is anything which is against the constitutional provisions, it would not go on record.

SHRI INDER JIT (Darjeeling): Mr. Chairman Sir, it is a matter of tragedy and pity that we are having to

[Sh. Inderjit]

extend the President's Rule once again in Punjab. Last time, when the President's Rule was extended, the House had agreed in full that there would be no further extension. Now that we are coming forward with another extension, I would appeal to the Prime Minister to make a solemn commitment to his House that there will be no further extension beyond these six months. The tragedy is that the last six months have been lost totally with no policy. Virtually, nothing has been done during the last six months which needed to be done. Mr. Chairman Sir, we all know that the situation in Punjab has greatly deteriorated mainly. This is so because Pakistan has stepped up its activities across the border. And in this context, I think, it is an absolute scandal and a matter of great shame that little has been done so far to seal the border. The border must be sealed and fully sealed on a war-footing. Even today, there are 230 kilometres of border which has still to be given barbed wire fencing. We have so far provided full barbed wire fencing for only 120 kilometres and another 50 kilometres of low barbed wire fencing. 230 kilometres are still to be fenced not including the riverine belt. Mr. Chairman Sir, it is my view and also the view which has been shared by lots of people in Punjab that we can seal the border effectively, we would have taken care of at least 50 to 75 per cent of our terrorists problem in Punjab last July, there were something like 571 AK-47 rifles in Punjab. This is according to official sources with whom I had an occasion to talk to in Chandigarh. The number has increased from 571 to something like 1700 AK-47 rifles in one year, not to mention rocket launchers, mines and so on. And, this excludes 600 AK-47 rifles which have been captured. Therefore, my first point is we must seal the border on a warfooting. My second point is, as I have said, the Prime Minister should not only make a solemn commitment that President's Rule will not be ex-

tended but also make a specific announcement giving specific dates by which the elections will be held early next year.

Lastly, in view of the shortage of time, I would like to make one other point. There has been a lot of talk about promoting the political process. Nothing has been done so far. Before we can promote the political process, we have to inspire confidence among the people of the State and for this, several measures will have to be taken. An economic package, a political initiative and above all, something will have to be done to end the irritants. In Punjab, people are still very sour over the fact that nothing has been done about those who indulged in the 1984 carnage in Delhi and elsewhere. I think immediate steps have to be taken to remove the irritants. Finally, I would like to say that since we are going in for President's Rule, we should try to bring about some institutional arrangement, go in for some innovation so that—even though we do not have a Vidhan Sabha—we can give the people of the State some kind of an involvement in the President's Rule. Therefore, my specific suggestion is that just as we have a Council of Ministers normally in an elected Assembly, we should think in terms of a Council of Advisors who should exercise virtually as much power. This would be one way of associating the people also. The Prime Minister should make this announcement here. Even as the people of Punjab are asked to accept the President's Rule for another six months, they should be assured that there would be some association of the popular will at the level of the Governor.

[Translation]

SHRI KIRPAL SINGH (Amritsar): Mr. Chairman, Sir, I thank you for giving me an opportunity to speak. Firstly, I would like to submit that the Amendment, which has been brought here, suppresses the views of peace-loving people of Punjab more so, because this amendment is

not at all justified in the present circumstances as whatever is happening in Punjab is not new. Just now, one of my friends raised an objection that what S. Atinder Pal Singh said here was against the constitution. I am quite surprised to hear that. While this issue was going on, the Members belonging to one party said that they will accept the decision of the Supreme Court regarding water dispute, but they were levelled as the enemies of national integration. Are the people who say that they will not accept the decision given by the court on Ramjanmabhoomi Babri Masjid dispute patriots or devotees of Lord Rama? Do the people, who say that they will build this country as a Hindu-Rashtra, understand that there will be a Sikh Rashtra, a Muslim Rashtra and a Christian Rashtra also, if a Hindu Rashtra is formed here. I think those who speak such things are making an attempt to break the country. They had always said such things to break the country and now also they are doing so. Please listen to me carefully. I would like to cite the example of Shri Lanka which has been under Emergency for a long time. Things are bad there because of centralisation also. The same thing is happening in Punjab also. During the freedom struggle, the Sikhs of Punjab decided to remain with India.

"Hum bewafa the isliya nazaron se
 gir gaye,
 shayad unhen talash kisi bewafa ki
 thi."

At that time, a circular was issued by the then Governor of Punjab saying that the people migrating from other parts of Punjab, were all criminals. This was the first certificate given to those patriots. Today, again the same process has started. After that other issues like Punjabi Suba, Punjabi language, giving reservation to the scheduled castes among the sikhs, unjudicious division of Punjab and unfair distribution of water cropped up. Injustice was done to us in all these matters and today again the

same injustice is taking place. Today, discussion is going on in this House on the Bill to extend President's Rule in Punjab and it is being said that it will be for a very brief period. It is not good to treat it as a small matter and to give it a casual treatment. If this process continues, it can be dangerous for Punjab as well as the country as a whole. All of the Punjabi Members, whether they belong to the ruling party or the Opposition have expressed the view that election in Punjab should be held immediately. In Punjab, elections were never held on gunpoint. Elections were held on gunpoint in the Constituency of our former Prime Minister, the cases in respect of which are still pending in the court. Elections on gun point were held in Haryana, the cases of which are still going on. Elections on gunpoint were held in Bihar and the State continue to follow the same practice even now. Why the allegations are levelled only against Punjab. I would like to submit that it is the demand of democracy that elections should be held there. One of Hon. Members has given the comparable figures of the killings during the last two years. I am of the view that there will be increase in the number of killings if the elections are further delayed. The numbers will increase because the bureaucracy and the police, who are in control of Punjab and who had committed numerous misdeeds there, would never like the elections to be held in Punjab. When killings will increase, they will come out with a solid ground that the situation in Punjab is not yet conducive for holding elections. Unless those people are shifted from there, justice can never be done to Punjab.

"Wahi shole, wahi bijli, wahi adabe
 kafas,

Kaun Kahta hai ki gulshan mein
 bahar aayi hai."

I think that this amendment to the Constitution is totally atrocious to democracy and peace-loving and just

[Sh. Kirpal Singh]

people of Punjab, who constitute 90 to 99 per cent of population of the State. Therefore, I don't want to be a party to this crime. Congress Government was instrumental in starting this crime, but I regret that even the people like Shri V. P. Singh are vying for the support of the Congress Party. The list of stories of their atrocities are so long that even the devil will bow his head before them. It is a matter of surprise that a person like Shri V. P. Singh has to bow before them. It is really shameful that a person of his stature has to tow the line of the Congress for some votes. I don't want to be a party to this act. I have spoken my heart out. With these words, I thank you very much.

[English]

SHRI NANI BHATTACHARYA (Berhampore): Mr. Chairman, Sir, I am not going to repeat what has been said by my colleagues Shri Inderajit Gupta and Shri Saifuddin Choudhury. By and large I share their views. I would like to say that it would have been better if this amendment was not moved and we could have held the elections in Punjab.

14.31 hrs. [MR. DEPUTY SPEAKER
in the Chair]

With the heavy heart and under the compulsion of circumstances we have to support this amendment and, therefore, we are supporting it. But in the spirit of the Constitution, we are opposed to this amendment. We do not want the President's Rule in any State particularly in the State of Punjab. But the situation is such that neither the Government in the Centre nor the political party in power in Punjab could create the conditions where there could be free and fair elections. There I endorse the submissions of CPI and CPI(M) in this regard when they say that along with the extension of President's Rule, we should put all our efforts to change the climate of Punjab by developing a sense of security in them, so that the

credibility of this Government amongst the people of Punjab can be maintained. With these words, under duress and compulsion I support this amendment.

MR. DEPUTY SPEAKER: We had decided that we will take up Adjournment Motion at 2.30 P.M. Now, it is already 2.30. In fact we have gone beyond 2.30 hours.

SHRI RAJDEV SINGH (Sangrur): Sir, since I belong to the State of Punjab, which is being discussed now, I would like to express my views also.

MR. DEPUTY SPEAKER: I can give only two-three minutes to each Member.

SHRI HARBHAJAN LAKHA (Phillaur): Sir, I am here to bring the voice of Punjabee people but I am never given a chance. Last time also I was not given the chance. I am also the Chief Whip of my party. You want the Chief Whip to maintain discipline but you have never maintained discipline. I requested you last time also.

MR. DEPUTY SPEAKER: You can speak now.

PROF. SAIF-UD-DIN SOZ (Bara-mulla): Sir, in order to save time, let them speak together.

[Translation]

SHRI HARBHAJAN LAKHA (Phillaur): Mr. Deputy Speaker, Sir, I thank you very much for allowing me to express my views.

Sir, Punjab constitutes two per cent of population of this country. There is no casteism or untouchability in the State and the people are living with amity and brotherhood. On the contrary, there is constant increase in untouchability and hatred among the people in other parts of the country.

Sir, in Punjab, the Gurus taught the people to live with the feelings of brotherhood and they are abiding by

them. 90 per cent Sikhs of Punjab gave sacrifices for the independence of the country, but today when they are demanding independence, they are a mockery of them.

Mr. Deputy Speaker, Sir, on the 11th of May, 1987, the President's Rule was imposed in Punjab and in doing so, a lot of injustice was done to the people of Punjab. Before that, an all party meeting was held on the 3rd of May, in which it was promised that elections will be held in Punjab within six months. It was announced by the Hon. Prime Minister, but what happened to that announcement? You are knowingly deceiving Punjab, because you had promised that President's Rule would be extended for only six months and not for a year and thereafter democracy would be restored in Punjab. Was it not said in this Parliament that elections would be held in Punjab within six months? We started preparing for the elections and the Government went on playing jokes on us. Previously, the Congress Government cheated the people of Punjab and now, for the last 10 months, the Janata Dal is doing so. Please tell me as to what steps have been taken during the last six months to improve the situation in Punjab. Was any of the promises fulfilled? The Deputy Home Minister toured the State and returned only after giving clarifications. Is this the way to development? Today, Punjab has neither funds nor development. The funds are spent on the C.R.P.F. and B.S.F. Neither there is any development in the field of education nor in public utility work, like roads. There is no improvement in the economy and other areas. Why are they being deceived? Are the people of Punjab in any way different from others? I would like to tell the Hon. Prime Minister that earlier he had deceived the people of Punjab and that is why the people have told us not to support this Bill. Therefore, we will not support this Bill because the promise made to the people in this Parliament that the elections will be held within six months, has not been fulfilled. If

you go through the records, you will find that no killing took place for one month following the Lok Sabha elections in Punjab. Killings might have taken place before the elections, but during the elections, not a single person was killed. You can go through the records and check it. In other States of the country, elections are held on gun-point. But Punjab has a record that no killing took place during the elections. Who says elections in Punjab was a fraud? I have been elected through election only. Two Members of the Congress Party have also won the election from there. One candidate of the Bharatiya Janata Party, who was to contest the election from Hoshiarpur, withdrew from the contest after taking some money. A Member, belonging to the Congress Party secured 70 thousand votes and now the same people say that the situation in Punjab is very bad. Who says that the situation in Punjab is bad? I urge the Hon. Prime Minister to withdraw this amendment and order elections in Punjab. I would say that nothing serious will happen and elections will be held peacefully. The election record of Punjab shows that the people are co-operative and they believe in brotherhood. I thank you for giving me the opportunity to speak. I support the elections in Punjab, but I am against this amendment.

[English]

SHRI RAJDEV SINGH (Sangrur): Mr. Deputy Speaker, Sir, in Punjab neither the President nor the Governor is ruling but the corruption is ruling in Punjab. I do not agree with the views expressed by certain Members of the House that election is a solution to the Punjab problem. Punjab problem is basically and fundamentally a Sikh problem. Election cannot provide any solution to the Punjab problem. The Shiromani Akali Dal, the representative body of the Sikhs has made it clear that the Punjab problem can be solved only if certain demands of the Sikhs are conceded. Holding of the poll without conceding

[Sh. Rajdev Singh]

the demands of the sikhs shall serve absolutely no purpose. Prior to this amendment, prior to the promulgation of the President's rule in Punjab, there was an elected Government. If election was a solution to the Punjab problem, or if election can be a solution to the Punjab problem, then certainly there was no reason why the previous Government failed. The first demand of the Sikhs is that, while living in India, they should have a separate status, a separate entity and their own religion should be recognized as one of the religions of India.

The Shiromani Akali Dal has made a clear demand for declaring Sikhs a separate *qaum*. It should not be misunderstood, because *qaum* has many meanings; and it really cannot be translated accurately into English. The Hindu Succession Act, Hindu Marriage Act, Hindu Adoption and Maintenance Act, Hindu Guardianship and Minority Act—these have been made applicable to the Sikhs as well, declaring the Sikhs as part of Hindus. No Sikh can tolerate that he be called a Hindu.

We have no dispute with the Hindus, and we have very good relations with the Hindus, and it is the basic principle of Sikhism to respect all the religions. But at the same time we cannot tolerate that our religion be called part of the Hindu religion, and is not recognized as a separate religion. To recognize the Sikhs as a *qaum* is a very essential, crucial first step towards bringing normalcy in Punjab. Nobody can doubt the honesty and sincerity of the hon. Prime Minister for taking steps to bring about normalcy in Punjab, but the bureaucracy of Punjab has a vested interest, so that their rule may continue in Punjab. So, the bureaucracy is adopting every method to prolong its rule, and is trying to stall the steps being taken by the hon. Prime Minister to bring about normalcy in Punjab.

I sincerely feel that at this stage when the demands of the Sikhs are not being conceded, necessary steps are not being taken, elections will serve no purpose. But I sincerely hope that this period of extension of President's rule shall be purposefully used for conceding the demands of the Sikhs, and for extending all possible help to the Sikhs, so that they may feel quite safe in this country.

I want to make it clear that every step should be taken within the framework of the Constitution of India; and there can be no challenge to the integrity and unity of India from the Sikhs. Those who say that the integrity and unity of India is in danger from the Sikhs, are not conversant with the psychology and philosophy of the Sikhs.

In this period, the demands of the Sikhs should be conceded. Peasantry which is the backbone of the Sikhs, must be given due concessions and their basic demands should be conceded.

Now, the Sikhs of Punjab are being tortured, while the bureaucracy has a vested interest in prolonging President's rule. The other demand of the Sikhs is that they must be given more jobs in the Defence Services of India. Prior to 1947, the Sikhs had a strength of 33% in the Defence Services of India.

But now they are only 2 per cent in the defence forces. The reason is not that they do not want to serve the motherland by joining the defence forces; the reason is that they are not being recruited in the defence forces. So, there is need to give an opportunity to the Sikhs to serve in the defence forces, to serve the motherland, to defend the motherland and also provide them more employment opportunities. So, my earnest appeal to this House is that, in order to strengthen the integrity and the unity of India, which is dear to every Indian, irrespective of religion, caste, the Sikhs should be declared a separate *qaum* and

their other demands should be conceded. I have no doubt that the hon. Prime Minister shall do everything to defuse the situation and restore the honour of the Sikhs.

MR. DEPUTY SPEAKER: Shri A. K. Roy.

PROF. SAIF-UD-DIN SOZ : I am on a point of order. I do not want the Chair to be autocratic. So, I want to know under what rule I was not given an opportunity to speak on Punjab. My turn should have come in the middle because I am a leader of my parliamentary group. Under what rule did you deny me an opportunity to speak on Punjab? I have definite opinion on this subject. Unless I am allowed to speak for ten minutes I will not speak. Now I want your ruling on this. I will never speak for two or three minutes even if you ring the bell because it is absolutely important for me to speak on this subject. I must have ten minutes to speak on this subject. Otherwise, I will not speak and walk out because I have definite opinion on Punjab. (*Interruptions*) This is not correct. Under what rule did you not allow me to speak on Punjab? You show me the rule. (*Interruptions*)

[*Translation*]

SHRI KALKA DAS (Karol Bagh): Mr. Deputy Speaker, Sir, I want to bring this fact to your notice that Bhartiya Janta Party has got only 7 minutes in this 2 hrs and 45 minutes discussion.

[*English*]

PROF. SAIF-UD-DIN SOZ: Can you deny my right of speaking? I have a right to speak. I have a privilege to speak.

MR. DEPUTY SPEAKER: I am quoting the Direction 115(a).

PROF. SAIF-UD-DIN SOZ: I know about it.

MR. DEPUTY SPEAKER: Then why did you ask me to tell you?

PROF. SAIF-UD-DIN SOZ: You can't be autocratic.

MR. DEPUTY SPEAKER: Mr. A. K. Roy.

You cannot say that you will speak for ten minutes. But you will be given some time.

PROF. SAIF-UD-DIN SOZ: But you cannot allow me only two minutes and then ring the bell. You have to give me ten minutes; I will not speak for two or three minutes.

MR. DEPUTY SPEAKER: That is not correct.

Mr. A. K. Roy.

(*Interruptions*)

PROF. SAIF-UD-DIN SOZ: I want the Chair to follow democratic norms.

MR. DEPUTY SPEAKER: You are a very knowledgeable member. You should not insist on that. Mr. A. K. Roy.

SHRI A. K. ROY (Dhanbad): I stand to oppose this Bill and support Mr Soz. I feel you will not ring the bell before ten minutes.

MR. DEPUTY SPEAKER: No, no, I will do it just after two minutes.

SHRI A. K. ROY: Parliamentary practice is an art of confusing the confused; and we are very commendably confusing each other. Each speaker is standing and supporting the cause of democracy in Punjab and early fair elections; and each speaker is committed to support the extension of the President's Rule. I oppose the extension and support elections. There are three things which I must clarify. Firstly, whether emergency session and continuous extension by six months are hurting the basic structure of the Constitution is to be considered here.

Sir, we have just by a recent amendment of the Constitution annulled the earlier provision and changed that provision from six months to

[Sh. A. K. Roy]

one year and provided some limitations also. That does not exclude the idea that the Emergency provisions of the Constitution would be utilised only in very rare cases. It cannot be the rule. Last time we have all heard the solemn promise that within certain period the elections would be held and that this provision would not be mis-utilised again. At that time also I said that "all the Member are reluctantly supporting the Bill and I am reluctantly opposing the Bill." And today also I take the same position and it has been proved that what I said at that time has come to be true.

The second point is, I would like to ask the Prime Minister whether we can solve all the problems by holding elections. By holding election we cannot solve all the problems of the country. We wanted to make Punjab, India but now India has become Punjab. I am not going into that. I want to ask whether by postponing the elections we are going to solve any problem or not, whether we will be going ahead or whether we will be going backward. That is to be considered. What is our purpose? Our purpose is to isolate the terrorists who do not hold any principle or command any faith among the people. But by postponing the elections are we weakening the hands of the terrorists or are we strengthening the hands of the terrorists? I am of the opinion that by postponing election, we are strengthening the hands of the terrorists and in that way we are making the position bad to worse.

My third point is this: When this Government came to power they did not promise to give right to work or anything like that. That right to work has not come, and I am sure that it is not coming soon. But this Government promised democracy. This Government promised rule of law. This Government promised more liberty. This Government promised the right to express opinions and to hold political organisations and elections. I like to know whether

by postponing this election whether this Government is increasing its credibility with the people or is it losing its credibility? By not holding these elections it is actually decreasing its credibility with the entire people. Even if I understand that all the parties have arrived at a consensus, I like to know are they eligible to or do they hold any right to deprive a section of the people of their democratic right? They cannot. That is why I say that it is an illegal, immoral and improper step. This is the saddest and the blackest day of this august House even if we are all agreed to extend President Rule in Punjab even further.

Lastly, —I will take only one minute more— I would like to remind this Government and the people from the floor of this House about one story which is very old. Once Confucius was asked by his disciple: "What are the three ingredients required to rule a country well?" Confucius replied that three things were required, one was Fort, second was food and third was faith. Then the disciple again asked, "If these three things are not available, which has to be discarded?" Reply came, "Fort." Then the disciple again asked, "If one does not get the two but only one which has to be discarded?" Then he said that food can be discarded, but faith cannot be discarded.

I think that by extending this President's Rule we are losing the faith and that moral right to rule Punjab.

MR. DEPUTY SPEAKER: Mr. Soz, You are a very disciplined Member of the House and you are aware of the decision of the House and I hope that you will speak for the shortest time possible.

PROF. SAIF-UD-DIN SOZ: I was not much interested in speaking on Punjab, because I must have spoken, during all this time I have been here, twenty times on Punjab.

MR. DEPUTY SPEAKER: You and your views are well-known. You can do it very quickly.

PROF. SAIF-UD-DIN SOZ: To-day particularly I felt interested for two things. One was an amendment from Mr. Khurana to the Constitutional Amendment itself. And, then I wanted to quote Ghalib's verse. I am told that the Prime Minister understands urdu poetry. Mr. Khurana wants extension of President's Rule not by six months but by one year. I wanted to say something on that. I returned from Kashmir yesterday full of agony in my mind. Therefore, I wanted to quote Ghalib because he was the man who until this day was never beaten by anybody so far as expression of agony is concerned. Our Prime Minister must be knowing this old ghazal.

[Translation]

One of its couplet is as follows:

*Hairan Hun Dil Ko Roun Ki Piun
Jigar Ko Main
Makdoor Ho To Saath Rakhun
Nohagar Ko Main*

[English]

There was a practice in ancient times, may be till Ghalib's time also that when you would weep and weep and weep and feel deeply sorry over a situation, you would be exhausted, and then you would hire mercenaries on your right and left who would weep for you. So, Ghalib says:

"My heart is full of agony. I cannot weep any longer. If I could afford I would invite professionals to weep for me."

So far as this amendment is concerned, I feel that it is a compulsion for the Central Government to extend President's Rule. I will not mince words. I feel that perhaps conditions are not conducive for elections in Punjab. For otherwise, the Prime Minister had made a commitment that he would hold elections in Punjab. So, I can read in this amendment that the Central Government

has a compulsion in extending President's Rule for six months. But Mr. Khurana has alerted me further. He wants extension of President's Rule by one year.... (Interruptions)

SHRI MADAN LAL KHURANA: He is speaking on behalf of me..

(Interruptions)

PROF. SAIF-UD-DIN SOZ: Therefore, when the Prime Minister rise to reply to the debate, I want an assurance from him that President's Rule will be extended only for six months and in the meantime, I have a suggestion as to what the Prime Minister should do. It may appear to be a tall talk from a Member like me. I raise a question with the Prime Minister. He went to Punjab, to Amritsar. I can never challenge his perception or his sincerity at that time or this moment. He raised a hope in Punjab. But I raise a question with the Prime Minister. He belongs to a Party, which has the responsibility of running this country properly because Left Parties and BJP are supporting this. What has JD done in Punjab? Ministers do not matter at the people's level but Parties matter. What has the Janata Dal done in Punjab since the Prime Minister went to Amritsar? I found that individual Members of that Party exercising pressure on the Parliamentary Affairs Minister for joining Committees and going abroad. I want to ask them did they go to Punjab?; did they go to Kashmir?; did you send a parliamentary delegation?—it could be All Party Parliamentary Delegation-- did Janata Dal take initiative to apply balm to the wounds in Punjab?

For the first time in my life in this House I differ with comrade Indrajit Gupta. I have held him in highest esteem. He is not wrong when he suggests that Punjab has an economic problem too. He wants employment in so many sectors particularly in Army. He wants roads, buildings, hospitals, and this and that. Indrajit Babu, It belong to Kashmir. Economic

[Prof. Saif-ud-din Soz]

factor does not remain relevant when the situation is what it obtains in Punjab today. Punjab deserves to have sympathy, compassion. That compassion is denied to Punjab. That compassion is denied to Kashmir this time. It is a bullet for a bullet policy. I know the Governor in Punjab. He was my colleague in a Committee for long. He is a gentleman. He is a noble soul. But something happens that the bureaucrats are in the forefront and they show us the bureaucratic design of administration.

15.00 hrs.

The bullet for bullet policy has continued in the Punjab. And the worst situation is there now in Kashmir. Has the Prime Minister taken notice of the black laws—Disturbed Areas Act and the Armed Forces Special Powers Act? What happened in Kangan? A bus full of people who were called militants, was set on fire. I ask you to institute an enquiry and I will prove by circumstantial evidence that there were innocent people also. What happened in Arampora, Sopore? Syed Sahabuddin and others came with me yesterday from Srinagar. They went to the Governor and told him that in Sopore 60 houses were burnt and four people were killed inside one house. (*Interruptions*) The situation in Punjab and Kashmir is inter connected. You can never solve the problem in Kashmir with bullets. Mr. Jagmohan's policy is still continuing. Mr. Saxena has not shown a different perception. He is not allowed by his Advisers and Chief Secretary to do that. There is a confrontation with the employees. They are on total strike. Ration depots are closed. Hospitals are closed. Electricity is disrupted. The common man is in difficulty. The Central Government is watching helplessly. I want to know from the Prime Minister: Will he send a parliamentary delegation to Punjab to give sympathy to the people of Punjab? Will he send a parliament

delegation to Kashmir to see what is happening there? Will he go to Sopore where people have been killed inside houses by BSF? It is a story of murder, molestation and arson by the BSF. We want an enquiry by three Supreme Court judges on all the atrocities that have been committed in Kashmir. We do not want Prime Minister to watch helplessly this situation in Kashmir and then advise us here through his Ministers that we should cooperate or what way we should cooperate. The point is, what are you doing or going to do in Kashmir? Do you want to kill the people since you have failed to differentiate between militants and innocent people? And in Punjab also you do not differentiate between innocent people and militants. So it is a connected problem. I want the Prime Minister to rise and reply to my points. Will he institute an enquiry? Will he go to Kangan, Sopore, and Puzipora where Army and BSF have killed innocent people for no fault of theirs? Why has the Government failed to differentiate between militants and innocent people? You deal with militants with whatever law you have. But what is your right to kill innocent people? I have evidence before me. Will he assure the House that innocent people will not be killed in Punjab and Kashmir?

[*Translation*]

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Mr. Deputy Speaker, Sir, it is true that when we came to this House five months ago with a constitution amendment bill, the Government and particularly the Prime Minister had given an assurance that elections in Punjab would be held within next six months. It is also true that when the National Front Government came in power it took certain steps to bring about improvement in the Punjab situation. In other words it can be said that efforts were made to balm the wounds of Punjab. Steps were also taken to change the psyche of the people of

Punjab. But so far as terrorism is concerned, it is quite clear that terrorists are getting support from outside and that too openly. Our security forces have recovered arms and ammunition from them in large quantity. This proportion shows that terrorists possess arms and ammunition in large quantity. In practical terms, we cannot claim at this stage that the situation in Punjab is ideal to hold elections. In spite of all this, the Prime Minister has talked to Punjab M.Ps. and the leaders of the Akali Dals. The issue of holding of elections in Punjab has been assessed in detail. One suggestion in this regard has been received from them. The people of Punjab do accept that they are a part of this big and democratic country. The people of Punjab feel that the Government are having a discriminatory approach towards Punjab because the elections have not been held there for the last three years. Therefore, we should take the people of Punjab with us. The people of Punjab are prepared to take part in elections. The Panthic Committee has openly warned that they will take action against those who would take part in the elections. Despite this, a large number of people are willing to take part in the elections. There was an opinion to hold elections immediately. Elections are necessary for winning the confidence of the people of Punjab. The second opinion was against holding the elections till terrorism was brought under control.

The phenomenon of terrorism is a long term one. If the terrorists continue to get support from other quarters, the killings in the State cannot be stopped. Therefore, the foremost priority is to curb and contain terrorism and then conduct elections in Punjab. It is not advisable to hold elections in Punjab without bringing violence under control.

The third suggestion was to take some initiative. For example, there should be an action plan. As has been suggested by Shri Indrajit Gupta,

all the national parties should join hands and fight against it and mobilise the people to create a congenial atmosphere there. There was another suggestion to seek an other extension of six months and hold elections in that period. It is necessary to take political initiative in this regard. It is also true that if the Government makes a commitment that elections will be held in the next six months, the people may not believe it. The Prime Minister is willing to hold elections in the next 4-5 months instead of six months and thus 4-5 months time should be given. But we arrived at a decision after consulting all the supporting parties like BJP and the leftist parties. The Government does not possess a treasure of wisdom. We can chalk out an action plan but the outlines of the action plan should be drawn in consultation with all the political parties. This action plan should help in creating a congenial atmosphere in Punjab for holding elections. We have taken many steps in this regard. I, as well as the Hon. Prime Minister, visited the border areas. As far as fencing is concerned infiltration has been checked in areas where we have completed the fencing. In the remaining areas of Punjab, fencing of 37 km. long area will be completed this year on war footing. We have directed the agencies involved in this task to complete 236 KMs of fencing on Punjab and Rajasthan borders before the end of January. Likewise, we have arranged for flood light on 207 KMs long area. This fencing on borders has to be very effective. Therefore, we want to fence the entire border of Punjab. Similar is the issue of employment. We want that all the young people of Gurdaspur, Amritsar or Ferozepur should get employment. The gunpowder which is used for tackling terrorism cannot be of any use in this case. The Hon. Prime Minister during his visit to Punjab announced that one lakh youths would get employment by the end of this year. For this purpose the Central Government has kept one hundred crore rupees at the disposal

[Sh. Mufti Mohammad Sayeed]
 of Punjab Government. I would
 [English]

like to give the sector-wise break up
 in this regard.

Wage Employment Industries Sector	—	30,000
Self-Employment in Industrial Sector	—	20,000
Self-employment in Business and Service Sector	—	10,000
Employment in Transport Sector	—	10,000
Dairy	—	20,000
Poultry	—	5,000

[Translation]

Besides this, the State Government has undertaken the work of constituting a task force of about ten thousand youths. This work is in progress. They would get full compensation and salary during the training period of one year. Apart from this, we have decided to raise at least 10 BSF battalions and recruitment will be made from three districts. This is a question of employment. Similarly, as per the current year's plan allocation, we have already given a sum of Rs. 200 crores, Rs. 700 crores and Rs. 900 crores respectively for plan allocations at district level in Punjab. The State Government has provided Rs. 255 crores to the District Development Board for the development works. This amount of Rs. 255 crores would be at the disposal of the Deputy Commissioners so that they can utilize the funds through the *Panchayats*. It is a matter of satisfaction that during the last year the agricultural production of wheat and rice in Punjab was 49.86 lakh M.T. It has exceeded the target this year. Apart from this, sanction has been given to the State Government to set up five more sugar mills in Punjab. They are looking for a proper site. This year we have also cleared all the schemes regarding setting up of industries in the State. Lot of work remains to be done in the industrial Sector. We have many schemes with us in which an amount of about 150 crores would be invested.....
 (Interruptions).....

[English]

SHRI SONTOSH MOHAN DEV (Tripura West): What about constituting the Advisory Committees? There was a parliamentary committee also constituted.

[Translation]

SHRI MUFTI MOHAMMAD SAYEED: I am coming to that. As regards Bureaucracy, Mr. Soz was talking privately with me about the situation in Kashmir. He was telling me about Shri Saxena... (Interruptions)...

[English]

PROF. SAIF-UD-DIN SOZ: I will take only half a minute, sir, because he has created a misunderstanding. I have said in the Press Conference that Saxena's perceptions were different than Jagmohan's but he has not been allowed by the Advisors because those are the Advisors appointed by Jagmohan. Saxena has not been allowed to shape his perceptions. You ensure that and remove the Chief Secretary. What I say in private, I say in public also.

[Translation]

SHRI MUFTI MOHAMMAD SAYEED: The bureaucrats become all powerful and they least bother whether their action is good or bad, as there is no accountability in States like Kashmir where an accountable institution ceases to operate. A change in the situation in such places which are under the President's rule and where the People's representation is held in abeyance can be brought

about by making an institutional arrangement through the participation either of the political parties or of the people who will be accountable for the action taken there till the general elections are held in that State. When power is vested in the officers, they use it in the interest of the country, but in some cases they may commit excesses, for which there is no accountability. As Shrimati Bimal Kaur has just now complained, the grievance is heard by the same officer who is the decision maker himself. Likewise, some friends and some parties.....

SHRIMATI BIMAL KAUR KHALSA: I want to know as to what action will you take there against the offending bureaucracy?

[English]

PROF. SAIF-UD-DIN SOZ: They have given draconian powers to those officers under the Disturbed Areas Act and the Armed Forces Special Powers Act. (*Interruptions*)

SHRI INDER JIT: Can't you associate Members of Parliament who are elected from the State? They can be actively associated.

[Translation]

SHRI MUFTI MOHAMMAD SAYEED: Till the election is held in Punjab, an Advisory Council comprising of the Governor, the Members of Parliament from Punjab and the representatives of different political parties should be constituted at the State level. The Advisory Council will not be a decorative piece. Instead, it will be binding on the part of the Governor or the State administration to implement the decision of the Council so as to ensure accountability. Panchayat elections have not been held there for the last 15 years. Some people are of the view that the people of Punjab do not want the Panchayat elections or elections to other local bodies. I do not agree with them as none of our M.Ps. from Punjab has submitted his resignation and all of them want equal participation in the country's progress.

There are some who say—

[English]

Give Punjab full dose of democracy.

[Translation]

They want elections to the State Assembly as also elections at the district level and municipal level to be held so that more and more people could participate in the development process. At district level also such committee will be constituted to look after the work relating to the districts. It will be counter-productive to continue the President's rule in the State. However, there are some people who apprehend that if elections are held, the conditions at this point of time are such that the traitors will manage to get elected.

[English]

SHRI A. K. ROY: We are interested to know what you have done since the last extension. (*Interruptions*)

[Translation]

SHRI MUFTI MOHAMMAD SAYEED: Some people are of this view, but we do not agree with them. The common man of Punjab, whether he is a Sikh or a Hindu has not felt alienated from the national mainstream. If we do not trust him he may feel alienated. So, we are paying adequate attention towards this. I, therefore, request all the hon. Members to take a pledge on this issue at this historic moment of today. The Government will assure them all co-operation in this regard. An hon. Member just now asked as to what the Janata Dal was doing in this regard. This issue is not related to one party as it is a national issue which poses a threat to the integrity of the country. Therefore, the members belonging to all parties should extend their co-operation to resolve this issue. In the 1989 elections, the party of Shri Mann secured 30 per cent votes while the Congress got 29

[Sh. Mufti Mohammad Sayeed]

per cent. A candidate of the Janata Dal also won from there. How did Shri Chaudhry and Mrs. Bhinder of the Congress party get elected from there if the votes were secured on the gun-point, as some people say? So, there is no truth in saying that the election was held on gun-point there. In future too, no such thing will happen. A conducive atmosphere can be created there if all the political forces joint together.

I request all the members to extend their co-operation and pass this Constitutional Amendment Bill.

SHRI BHOGENDRA JHA (Madhubani): A clarification is needed.....(*Interruptions*)..... The Newspapers have carried reports to the effect that the Prime Minister has given assurance in the House that elections in Punjab will be held within the next six months by creating conducive atmosphere in the State. Therefore, I want the Prime Minister to give assurance in the House that elections to Panchayat, Municipality and Legislative Assembly will be held simultaneously in Punjab.

SHRI KIRPAL SINGH: Mr. Deputy Speaker, Sir, I do not want to participate in the voting.

15.22 hrs. *At this stage, Shri Kirpal Singh left the House.*

[*English*]

MR. DEPUTY SPEAKER: Before I put the motion for consideration of the Bill to vote, I would like to say that this being a Constitution (Amendment) Bill, voting has to be by division.

Let the Lobbies be cleared—

Now the Lobbies have been cleared. Before I put the motion, I would like to read out as to how the voting has to be done in the House for the benefit of the Members.

I would like to request each Member to make sure that he is sitting in his assigned seat. Each Member is requested to take special care to record his vote correctly 'Ayes', 'Noes' or 'Abstain' as the case may be so that there is no occasion for making correction.

I may briefly recall that as soon as automatic vote recording equipment is made active on announcement of the Chair, "Now Division", a gong sounds which is the signal to the Members to cast their votes, each Member has to push switch and then operate one of the three buttons, i.e. "Ayes", "Noes" or "Abstain", according to his own choice. The push switch and the push button must be kept pressed simultaneously until the gong sounds for the second time after 10 seconds.

Kind co-operation of Members is solicited.

SHRI P. CHIDAMBARAM (Sivaganga): This Party is split; this Front is split; this Government is split. We want this Government to demonstrate that it commands a majority in this House. We do not propose to vote in the first stage. We want to see that whether they have a majority and then we shall co-operate.

[*Translation*]

SHRIMATI BIMAL KAUR KHALSA: Mr. Deputy Speaker, Sir, I walk out of the House in protest against extension of the President's Rule in Punjab.

15.28 hrs. *At this stage, Shimati Bimal Kaur Khalsa left the House.*

[*English*]

SHRI INDRAJIT GUPTA: The Congress Party is hopelessly split. They are a divided Party.

SHRI P. CHIDAMBARAM: We shall not vote in the first stage of consideration. If they command simple majority, then we shall vote together

for special majority. We are not going to vote in the first stage. We are not going to press any button. (Interruptions)

MR. DEPUTY SPEAKER: Order in the House please.

Now the Lobbies have been cleared. The question is:

"That the Bill further to amend the Constitution of India be taken into consideration."

The Lok Sabha divided:

AYES*

Division No. 1 15.29 hrs.

Acharia, Shri Basudeb
Agarwal, Shri J.P.
Agnihotri, Shri Rajendra
Ahmed, Shri Anwar
Ajit Singh, Shri
Amat, Shri D.
Argal, Shri Chhaviram
Bais, Shri Ramesh
Baitha, Shri Mahendra
Bala, Dr. Asim
Banera, Shri Hamendra Singh
Bankhele, Shri Kisanrao Baburao
Barman, Shri Palas
Basu, Shri Anil
Basu, Shri Citta
Beg, Shri Yusuf
Bengali Singh, Dr.
Bhagey Gobardhan, Shri
†Bhardwaj, Shri Parasram

Bhargava, Shri Girdhari Lal
Bhartiya, Shri Santosh
Bhatia, Shri Ram Sewak
Bhattacharya, Shrimati Malini
Birender Singh, Rao
Brahmbhatt, Shri Prakash Koko
Chakravorty, Shri Susanta
Chand Ram, Shri
Chandra Shekhar, Shri
Chatterji, Shri Somnath
Chaudhary, Shri Ram Prasad
Chaudhary, Shri Rudrasen
Chauhan, Shri Prabhatsinh
Chavda, Shri Khemchandbhai
Somabhai
Choudhury, Shri Lokanath
Choudhury, Shri Saifuddin
Chowdhary, Shri Dasai
Dandavate, Prof. Madhu
Danwe, Shri Pundlik Hari
Das, Shri Anadi Charan
Das, Shri Bhakta Charan
Dasgupta, Dr. Biplab
Datta, Shri Amal
Delkar, Shri Mohanbhai Sanjibhai
Deshmukh, Shri Chandubhai
Dhakane, Shri Babanrao
Dhankhar, Ch. Jagdeep
Dhumal, Prof. Prem Kumar
Dikshit, Shri Narsingh Rao
Dome, Dr. Ram Chandra
Fernandes, Shri George
Fernandez, Shri Joss
Gandhi, Shrimati Maneka
Gangwar, Shri Santosh Kumar
Giri, Shri Sudhir

* Besides, the following Members also recorded their votes for Ayes through Division clerks:

Sarvashri Sharad Yadav, Arif Mohammad Khan, Bhajamand Behera, Bega Ram, Mandhata Singh, Mahendra Singh Mewar, Dflip Singh Ju Deo, Seo Sheran Verma, Kailash Nath Singh Yadav, Lalbaboo Rai, Heera Bhai, Nirmal Kanti Chatterjee, Shrimati Subhashini Ali, Sarvashri Shailvendranath Shrivastava, Janardan Yadav, Karia Munda, Dr. Khushal Parasram Bobche, Sarvashri Indrajit Gupta, Mani Bhattacharya, Ramashray Prasad Singh, Haradhan Roy, Gopalrao Mayekar, Govindrao Nikam, Kankar Munjare, Harish Pal and Ram Sharan Yadav.

†Wrongly voted for Ayes.

*Giriappa, Shri C.P. Mudala
 Gupta, Shri Dharmpal Singh
 Hannan Mollah, Shri
 Harsh Vardhan, Shri
 Het Ram, Shri
 Hota, Shri Bhabani Shankar
 Inder Jit, Shri
 Jaswant Singh, Shri
 Jatav, Shri Than Singh
 Jena, Shri Srikanta
 Jha, Shri Bogendra
 Jorawar Ram, Shri
 Joshi, Shri Dau Dayal
 Kabde, Dr. Venkatesh
 Kalka Das, Shri
 Kalvi, Shri Kalyan Singh
 *Kamble, Shri Arvind Tulshiram
 Kapse, Prof. Ram Ganesh
 Kataria, Shri Gulab Chand
 Keshari Lal, Shri
 Khan, Shri Sukhendu
 Khandelwal, Shri Pyarelal
 Khanoria, Shri D.D.
 Khurana, Shri Madan Lal
 Kotadia, Shri Manubhai
 Kundu, Shri Samarendra
 Lodha, Shri Guman Mal
 Mahale, Shri Haribhau Shankar
 Mahata, Shri Chitta
 Makkasar, Shri Shopat Singh
 Malik, Shri Purna Chandra
 Malik, Shri Satya Pal
 Mallik, Shri Mangaraj
 Mandal, Shri Sanat Kumar
 Manjay Lal, Shri
 Masudal Hossain, Shri Syed
 Mayawati, Kumari
 Meena, Dr. Kirodi Lal
 Meena, Shri Nandlal
 Meghwal, Shri Kailash
 Mehta, Shrimati Jayawanti
 Navinchandra
 Mirdha, Shri Nathu Ram

Mishra, Shri Balgopal
 Mishra, Shri Janeshwar
 Mishra, Shri Raj Mangal
 Misra, Shri Satyagopal
 Mukherjee, Shirmati Geeta
 Mukhopadhyay, Shri Ajoy
 Munda, Shri Govinda Chandra
 Naik, Shri Ram
 Nathu Singh, Shri
 Nayak, Shri Nakul
 Negi, Shri C.M.
 Nehru, Shri Arun Kumar
 Nitish Kumar, Shri
 Pacharwal, Shri Gopal
 Pal, Shri M.S.
 Pal, Shri Rupchand
 Pande, Shri Rajmangal
 Pandey, Prof. Yadu Nath
 Pandeya, Dr. Laxminarayan
 Pani, Shri Ravi Narayan
 Panwar, Shri Harpal Singh
 Paranjpe, Shri Baburao
 Paraste, Shri Dalpat Singh
 Paswan, Shri Chhedi
 Paswan, Shri Ram Vilas
 Paswan, Shri Sukdeo
 Patel, Dr. A.K.
 Patel, Shri Arjunbhai
 Patel, Shri Maganbhai Manibhai
 Patel, Shri Natubhai M.
 Patel, Shri Prahlad Singh
 Patel, Shri Ram Pujan
 Patel, Shri Shantilal Purushottam
 Das
 Patel, Shri Somabhai
 Pathak, Shri Harin
 Patidar, Shri Rameshwar
 Patil, Shri Basavaraj
 Patnaik, Shri Sivaji
 Pramanik, Shri Radhika Ranjan
 Prasad, Shri Hari Kewal
 Prem Pradeep, Shri
 Purushothaman, Shri Vakkom

*Wrongly voted for Ayes

Raghavji, Shri
 Rai, Shri M. Ramanna
 Raje, Shrimati Vasundhara
 Raju, Shri Bh. Vijayakumar
 Rajveer Singh, Shri
 Ram Awadh, Shri
 Ram Dhan, Shri
 Ram Sagar, Shri (Bara Banki)
 Ram Sagar, Shri (Saidpur)
 Ram Sajiwan, Shri
 Ram Singh, Shri
 Ramakrishna, Shri Y.
 Rao, Shri K. Rama Mohan
 Rasheed Masood, Shri
 Rathva, Shri Narayanbhai
 Jamlabhai
 Rathor, Dr. Bhagwan Dass
 Rawat, Prof. Rasa Singh
 Ray, Dr. Sudhir
 Raychaudhuri, Shri Sudarsan
 Routray, Shri Nilamani
 Roypradhan, Shri Amar
 Sahay, Shri Subodh Kant
 Sai, Shri Nand Kumar
 Saini, Shri Gurdial Singh
 Sanyal, Shri Manik
 Saran, Shri Daulat Ram
 Saroj, Shri Sarju Prasad
 Sarwar Hussain, Shri
 Save, Shri Moreshwar
 Sayeed, Shri Mufti Mohammad
 Scindia, Shrimati Vijayaraje
 Shah, Shri Babubhai Meghji
 Shah, Shri Jayantilal Virchandbhai
 Shakeelur Rehman, Dr.
 Shakya, Dr. Mahadeepak Singh
 Shakya, Shri Ram Singh
 Shastri, Shri Anil
 Shastri, Shri Kapil Dev
 Shastri, Shri Yamuna Prasad
 Shekhada, Shri Govindbhai
 Kanjibhai
 Singh, Shri Ajay

Singh, Shri Dhanraj
 Singh, Shri Jagannath
 Singh, Shri K. Manvendra
 Singh, Shri Lalit Vijoy
 Singh, Shri Pratap
 Singh, Shri Radha Mohan
 Singh, Shri Ram Naresh
 Singh, Shri Ram Prasad
 Singh, Shri Sukhendra
 Singh, Shri Surya Narayan
 Singh, Shri Tej Narayan
 Singh, Shri Uday Pratap
 Singh, Shri Vishwanath Pratap
 Singh Deo, Shri A.N.
 Sinha, Shrimati Usha
 Sonkar, Shri Kalpnath
 *Soz, Prof. Saif-ud-din
 Subedar, Shri
 Tandel, Shri D.J.
 Tarif Singh, Shri
 Tarwala, Shri Amratlal Vallabhdas
 Taslimudin, Shri
 Thakore, Shri Gabbhaji Mangaji
 Tiraky, Shri Piyus
 Tiwari, Shri Brij Bhushan
 Topdar, Shri Tarit Baran
 Tyagi, Shri K.C.
 Unnikrishnan, Shri K.P.
 Varma, Shri Dharmesh Prasad
 Varma, Shri Ratilal Kalidas
 Varma, Shri S.C.
 Vekaria, Shri S.N.
 Verma, Shri R.L.P.
 Verma, Shri Upendra Nath
 Yadav, Shri Baleshwar
 Yadav, Shri Chhotey Singh
 Yadav, Shri Chun Chun Prasad
 Yadav, Shri Devendra Prasad
 Yadav, Shri Hukumdeo Narayan
 Yadav, Shri Mitra Sen
 Yadav, Shri Ram Krishan
 Yadav, Shri Ramendra Kumar Ravi
 Yadav, Dr. S.P.

*Wrongly voted for Ayes.

Yadav, Shri Surya Narayan
Yadava, Shri Ramjilal
Yadvendra Datt, Shri
Yuvraj, Shri
Zainal Abedin, Shri

NOES**

*Gupta, Shri Indrajit
Rajdev Singh, Shri
Roy, Shri A.K.

PROF. P. J. KURIEN (Maveli-
kara): It has been proved that the
Prime Minister does not have a
simple majority in the House.

SHRI P. CHIDAMBARAM: His
moral authority is zero today. What
is the moral authority for him in the
country today? People are being
killed.

PROF. P. J. KURIEN: Let the
Prime Minister react. What is his
reaction? I want to hear.

SHRI P. CHIDAMBARAM: You
produce a simple majority. We will
give you two-thirds majority.

PROF. P. J. KURIEN: We can
give two-thirds majority. You pro-
duce simple majority.

SHRI P. CHIDAMBARAM: I
want to go on record that the lobby
must remain locked. The lobby must
remain closed. The lobby must not
be opened. I am demanding a head
count. The lobby must remain
closed. We will check the lobby.
It must remain closed. Nobody must
be allowed to come in. I demand
head count.

SHRI AMAL DATTA (Diamond
Harbour): You said that "We are
going to cooperate." Now in the
last minute you do not cooperate.
(Interruptions).

DR. BIPLAB DASGUPTA (Cal-
cutta South): Do not play this silly
game. What are you proving? The
majority is still there. (Interruptions)

SHRI VASANT SATHE (War-
dha): You must be very careful
about the slips. (Interruptions)

MR. DEPUTY SPEAKER: No,
not at this time.

(Interruptions)

MR. DEPUTY SPEAKER: Hon.
Members, will you please be in your
seats?

(Interruptions)

SHRI P. CHIDAMBARAM: Sir,
my demand for a head count re-
mains. (Interruptions)

SHRI B. SHANKARANAND: Sir,
why there is delay? Please announce
the result.

MR. DEPUTY SPEAKER: Hon.
Members, will you please take your
seats?

SHRI B. SHANKARANAND:
Why there is delay? Why has he
gone out? (Interruptions)

Mr. Deputy Speaker, why there is
so much delay? (Interruptions)

I have been in this House for more
than 20 years. I have not seen such
a delay in counting. There cannot
be such a delay. Unnecessary doubts
will be created. Please do not give
room for doubts. (Interruptions)

SHRI P. CHIDAMBARAM: Sir,
my demand for a head count remains.
...(Interruptions)...

*Wrongly voted for Noes.

**Besides, Shri R.S. Prasad voted for NOES through Division clerk.

[Translation]

SHRI B. SHANKARANAND: Now, what are you waiting for?

[English]

Unnecessarily, why there is delay? Why it takes so much time? ...*(Interruptions)*... Why are you delaying? Whom are you waiting for? ...*(Interruptions)*...

[Translation]

SHRI VASANT SATHE: Are you waiting for more slips to come? ...*(Interruptions)*...

SHRI B. SHANKARANAND: Are you so confused? ...*(Interruptions)*...

[English]

I am sorry to point out to you that undue delay is creating doubts in our mind. May I know why this delay? *(Interruptions)*

PROF. P. J. KURIEN: You have to announce the result. *(Interruptions)*

MR. DEPUTY SPEAKER: I will read out the rule. It says:

"After the members have recorded their votes, the Division Clerks shall collect the 'Aye' and 'No' slips and bring them to the Table where the votes shall be counted by the Officers at the Table and the totals of 'Ayes' and 'Noes' presented to the Speaker.

The result of the Division shall be announced by the Speaker and it shall not be challenged."

(Interruptions)

[Translation]

PROF. P. J. KURIEN: From where these slips have come? These have come from outside. *(Interruptions)*

[English]

SHRI B. SHANKARANAND: But how long? You announce the results.

MR. DEPUTY SPEAKER: They have to give me the slip.

(Interruptions)

SHRI B. SHANKARANAND: We object to this. *(Interruptions)*

PROF. P. J. KURIEN: From where have those slips come now?

(Interruptions)

[Translation]

SHRI HARISH RAWAT (Almora): Five of their members were not taking part in the voting. They were forced to cast their votes. This is a wrong practice. ...*(Interruptions)*...

[English]

SHRI KAMAL CHAUDHRY: We can give you a simple solution to this. When the result comes to you, you kindly announce their names and let the Members get up in their seats. *(Interruptions)*

SHRI VASANT SATHE: Otherwise, you have to go by the head count. That is the only way. *(Interruptions)*

PROF. P. J. KURIEN: We have serious doubts about the slips that have come. We feel some of the slips have come from outside. I suggest you to call out the names of those slips as also the division numbers. Then only we will accept it. *(Interruptions)*

SHRI CHANDRA SHEKHAR (Ballia): May I make a humble request to the whole House including the members from the opposition and especially to the Leader of the Opposition? We are in a deep crisis. We were assured this morning, according to Indrajitji, that this Bill will be passed. I can understand the state-

[Sh. Chandra Shekhar]

ment made by Shri Chidambaram that we must show our own majority in the House. We have not been able to do it.....(Interruptions)..... You have scored your political point. May I request you that in order to make a point against us, don't put the whole nation into a difficult situation? May I request this House and Mr. Deputy Speaker to find out some way by which the Bill is passed? Whatever you have tried to indicate to the House and to the whole country, you have achieved it in your own way.....(Interruptions)..... I urge upon you to join in the request to the Opposition to come to our help to pass the Bill unanimously. I hope something will be done.

SHRI KAMAL CHAUDHRY: Who has put this country in a crisis?

SHRI RAJIV GANDHI (Amethi): Mr. Deputy Speaker, Sir, we will look for a way out of the problem that has been created by this voting on the Punjab. I will not comment on the vote till we have your number results. But let me assure the hon. Member from the Government side that we will not act irresponsibly. (Interruptions)

SHRI INDRAJIT GUPTA: Let us go for elections; why all this?

SHRI VISHWANATH PRATAP SINGH: As a consequence of the position taken by the Members of Opposition Congress I, if it comes to elections, we are ready for elections.

SHRI RAJIV GANDHI: The question is not of elections in Punjab; the question is of the credibility of this Government. (Interruptions)

SHRI VISHWANATH PRATAP SINGH: Sir, only one more sentence I want to add. (Interruptions) I want to add only one sentence, Sir. The point raised by Shri Chidambaram was about 'the ruling party commanding majority'. The point is, Sir, if they want to test our majority, let them now bring No-Confidence

Motion and we will prove our majority. In the morning they have given us an assurance. You have given an assurance in the morning; you introspect and give us an honest answer. We want an honest answer. (Interruptions)

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): Sir, two minutes before the voting, I met both the Leader of the Opposition and the Chief Whip. Both assured me that their party was supporting the measure. But they are not doing it now. (Interruptions)

MR. DEPUTY SPEAKER: Now, the result of the division is:

Ayes: 249

Noes: 3

The motion is not carried in accordance with Rule 157 of the Rules of Procedure and Conduct of Business in Lok Sabha and in accordance with the provisions of Article 368 of the Constitution of India.

The motion was negatived.

(Interruptions)

SHRI RAJIV GANDHI (Amethi): Sir, it is our responsibility to give the two-thirds majority. It is the Government's responsibility to produce half the House and produce a simple majority. We will fulfil our part. They must fulfil their part. Our worst fears have come true today that this Government is running without a majority in this House. They have not been able to demonstrate a simple majority in this House, Sir. We are faced with a constitutional crisis. Even today, we are willing to sit down and find a solution to Punjab and see what is to be done. We agree with the Government that the Government cannot hold free and fair elections in Punjab. We will sit down and work out what can be done with this. (Interruptions).

MR. DEPUTY SPEAKER: Please take your seat. *(Interruptions)* Now we take up the adjournment motion. Mr. Shankaranand...

16.02 hrs.

(Interruptions)

SHRI DINESH SINGH (Pratapgarh): My point of order is that when the Government does not have a majority, can we continue with the business of the House? We must adjourn the House now. No business can be conducted. *(Interruptions)* There is no Government in the country today.

[Translation]

SHRI BHAJAN LAL (Faridabad): My point of order is that when a Government does not even have a simple majority in the House, then whether it has any right to remain in office? ... *(Interruptions)*...

[English]

MR. DEPUTY SPEAKER: Mr. Shankaranand... *(Interruptions)*...

16.00 hrs.

SHRI P. R. KUMARAMANGA-LAM (Salem): There is no Government any more... *(Interruptions)*...

[Translation]

SHRI HARISH RAWAT (Almora): I am on a point of order. These people cannot stop me from raising my point of order by making noise *(Interruptions)*..... Constitutionally this Government has failed to establish a simple majority and under the circumstances, the V. P. Singh and his Government does not have any right to continue in office. Hence, there is no Government in the country today ... *(Interruptions)*... Therefore my submission to you is that for the sake of maintaining the sanctity of the Constitution and democracy, you should kindly adjourn this House and have consultations with the Constitution experts because this Government does not have majority in the House and it doesn't have the right to continue in office anymore. We refuse to recognise the legitimacy of this Gov-

ernment. Please be kind enough to express your opinion on this issue... *(Interruptions)*...

16.02 hrs. [MR. SPEAKER in the Chair]

[English]

SHRI P. R. KUMARAMANGA-LAM: Mr. Speaker, Sir, I am on a point of order. There was voting on the Constitution (Amendment) Bill. The Government cannot even establish a minimum simple majority in number. They lack support. They cannot continue as a Government constitutionally. *(Interruptions)*... He should resign. He has not resigned. The House cannot continue... *(Interruptions)*... He cannot continue in this House. There can be no proceedings in the House ... *(Interruptions)*... The House has to be adjourned immediately or the Prime Minister should resign here.. *(Interruptions)*... They have no numbers here to establish that they are in power democratically any more. Mr. Speaker, Sir, I request you to adjourn the House immediately and solve the present crisis. You ask him to resign... *(Interruptions)*... Why are you so scared? Why don't you resign? Why are you sitting in your chair? *(Interruptions)*

SHRI JASWANT SINGH (Jodhpur): Mr. Speaker, Sir, I wish to make a submission. And the submission that I make goes to the honourable Prime Minister as also to the honourable Leader of the Opposition. My esteemed senior and good friend, Mr. Chandra Shekhar has made this point already. The political debating point that had to be scored had already been scored.

SHRI INDRAJIT GUPTA (Madras): By double crossing.

SHRI JASWANT SINGH: Whatever it may be. *(Interruptions)*

I am in agreement with the point made by the honourable Leader of the Opposition. We are faced with a con-

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stitutional question of very great importance. I do not think that that point is to be made in the context of Punjab. I do not think that in our preoccupation with pulling or pushing a respective political point, we ought to cause damage either to the State of Punjab or the unity of this country or any aspect of this. I have a very brief submission to make.

There is a difficulty in re-introducing this very constitutional amendment in this very session. If the House collectively decides to set aside that particular rule which prohibits us from taking up for consideration a constitutional amendment, which has not been accepted by the House, then this House can take up this very constitutional amendment in this very session. I appeal through you, Sir, both to the hon. Prime Minister and to the hon. Leader of the Opposition and I appeal to you, please adjourn the House now for about 15-20 minutes and I am sure in this interim of 15-20 minutes, a way can be found out; we can agree to set aside this rule.

There is a very great deal that is at stake...(Interruptions). For that, which is at stake, I appeal that we do not start making small political points against each other. I submit to you to adjourn the House for one hour. Let a way be found out for this and the way is very simple. The House can decide to set aside this rule and this very motion can be reconsidered.

SHRI INDRAJIT GUPTA: Sir, I only rise to speak because you have arrived on the scene. You were present in your chamber this morning and a very important meeting was held in your chamber; it was called by you of all the leaders of political parties. They were present and you know that in that meeting after a lengthy discussion, it was agreed in that meeting you are the witness, if I am saying something wrong, kindly correct me—that in passing this constitutional amendment everybody would cooperate...(Interruptions). That assurance was repeated on the floor of the House by the

Leader of the Opposition... (Interruptions) Why are these people getting so much agitated?

MR. SPEAKER: The Leader of the Opposition will speak for himself.

SHRI INDRAJIT GUPTA: What I am saying is that after these assurances were given both in your chamber and on the floor of the House, what the opposition party and its leader have done here is nothing short of duplicity. Is this the way they want to treat this Parliament? This is what they care for the country. This is what their assurances mean.

SHRI SOMNATH CHATTERJEE (Bolpur): Deliberately, we were misled this is political immorality. They are taking the country for a ride.

SHRI INDRAJIT GUPTA: That they will not participate in the voting, is it in conformity with what they have assured in front of you in your chamber and here? Is it not double crossing?

SHRI SOMNATH CHATTERJEE: What are they trying to prove? Let them bring a no-confidence motion. Is this the way they are going to behave and play with the country? They are playing with the country.

SHRI INDRAJIT GUPTA: This is a thoroughly irresponsible behaviour. Let the country know what they have done.

SHRI VASANT SATHE (Wardha): Sir, I will explain what happened in the meeting and then the leader of my Party will speak because he was not there at that time.

In that very meeting I was present on behalf of my Party. As you know, as far as passing of the Constitution (Amendment) Bill is concerned, what was stated was that our Adjournment Motion will be accepted on the question of present situation in the country. You said that after accepting the Adjournment Motion, it will be put

at a particular time which you will decide. Then we suggested that it may be put at 2.30 P.M. What was suggested was that when our Adjournment Motion would be accepted then we will cooperate for passing this Bill. We said so and we repeat it. *(Interruptions)*.

[*Translation*]

MR. SPEAKER: Sathe Saheb, this was suggested in the House.

[*English*]

SHRI VASANT SATHE: Sir, even in the Chamber, I and Prof. Kurien both promised that we will cooperate for passing the Constitution (Amendment) Bill. But, Sir, that applies to only two-third majority. We never said that it is our responsibility to provide even the simple majority for this Government. If this Government cannot muster even a simple majority then it has no right to govern and it must resign immediately. That is my submission. Therefore, it is very wrong on the part of Shri Indrajit Gupta to say that we have in anyway misled or not cooperated with the Government.

SHRI CHITTA BASU (Barasat): Sir, you should also listen to us. Sir, I don't know why Mr. Chidambaram has raised the question of not voting in the First Reading. It is quite clear that this side may not have the majority at the present moment but for that it is not the occasion to test. We are on the question of Punjab: whether elections would be held or not. Are they ready to hold the elections? I think we shall agree to hold the elections now. Let the Leader of the Opposition say, "We are not opposed to hold the elections." Sir, they want to hold the nation to ransom. They have gone back on their commitment. Let them have the moral courage to say that they want the elections. But they have not said like that. You should say what is your stand. I don't know why they have adopted this double standard. You have to answer here and you have to answer outside also. *(Interruptions)*

MR. SPEAKER: Yes, Mr. Rajiv Gandhi.

[*Translation*]

SHRI RAJIV GANDHI: Let there be some semblance or order to enable me to speak.

MR. SPEAKER: Silence Please?...

(Interruptions)

[*English*]

SHRI RAJIV GANDHI: Mr. Speaker, Sir, this morning, I had a meeting in your room and then again in this House. I said, the Congress will co-operate with this Bill. *(Interruptions)*

SHRI BASUDEB ACHARIA (Bankura): In this way? *(Interruptions)*

SHRI RAJIV GANDHI: Sir, it is our responsibility, as the main Opposition Party when we promised co-operation to see that the Constitution (Amendment) Bill is not defeated by the two-thirds score. It is not our responsibility ... *(Interruptions)* Mr. Speaker, Sir, it is not the responsibility of the Opposition Parties to see that this Government has the simple majority that half the Members are present. It is the responsibility of the ruling party and its supporting parties. Let me say very clearly that it is not the Congress which is irresponsible, it is the Janata Dal, the BJP, the CPI(M) and the Left Parties which have been irresponsible in not bringing their Members to this House...

SHRI BASUDEB ACHARIA: Why have you not said this at that time? *(Interruptions)*

SHRI RAJIV GANDHI: Sir, there are two points here. Sir, the first point is, on what is to be done about the election or extension of President's rule in Punjab? Earlier, when the Deputy Speaker was in the Chair, I said that we are willing to sit down with Government and work out what

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has to be done. I agree with the Government's position that the Government is in...*(Interruptions)*

SHRI BASUDEB ACHARIA: You have misled the House.

[Translation]

MR. SPEAKER: Please listen to Rajivji also just as you listened to Jaswantji.

(Interruptions)

[English]

SHRI RAJIV GANDHI: Sir, there are two questions which have been raised today.

One is what has to be done in Punjab. We are willing to sit down with Government and discuss what can be done. We are open to recommendations and suggestions by the Government. We will wait to hear what the Government has to say.

The second question is it is equally important—what right has this Government and what is the moral standing of this Government when it cannot produce the simple majority in this House? What business can be done, if the Government does not have the simple majority? *(Interruptions)*

THE PRIME MINISTER (SHRI VISHWANATH PRATAP SINGH): Sir, the hon. Leader of the Opposition has challenged the authority of this Government to continue. This is the basic point that he has raised. They have made two points. *(Interruptions)* Volume does not give strength to the argument. *(Interruptions)* He has made two points: one regarding Punjab, on which he had said that he was ready to give his cooperation; but we have seen their reaction, and the assessment of various Members on this. The net result of that is that the Constitution Amendment Bill is in jeopardy. That is the result of their constructive support. *(Interruptions)* and also the assurances--and I know what Shri Indrajit Gupta and Shri Yashwant Sinha have said, what they have brought to light, and what was

agreed upon in the morning; and what has been done the variance has been brought to light very clearly. That the country will judge. *(Interruptions)* However, do they bear this in mind? Do they want to back out? *(Interruptions)*

All right; if you do not want to back out, then you prove it. I will see it in your vote. *(Interruptions)*

I am coming to the next point. *(Interruptions)*

MR. SPEAKER: Mr. Sathe, you are a senior Member; he is not yielding.

[Translation]

SHRI VASANT SATHE: How long will you subsist on oxygen *(Interruptions)*

[English]

SHRI VISHWANATH PRATAP SINGH: I want to challenge the Leader of the Opposition on his next point; and there, I want the Leader of the Opposition to listen to me directly. I challenge the Leader of the Opposition *(Interruptions)* on the floor of the House, just now. *(Interruptions)* Please ask them to keep quiet.

[Translation]

Please control your Members.

[English]

I want to challenge him just now, that on the floor of the House, just now let him move a No-Confidence Motion. We are in the majority, and they are in a minority. We have 249, and they are not even.. *(Interruptions)* So, there is no question on that. If you want you can have a challenge now, and have a voting. Why do you fight shy of it *(Interruptions)* You can have voting just now. *(Interruptions)*

You have backed out in the morning. So, we have said: just back out now, from your challenge. *(Interruptions)* Have a vote and see whether the Government has a majority, or you have it. Come on. *(Interruptions)*

SHRI SOMNATH CHATTERJEE: Have it now, if he has got the courage. Let him accept the challenge, if he has got the courage. *(Interruptions)*

SHRI RAJIV GANDHI: I appreciate the predicament the Prime Minister is in. No matter what excuses he makes, he cannot hide the fact that today, in a special Session called for the passing of the Constitution Amendment Bill, the Government and its supporting parties have not been able to procure a simple majority. *(Interruptions)*

SHRI SOMNATH CHATTERJEE: What does the Leader of the Opposition want to prove?

SHRI VISHWANATH PRATAP SINGH: I want to tell the hon. Leader of the Opposition: it is not a question of vote of confidence. It is a question of breach of confidence by him. So far as no-confidence is concerned, he can test it in the House. Right now here; and I challenge him to bring it.

PROF. P. J. KURIEN (Mavelikara): He is misleading.

SHRI RAJIV GANDHI: Either they want our cooperation—and we will talk to them—or they want to carry on in this manner. *(Interruptions)*

SHRI SOMNATH CHATTERJEE: The Leader of the Opposition has admitted that this Session has been called to pass the Constitution (Amendment) Bill with regard to Punjab. They say, according to them, that they have taken a political decision to have the election in Punjab postponed. *(Interruptions)*

SOME HONOURABLE MEMBERS: No.

SHRI SOMNATH CHATTERJEE: Otherwise, what was this talk? On the Floor of the House the Leader of the Opposition said that he would co-operate with regard to passing the Constitution (Amendment) Bill. It means that they want the election to

be postponed. That was also said before the Speaker in the meeting held in the morning. Now they are creating a situation only with a view to try to prove that this government today has not at the present moment over 50 per cent of the support. Therefore, he is playing with the country. What is their offer of cooperation now, in what manner they would co-operate, nothing is being indicated today. Now they create a situation and give a magnanimous offer of co-operation. At the moment, they have no proposal to make on the Floor of this House. This country should know that this situation has been created because of the juvenile attitude taken by the Congress *(Interruptions)* They are playing with the country. If this House is of the view that the election in Punjab should be postponed, if that is the view of the majority, preponderant majority of the House, then they are playing with the fire; they are holding the country to ransom. Therefore, we must make it clear that it is for them to prove... *(Interruptions)* They have no suggestion to give. This responsibility is being thrown on the House. *(Interruptions)*

SHRIMATI GEETA MUKHERJEE (Panskura): I beg the cooperation of the House again. It is really a very sad situation. This is the highest forum of our country. We are playing with fire. *(Interruptions)* We cannot do that; whatever it may be, we cannot do that. Therefore, if they really want to bring a No-Confidence Motion, let them do so. *(Interruptions)*

[Translation]

SHRI JASWANT SINGH: Mr. Speaker, Sir, before the Minister of Parliamentary Affairs speaks, I would like to say that enough is enough. It is not advisable on our part to go to further extremes which could bring disastrous consequences. *(Interruptions)*

What I want to say is that a lot of politics has been done on this issue. The opposition wanted to score

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political points by making it a political issue. They have to be specific in their reply, yes or no. It is not a challenge of *Kabbadi*. (*Interruptions*)

Mr. Speaker, Sir, let by gones be by gones. A constitutional impasse has been created on this issue. In view of this, I would like to make a request to the Hon. Prime Minister that let us not make it a subject of debate in the Punjab context. I would like to request you to adjourn the proceedings of the House for an hour. In the meantime, I shall make a request to the Hon. Prime Minister as well as the leader of the opposition to suspend the rule of the House which compels us to take up this subject in this session itself. Let the House re-assemble after one hour and pass this amendment Bill. That is my submission to you.

[*English*]

SHRI SAIFUDDIN CHOUDHURY (Katwa): By not taking part in the voting the Congress (I) had actually indirectly voted for Khalistan in Punjab and for terrorism in Punjab. I would only say, if they are even now realising their mistake, I would not demand an apology from them—that they must express regret for what they have done and about their role in this House.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): In order to prove a similar point they generated the Khalistan movement in Punjab. They are not ashamed of this. For everything in Punjab they will be held squarely responsible. (*Interruptions*)

SHRI P. CHIDAMBARAM (Sivaganga): All this rhetoric, all this calling names and accusing us is not going to obscure one point. The point remains that the Prime Minister and the Leader of the Opposition exchanged four letters. The Prime Minister could not indicate his mind, could not indicate a proposal. The correspondence ended in a stand off. Then a special session is called. When a special session is called, their own

members, the Janata Dal members have deserted the Prime Minister. There is an open revolt in their party. They cannot produce a majority. What is the point in their calling us juvenile? How long will it take for me to call this a senile criticism? How long will it take for the Congress Party to call them senile?

The point is today the Leader of the Opposition is offering cooperation, we are offering cooperation; they must come up with the proposal. They cannot, because their party is hopelessly divided and the National Front is hopelessly divided and there is an open revolt. They cannot come up with any suggestion, they cannot come up with any proposal. Now, if the Prime Minister can muster his numbers and muster his ranks, and make a proposal we are going to consider it. His members have deserted him. While we are willing to give them two-thirds majority he cannot produce a simple majority. His members have deserted him. Let him go and blame them.

Hon'ble Mr. Jaswant Singh and Hon. Mr. Chandra Shekhar, I think, have responded constructively. They have realised the situation. They want our cooperation. There is the Prime Minister who is throwing a challenge to us. The Leader of the Opposition has responded to that. If you want our cooperation the Prime Minister must come down from his high horse. The Prime Minister thinks that he is sitting on some high horse. He must come down to earth and ask for our cooperation and he will get cooperation from us.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Now they want to rescue themselves.

THE MINISTER OF INFORMATION & BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): Well, I do not know what the Leader of the Opposition had wanted to prove. It is very clear that a Constitution Amendment in Parliament cannot be

passed without the cooperation of the Congress (I). And that is well-known, they need not rub it in too much every time. Because, not only in this House, in the Rajya Sabha also, where the Congress Party still has a majority—they are 120 and we are 116—it is so. And that is why whenever we moved a Constitution Amendment we did consult the Congress Party and only then, when there is a consensus, only then, we brought forward any amendment. In this House the Government has a total strength of 284, along with the supporting parties. We also know the limitations of mobilising 273 or 274 Members...(*Interruptions*) It happened several times. Even when the Congress Party had 400 Members, 350 Members and 450 Members, several times the Constitution Amendment Bill failed. We know the limitations...(*Interruptions*) That is why, we have always sought their cooperation for passing the Constitution Amendment Bills. Even today, just two minutes before the voting, I went to the lane of the Opposition because I found that one of the Whips going round the benches there whispering something to the Members. I suspected something. I called the Chief Whip. You saw us when both of us were talking there. He assured me that the Opposition has decided to vote in favour of the Constitution Amendment Bill...(*Interruptions*)

SHRI RAJIV GANDHI: No Sir. That statement is totally incorrect. (*Interruptions*)

You can edit Khula Manch. You cannot edit Lok Sabha...(*Interruptions*)

SHRI P. UPENDRA: After that, the Leader of the Opposition called me and showed me—"this is the slip. You rest assured that we are voting for the Bill."...(*Interruptions*)

SHRI RAJIV GANDHI: This is totally misleading. I did show him a

slip. But I said nothing...(*Interruptions*)

SHRI P. UPENDRA: It is a question of elections in Punjab. If they are not willing to cooperate, the Government is ready to go in for elections...(*Interruptions*) Even today, our 250 Members are here. We have got a majority on this side. On that side they are in minority. Let them bring No Confidence Motion and we shall prove our majority any time in the House.

MR. SPEAKER: Now I adjourn the House to meet again at 5.30 p.m. I request the leaders of the Parties and Groups to meet me in my chamber.

16.47 hrs.

*The Lok Sabha then adjourned till
 Thirty minutes past Seventeen of
 the Clock.*

*The Lok Sabha then re-assembled
 at Thirty-five minutes past Seven-
 teen of the Clock.*

[MR. DEPUTY SPEAKER in the
 Chair]

[English]

PROF. N. G. RANGA (Guntur): Mr. Deputy Speaker, Sir, I have some good news for you and for the House. Hon. friend, Shri Vasant Sathe has been persuaded to break his fast and the threat of Satyagraha against the Mandal Commission Report, in the light of order made by the Supreme Court. Therefore, I congratulate the House as well as one of the leaders on the other side...(*Interruptions*)

RE. ADJOURNMENT MOTION

Police atrocities in dealing with students' agitation against Government's decision on Mandal Commission Report and resort to self-immolation by students against the decision.--Contd.

[English]

MR. DEPUTY SPEAKER: I think the item on the Agenda is the Adjournment Motion. I was told by some Members from this side and other side also that...

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): The House was adjourned by the Chair, Sir.

MR. DEPUTY SPEAKER: That was a different kind of adjournment. Now, both of you do not want it; so, we may not take it up for discussion.

17.36 hrs.

**ANNOUNCEMENT BY DEPUTY
SPEAKER**

**Sitting for 3 October, 1990 cancelled
on account of Prophet Mohammad
Sahib's birthday**

[English]

MR. DEPUTY SPEAKER: Before I adjourn the House, I have to make an announcement.

I have to inform the House that the sitting of Lok Sabha fixed for Wednesday, the 3rd October, 1990 has been cancelled on account of Prophet Mohammed Sahib's Birthday (Milad-un-Nabi) which has been declared a closed holiday by Government. There will accordingly, be no sitting of the House on that day.

17.37 hrs.

*The Lok Sabha then adjourned till
Eleven of the clock on Thursday,
October 4, 1990/Asvina 12, 1912
(Saka).*