

Ninth Series, Vol. X No, 23

Thursday, Oct,4,1990
Asvina12, 1990/1912(Saka)

LOK SABHA DEBATES

(English Version)

Third Session
(Ninth Lok Sabha)



सत्यमेव जयते

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA DEBATES

LOK SABHA

*Thursday, October, 4 1990/Asvina 12,
1912 (Saka)*

*The Lok Sabha met at four minutes
past Eleven of the Clock*

[MR. SPEAKER *in the Chair*]

[*Translation*]

MR. SPEAKER: Today you are very happy.

(*Interruptions*)

MR. SPEAKER: Soz Sahib, First, please take your seat.

[*English*]

MR. SPEAKER: I am on my legs, Mr. Soz will you please go to your seat? First take your seat.

[*Translation*]

PROF. SAIF-UD-DIN SOZ (Baramula): Please give me half a minute only, please hear me. Please hear my request. I have also given notice of an adjournment motion, what had happened in Handwara.....

(*Interruptions*)

[*English*]

MR. SPEAKER: Let me take my seat first; please take your seat.

PROF. SAIF-UD-DIN SOZ: In Handwara 300 shops have been burnt to ashes, fifty houses and so many storehouses are gutted. According to official version 22 people were killed.

[*Translation*]

MR. SPEAKER: Please take your seat.

[*English*]

PROF. SAIF-UD-DIN SOZ: They have been killed by BSF mercilessly. I want to ask this Government whether they will differentiate between innocent people.

[*Translation*]

MR. SPEAKER: All right. You please go to your seat, Mufti Sahib will see to it. Soz Sahib, please take your seat.

(*Interruptions*)

[*English*]

PROF. SAIF-UD-DIN SOZ: You should allow me. Kindly allow me to make a statement on what is happening in Handwara. They are killing innocent people. I have a question whether they will differentiate between innocent people.

[*Translation*]

MR. SPEAKER: Soz Sahib, you please go to your seat. I will ask Mufti Sahib to see to it.

[*English*]

PROF. SAIF-UD-DIN SOZ: After you pass the Punjab Bill, you should

allow me. Kashmir is burning; that is more important.

MR. SPEAKER: Please take your seat.

(Interruptions)

[*Translation*]

MR. SPEAKER: I have already said, whatever you are telling about Administration, Mufti Sahib will see to it.

[*English*]

PROF. SAIF-UD-DIN SOZ: I will resume my seat; but you should allow me later. *(Interruptions)*

MR. SPEAKER: Please take your seat, I am not permitting you, Manoranjan Babu. *(Interruptions)*

SHRI SONTOSH MOHAN DEV (Tripura West): You are busy with Punjab; but the Chief Justice of India was killed due to negligence on the part of Indian High Commission. We want a statement from the External Affairs Minister.

MR. SPEAKER: Sontosh Babu, please take your seat.

11.08 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 two 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 B. Shankaranand
2. Shri Harish Rawat

I give my consent to Shri B. Shankaranand who has secured first place in the ballot to move the motion in the following form:—

“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 in the agitation against the Government's decision on the Mandal Commission Report.”

Yes, Mr. Shankaranand.

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi): An unprecedented situation was created in Delhi on 2nd October by the people who had come here from outside. What type of speeches they delivered here? They also went on looting in Delhi. May I know the action being taken by the Government in this regard?

MR. SPEAKER: Khurana Sahib, you will speak when there will be a discussion on adjournment motion. So now please sit down.

[*English*]

SHRI B. SHANKARANAND (Chikkodi): The form that I gave was this.

MR. SPEAKER: This meets the requirement of the situation. You may please read this.

SHRI B. SHANKARANAND: Let me say that the form that I gave to the Secretariat was:

“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.”

Sir, this is the form that I have given. I do not think there is anything objectionable in this Motion.

[Translation]

MR. SPEAKER: I have told you as to in what form it should be. You have been a minister. Whatever you have to say in your speech, you will say all that.

(Interruptions)

MR. SPEAKER: I have removed only the allegatory aspect.

[English]

This meets the requirement and I think you will agree with me.

(Interruptions)

SHRI A. CHARLES (Trivandrum): There is no translation, Sir. (Interruptions)

[Translation]

MR. SPEAKER. It is being translated. So please take your seat.

[English]

SHRI B. SHANKARANAND: I do not think there is anything objectionable in this Motion.

MR. SPEAKER: Shri Shankaranand, you will agree that the way in which I have formulated it, meets the requirement.

[Translation]

MR. SPEAKER: There is no restriction on your speaking here, you know it very well.

(Interruptions)

[English]

SHRI B. SHANKARANAND: We do not accept the Mandal Commission report and all that. It is something else. (Interruptions)

MR. SPEAKER: Mr. Shankaranand, you may now seek leave of the House.

(Interruptions)

SHRI B. SHANKARANAND: Mr. Speaker, Sir, I seek leave of the House for moving the Adjournment Motion, regarding:

“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”.

[Translation]

MR. SPEAKER: But you are reading your own version of it.

[English]

Is the leave opposed?

SHRI YAMUNA PRASAD SHASTRI (Rewa): I oppose the leave. This is not in order.

[Translation]

You give me permission. I am opposing this leave.....(Interruptions)

MR. SPEAKER: Shastri ji, please sit down.

(Interruptions)

[English]

MR. SPEAKER: I have not allowed you to make a speech.

(Interruptions)

[*Translation*]

MR. SPEAKER: I am asking the house, whether anybody is opposing this leave?

[*English*]

MR. SPEAKER. Those who are in favour of leave being granted may rise in their places.

Several hon. Members rose.

[*Translation*]

MR. SPEAKER: I think there are more than fifty persons in favour.

[*English*]

So, leave is granted. The leave is granted under Rule 61. The Adjournment Motion may be taken up just after the Constitution Amendment Bill is passed.

PROF. N. G. RANGA (Guntur): You may please fix the time of that discussion.

[*Translation*]

MR. SPEAKER: It will be taken up after a discussion on Punjab.

(Interruptions)

[*English*]

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): Lunch break will be there. *(Interruptions)*

[*Translation*]

MR. SPEAKER: It is lunch now, so it will be taken up after lunch.

[*English*]

PROF. P. J. KURIEN (Mavelikara): Sir, I suggest that it may be taken up immediately after the lunch break.

MR. SPEAKER: Now, the Papers to be Laid on the Table.

11.13 hrs.

PAPERS LAID ON THE TABLE

Statement re. audit comments on the Accounts of National Institute of Homoeopathy, Calcutta for the year 1985-86, etc.

[*Translation*]

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI RASHEED MASOOD): I beg to lay on the table:-

(1) A Statement (Hindi and English versions) regarding causes for and remedial steps taken on Audit comments on the Accounts of the National Institute of Homoeopathy, Calcutta, for the year 1985-86.

(2) A Statement (Hindi and English versions) showing reasons for delay in laying the paper mentioned at (1) above.

[*Placed in Library. See No. Lt-1536/90*]

Notifications under Customs Act, 1962, Finance Act, 1980 and Finance Act, 1989; and Annual Report of the National Institute of Public Finance and Policy, New Delhi for the year 1988-89, etc.

[*English*]

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI ANIL SHASTRI): I beg to lay on the Table:—

(1) A copy of the Notification No. G.S.R. 562(E) (Hindi and English versions) published in the Gazette of India dated the 8th June, 1990, together with an explanatory memorandum, making certain amendments to Notification No. 204/84-Customs, dated the 20th July, 1984 regarding insertion of silver bullion in the said Notification under Section 159 of the Customs Act, 1962.

(2) A copy of the Notification No. G.S.R. 547(E) (Hindi and English versions) published in the Gazette of India dated the 5th June, 1990, together with an explanatory memorandum, seeking to provide that the 1st day of July, 1990 as the date from which the provisions of Chapter V of the Finance Act, 1990 shall come into force issued under Section 71 of the said Act.

(3) A copy of the Notification No. 548(E) (Hindi and English versions) published in the Gazette of India dated the 5th June, 1990 together with an explanatory memorandum, regarding exemption to passengers travelling on US dollar fare tickets from Inland Air Travel with effect from the 1st July, 1990, under Section 49 of the Finance Act, 1989.

[Placed in Library. See No. Lt-1537/90]

(4) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Public Finance and Policy, New Delhi, for the year 1988-89 along with Audit Accounts.

(ii) A Statement (Hindi and English versions) regarding Review by the Government on the working of the National Institute of Public Finance and Policy, New Delhi, for the year 1988-89.

[Placed in Library. See No. Lt-1538/90]

11.14 hrs.

MOTION UNDER RULE 388

Suspension of Rule 338

(Interruptions)

[English]

MR. SPEAKER: Now, Shri Mufti Mohammad Sayeed.

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

“That Rule 338 of the Rules of Procedure and Conduct of Business in Lok Sabha be suspended in its application to the motions for leave to introduce, consideration and passing of the Constitution (Seventy-Sixth Amendment) Bill, 1990, during the current Session of Lok Sabha”.

MR. SPEAKER: The question is:

“That this House do suspend Rule 338 of the Rules of Procedure and Conduct of Business in Lok Sabha, in its application to the motions for leave to introduce, consideration and passing of the Constitution (Seventy-Sixth Amendment) Bill, 1990, during the current Session of Lok Sabha.”

The motion was adopted.

11.15 hrs.

CONSTITUTION (SEVENTY-SIXTH AMENDMENT) BILL

(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 introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRI MUFTI MOHAMMAD SA-
YEED: I introduce the Bill.

[*Translation*]

MR. SPEAKER: Matters under rule 377 shall be taken up after the Punjab bill is adopted.

11.17 hrs.

[*English*]

MR. SPEAKER: The House will now take up item No. 6, that is consideration and passing of the Constitution (Seventy-sixth Amendment) Bill.

SHRI MUFTI MOHAMMAD SA-
YEED: Sir, I beg to move:

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

MR. 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.

The question is:

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

The Lok Sabha divided:

AYES

Division No. 2

11.20 hrs.

Acharia, Shri Basudeb

Adaikalaraj, Shri L.

Agarwal, Shri J.P.

Aher, Dr. Daulatrao Sonuji

Ahmed, Shri Anwar

Ajit Singh, Shri

Ali, Shrimati Subhashini

Amat, Shri D.

Anbarasu Era, Shri

Antulay, Shri A.R.

Argal, Shri Chhaviram

Arunachalam, Shri M.

Athithan, Shri Dhanuskodi R.

Bais, Shri Ramesh

Baitha, Shri Mahendra

Bala, Dr. Asim

Bala Goud, Shri T.

Balaraman, Shri L.

Bali, Shrimati Vyjayantimala

Banatwalla, Shri G.M.

Banera, Shri Hamendra Singh

Bankhele, Shri Kisanrao Baburao

Bansi Lal, Shri

Barman, Shri Palas

Basavaraj, Shri G.S.

Basheer, Shri T.

Basu, Shri Anil

Basu, Shri Chitta

Beg, Shri Yusuf

Bega Ram, Shri

Behera, Shri Bhajaman

Bengali Singh, Dr.

Bhagey Gobardhan, Shri

Bhajan Lal, Shri

Bhakata, Shri Manoranjan

Bhardwaj, Shri Parasram

Bhargava, Shri Girdhari Lal

Bhartiya, Shri Santosh

Bhatia, Shri Ram Sewak

Bhattacharya, Shrimati Malini
 Bhosle, Shri Prataprao Baburao
 Bhuria, Shri Dileep Singh
 Birender Singh, Rao
 Brahmhatt, Shri Prakash Koko
 Chakravorty, Shri Susanta
 Chand Ram, Shri
 Chandra Shekhar, Shri
 Chandrasekhar, Shrimati M.
 Chandrashekharappa, Shri T.V.
 Charles, Shri A.
 Chatterjee, Shri Nirmal Kanti
 Chatterji, Shri Somnath
 Chaudhary, Shri Ishwar
 Chaudhary, Shri Ram Prasad
 Chaudhary, Shri Rudrasen
 Chaudhry, Shri Kamal
 Chauhan, Shri Prabhatsinh
 Chavda, Shri Khemchandbhai
 Somabhai
 Chennupati, Shrimati Vidya
 Chidambaram, Shri P.
 Chinta Mohan, Dr.
 Choudhury, Shri Lokanath
 Choudhury, Shri Saifuddin
 Chowdhary, Shri Dasai
 Dandavate, Prof. Madhu
 Danwe, Shri Pundlik Hari
 Das, Shri Anadi Charan
 Das, Shri Bhakta Charan
 Datta, Shri Amal
 Delkar, Shri Mohanbhai Sanjibhai
 Dennis, Shri N.
 Deora, Shri Murli
 Deshmukh, Shri Chandubhai
 Deshmukh, Shri Sudam Dattatrya

Dev, Shri Sontosh Mohan
 Devarajan, Shri B.
 Dhakane, Shri Babanrao
 Dhankhar, Ch. Jagdeep
 Dhawan, Shri Harmohan
 Dhumal, Prof. Prem Kumar
 Dikshit, Shri Narsingh Rao
 Dinesh Singh, Shri
 Dome, Dr. Ram Chandra
 Fernandes, Shri George
 Fernandez, Shri Joss
 Fernandes, Shri Oscar
 Gadgil, Shri V.N.
 Gaikwad, Shri Udaysingrao
 Gajapathi, Shri Gopi Nath
 Gamit, Shri Chhitubhai Devjibhai
 Gandhi, Shrimati Maneka
 Gandhi, Shri Rajiv
 Gangwar, Shri Santosh Kumar
 Giri, Shri Sudhir
 Giriappa, Shri C.P. Mudala
 Gomango, Shri Giridhar
 Gounder, Shri A.S.
 Gudadinni, Shri B.K.
 Gujral, Shri I.K.
 Gupta, Shri Dharmपाल Singh
 Gupta, Shri Indrajit
 Hannan Mollah, Shri
 Hansda, Shri Matilal
 Harish Pal, Shri
 Harsh Vardhan, Shri
 Heera Bhai, Shri
 Het Ram, Shri
 Hota, Shri Bhabani Shankar
 Inder Jit, Shri
 Jag Pal Singh, Shri

Jai Parkash, Shri
 Jamuna, Shrimati J.
 Janardhanan, Shri Kadambur M.R.
 Jaswant Singh, Shri
 Jatav, Shri Than Singh
 Jatiya, Shri Satynarayan
 Jawali, Dr. Basavaraj
 Jayamohan, Shri A.
 Jeevarathinam, Shri R.
 Jena, Shri Srikanta
 Jha, Shri Bhogendra
 Jhikram, Shri Mohanlal
 Jorawar Ram, Shri
 Joshi, Shri Dau Dayal
 Ju Deo, Shri Dilip Singh
 Kabde, Dr. Venkatesh
 Kale, Shri Sukhdeo Nandaji
 Kalvi, Shri Kalyan Singh
 Kamal Nath, Shri
 Kamble, Shri Arvind Tulshiram
 Kamson, Prof. Meijinlung
 Kapse, Prof. Ram Ganesh
 Kataria, Shri Gulab Chand
 Kaul, Shrimati Sheila
 Kaushik, Shri Purushottam
 Keshari Lal, Shri
 Khan, Shri Arif Mohammad
 Khan, Shri Sukhendu
 Khan, Shri Zulfiquar Ali
 Khandelwal, Shri Pyarelal
 Khanoria, Shri D.D.
 Khurana, Shri Madan Lal
 Konthala, Shri Rama Krishna
 Kotadia, Shri Manubhai
 Kumaramangalam, Shri P.R.
 Kundu, Shri Samarendra

Kurien, Prof. P.J.
 Lakshmanan, Prof. Savithri
 Lodha, Shri Guman Mal
 Lodhi, Shri Ganga Charan
 Made Gowda, Shri G.
 Mahabir Prasad, Shri
 Mahajan, Shrimati Sumitra
 Mahale, Shri Haribhau Shankar
 Mahata, Shri Chitta
 Makkasar, Shri Shopat Singh
 Malik, Shri Purna Chandra
 Malik, Shri Satya Pal
 Mallik, Shri Mangaraj
 Mallikarjun, Shri
 Mandal, Shri Sanat Kumar
 Manjay Lal, Shri
 Mantosh, Shri Paul R.
 Manvar, Shri Balvant
 Marbaniang, Shri Peter G.
 Masudal Hossain, Shri Syed
 Mathew, Shri Palai K.M.
 Mayekar, Shri Gopalrao
 Meena, Dr. Kirodi Lal
 Meghwal, Shri Kailash
 Mewar, Shri Mahendra Singh
 Mirdha, Shri Nathu Ram
 Mishra, Shri Balgopal
 Mishra, Shri Janeshwar
 Mishra, Shri Raj Mangal
 Misra, Shri Satyagopal
 Mohamed, Shri E.S.M. Pakeer
 Mukherjee, Shrimati Geeta
 Mukhopadhyay, Shri Ajoy
 Munda, Shri Govinda Chandra
 Munjare, Shri Kankar
 Muraleedharan, Shri K.

Murthy, Shri Kusuma Krishna
 Murthy, Shri M.V. Chandra Shekara
 Naik, Shri G. Devaraya
 Naik, Shri Ram
 Nandi, Shri Yellaiah
 Narayanan, Shri P.G.
 Nathu Singh, Shri
 Nayak, Shri Nakul
 Negi, Shri C.M.
 Nehru, Shri Arun Kumar
 Netam, Shri Arvind
 Nikam, Shri Govindrao
 Nitish Kumar, Shri
 Odeyar, Shri Channaiah
 Pal, Shri Rupchand
 Pande, Shri Rajmangal
 Pandey, Prof. Yādu Nath
 Pandeya, Dr. Laxminarayan
 Pani, Shri Ravi Narayan
 Panja, Shri Ajit
 Panwar, Shri Harpal Singh
 Paranjpe, Shri Baburao
 Paraste, Shri Dalpat Singh
 Paswan, Shri Chhedhi
 Paswan, Shri Ram Vilas
 Paswan, Shri Sukdeo
 Patel, Dr. A.K.
 Patel, Shri Chandresh
 Patel, Shri Maganbhai Manibhai
 Patel, Shri Natubhai M.
 Patel, Shri Ram Pujan
 Patel, Shri Shantilal Purushottam
 Das
 Patel, Shri Somabhai
 Pathak, Shri Harin
 Patidar, Shri Rameshwar

Patil, Shri Balasaheb Vikhe
 Patil, Shri Basavaraj
 Patil, Shri S.T.
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Uttamrao Lakmanrao
 Patnaik, Shri Sivaji
 Penchalliah, Shri P.
 Peruman, Dr. P. Vallal
 Phundkar, Shri Bhaosaheb Pundlik
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram
 Prabhu, Shri R.
 Pradhāni, Shri K.
 Pramanik, Shri Radhika Ranjan
 Prasad, Shri Hari Kewal
 Prasad, Shri R.S.
 Prasad, Shri V. Sreenivasa
 Prem Pradeep, Shri
 Purohit, Shri Banwarilal
 Purushothaman, Shri Vakkom
 Raghavji, Shri
 Rai, Shri Kalp Nath
 Rai, Shri Lal Baboo
 Rai, Shri M. Ramanna
 Raje, Shrimati Vasundhara
 Rajeshwaran, Dr. V.
 Rajeshwari, Shrimati Basava
 Raju, Shri Bh. Vijayakumar
 Raju, Shri M.M. Pallam
 Raju, Shri S. Vijaya Rama
 Rajveer Singh, Shri
 Rakesh, Shri R.N.
 Ram Awadh, Shri
 Ram Babu, Shri A.G.S.
 Ram Dhan, Shri

Ram Prakash, Ch.
 Ram Sagar, Shri (Bara Banki)
 Rām Sagar, Shri (Saidpur)
 Ram Sajiwan, Shri
 Ram Singh, Shri
 Ramachandran, Shri Mullappally
 Ramadass, Dr. R.
 Ramakrishna, Shri Y.
 Ramamurthy, Shri K.
 Rana, Shri Kashiram Chhabildas
 Ranga, Prof. N.G.
 Rao, Shri J. Chokka
 Rao, Shri J. Vengala
 Rao, Shri K.S.
 Rao, Shri R. Gundu
 Rao, Shri V. Krishna
 Rasheed Masood, Shri
 Rathva, Shri Narayanbhai Jamlabhai
 Rathod, Shri Uttam
 Rathor, Dr. Bhagwan Dass
 Rawat, Shri Harish
 Rawat, Prof. Rasa Singh
 Ray, Dr. Sudhir
 Raychaudhuri, Shri Sudarsan
 Reddy, Shri A. Venkata
 Reddy, Shri B.N.
 Reddy, Shri Bojja Venkata
 Reddy, Shri Kotla Vijaya Bhaskara
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 Shah, Shri Jayantilal Virchandbhai
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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.
 Sodhi, Shri Mankuram
 Soren, Shri Shibu
 Soz, Prof. Saif-ud-din
 Srikantaiah, Shri H.C.
 Sukhbuns Kaur, Shrimati
 Sultanpuri, Shri K.D.
 Sumbrui, Shri Bagun
 Sundararaj, Shri N.
 Suryawanshi, Shri Narsingrao
 Tandel, Shri D.J.
 Tarif Singh, Shri
 Tarwala, Shri Amratlal Vallabhadas
 Thakore, Shri Gabbhaji Mangaji
 Thapa, Shri Nandu
 Thomas, Prof. K.V.
 Thorat, Shri S.B.
 Thungon, Shri P.K.
 Tiraky, Shri Piyus
 Tiwari, Shri Brij Bhushan
 Tiwari, Shri Janardan
 Tyagi, Shri K.C.
 Uma Bharati, Kumari

Umbrey, Shri Laeta
 Unnikrishnan, Shri K.P.
 Vaghela, Shri Shankersinh
 Varma, Shri Dharmesh Prasad
 Varma, Shri Ratilal Kalidas
 Varma, Shri S.C.
 Venkatesan, Shri P.R.S.
 Verma, Shri R.L.P.
 Verma, Shrimati Usha
 Vijayaraghavan, Shri A.
 Viswanatham, Dr.
 Yadav, Shri Chhotey Singh
 Yadav, Shri Chun Chun Prasad
 Yadav, Shri Devendra Prasad
 Yadav, Shri Hukumdeo Narayan
 Yadav, Shri Kailash Nath Singh
 Yadav, Shri Mitra Sen
 Yadav, Shri Ram Sharan
 Yadav, Shri Ramendra Kumar Ravi
 Yadav, Dr. S.P.
 Yadav, Shri Sharad
 Yadav, Shri Surya Narayan
 Yadava, Shri Ramjilal
 Yadvendra Datt, Shri
 Yazdani, Dr. Golam
 Yuvraj, Shri
 Zainal Abedin, Shri

NOES
 Prasad, Shri R.S.
 Rajdev Singh, Shri
 Roy, Shri A.K.

MR. SPEAKER: Subject to correction*, the result of the division is:

Ayes: 380**

Noes: 003

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

MR. SPEAKER: Now the House will take up Clause-by-Clause Consideration.

Clause 2—Amendment of Article 356

SHRI MADAN LAL KHURANA
(South Delhi):

Page 1, line 6,—

for “four years” substitute—

“four years and six months” (2)

MR. SPEAKER: Mr. Khurana, would you like to speak on the amendment?

SHRI MADAN LAL KHURANA:
Yes Sir. (*Interruptions*)

SHRI SONTOSH MOHAN DEV
(Tripura West): Sir, I have no objection if you allow him to speak. But then, you have to allow me also. (*Interruptions*)

[*Translation*]

MR. SPEAKER: Mr. Sontosh Mohan Dev, he will be definitely allowed to speak. You are an experienced member; since he has given notice of an amendment the question of disallowing him does not arise.

(*Interruptions*)

MR. SPEAKER: Please sit down, Khuranaji please be brief.

(*Interruptions*)

SHRI MADAN LAL KHURANA
(South Delhi): Mr. Speaker, Sir, I have only two points to make. I would like to submit that it is not the issue that elections are held within a period of six months or one year. But the point is that the elections should be free and fair. Lest the divisive forces, after winning elections, should create adverse conditions in that State. So I would like to know what steps the Government have taken during the last six months and what steps it proposes to take during the coming six months. As per my information still there are certain forces at work, not the external forces, who dream of contesting the elections and coming to power. Their objective is to have a separate set of laws and identity for them in this country. The people advocating such things should restrain themselves. One thing I would like to make clear that in democracy, elections are important. But in such circumstances, holding of elections may lead to a division of country. Therefore, I would like the

* The following Members also recorded their votes :—

AYES : Shri Upendra Nath Verma, Shrimati Usha Sinha, Sarvashri Manvendra Singh, Mandhata Singh, Talimuddin, Kalka Das, Kapil Dev Shastri, Arjunbhai Patel, K. Ramamohan Rao, Arif Beg, Shrimati Jayawanti Navinchandra Mehta, Dr. Shailendranath Shrivastava, Sarvashri Janardan Yadav, Ramdas Singh, Reshamlal Jangde, Dr. Khushal Parasram Bopche, Nandlal Meena Tarit Baran Topdar, Nani Bhattacharya, Dr. Thambi Durai, Sarvashri Ramashray Prasad Singh, Vamanrao Mahadik, Ashok Anandiao Deshmukh, Manoranjan Sur, Dr. Debi Prasad Pal, Kumari Kamalaji Kareddula, Shri C. K. Kuppuswamy, Shrimati Uma Gajapathi Raju, Sarvashri Suresh Kodikkunnil, Raja Ambanna Nayak Dore, D. K. Naikar, S. Benjamin, Venkata Krishna Reddy Kasu and Srinivas Rao.

NOES : Shri Kirpal Singh and S. Atinder Pal Singh.

** 381, As corrected.

Government to come out with a clear cut statement, as the Hon. Minister of Home has also stated the day before yesterday that Pakistan is behind all these things. In my view, it is not good that the Panthic Committee actively participates in the elections in Punjab with their operational setup in Pakistan and creates an awkward situation in Punjab. I am ready to withdraw my amendment, provided the Government commits that the forces out to have separate set of laws with an independent identity for themselves will be dealt with severely and till normalcy is restored in Punjab, elections will not be held there. That is what I want to say.

S. ATINDER PAL SINGH: Mr. Speaker, Sir, Mr. Madan Lal Khurana has cast aspersions on us. I would like to know whether there have ever been communal riots in Punjab? Has anybody taken out rathyatras? They talk of keeping the religion away from politics, but is not the B.J.P. exploiting religious sentiments? (*Interruptions*). On behalf of my party I request them not to befool the nation through this House and promise to stop the rathyatra. They should make their stand clear about rathyatra. They should also promise not to bring religion into politics.

Secondly, Mr. Madan Lal Khurana is trying to prove us to be traitors. I would like to know whether this nation accepts us as Sikhs or not? They must make their party's stand clear. I reiterate the demand made on the first of this month for a separate Vidhan which does not mean constitution, but law. When we can have separate codes for Hindus and Muslims in this country then why they cannot make a separate law for the Sikhs? They always look upon us as traitors. They seem to be prejudiced, so they should free themselves of all such things. I again appeal to them to stop rathyatra in the national interest.

SHRI KAMAL CHAUDHRY (Hoshiarpur): Mr. Speaker, Sir, I

agree with him that the B.J.P. is trying its level best to divide the country. It is putting Hindus and Muslims against each other and in Punjab inciting Hindus against Sikhs. The B.J.P. is not in favour of elections in Punjab. I condemn it.

SHRIMATI JAYAWANTI NAVINCHANDRA MEHTA (Bombay North East): Mr. Speaker, Sir, in continuation to all that what has been stated by the hon. Members about the B.J.P. I would like to say that in Punjab as on date 52 persons have been killed. We do not consider Sikhs or Hindus to be different. Both marry off their daughters to each other. We do not at all distinguish between Sikhs and Hindus (*Interruptions*). We do not consider Sikhs and Hindus to be different. (*Interruptions*)

MR. SPEAKER: Now take your seat.

[*English*]

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): The general consensus is that the extension to the President's Rule may be given for only six months and within these six months we should hold the elections. So, I request Shri Khurana to withdraw his amendment.

[*Translation*]

SHRI MADAN LAL KHURANA: I am withdrawing it. One of my brothers is Sikh and I do not say that Hindus and Sikhs are different. (*Interruptions*)

MR. SPEAKER: Mr. Khurana, no speech is allowed as this stage. You know the rules. Please sit down.

(*Interruptions*)

[*English*]

MR. SPEAKER: Has Mr. Khurana leave of the House to withdraw his amendment?

SEVERAL HON. MEMBERS: Yes.

*The Amendment No. 2 was, by leave,
withdrawn*

[Translation]

SHRI KIRPAL SINGH (Amritsar):
..... (Interruptions)
let it be decided as to when the elec-
tions will be held in Punjab. If the
Hon. Prime Minister does not come
out with a statement, then I am going
to sit on a dharna in the House
.(Interruptions)

MR. SPEAKER: You are a very
senior member but I am not allow-
ing you.

[English]

*At this stage Shri Kirpal Singh came
and sat on the aisle of the House.*

MR. SPEAKER: You please go to
your seat.

*At this stage Shri Kirpal Singh went
back to his seat.*

SHRI ANBARASU ERA: Sir, I
am on a point of order.

MR. SPEAKER: There is no point
of order. You yourself are laughing
as you know you have no point of
order.

I shall now put Clause 2 to the vote
of the House. Before I shall put
Clause 2 to the vote of the House,
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 clear-
ed.

The question is:

“That Clause 2 stand part of the
Bill.”

The Lok Sabha divided:

AYES

Division No. 3

11.32 hrs.

Acharia, Shri Basudeb
Agarwal, Shri J.P.
Aher, Dr. Daulatrao Sonuji
Ahmed, Shri Anwar
Ajit Singh, Shri
Ali, Shrimati Subhashini
Amat, Shri D.
Anbarasu Era, Shri
Antulay, Shri A.R.
Argal, Shri Chhaviram
Arunachalam, Shri M.
Athithan, Shri Dhanuskodi R.
Baig, Shri Arif
Bais, Shri Ramesh
Baitha, Shri Mahendra
Bala, Dr. Asim
Bala Goud, Shri T.
Bali, Shrimati Vyjayantimala
Banatwalla, Shri G.M.
Banera, Shri Hamendra Singh
Bankhele, Shri Kisanrao Baburao
Bansi Lal, Shri
Barman, Shri Palas
Basavaraj, Shri G.S.
Basheer, Shri T.
Basu, Shri Anil
Basu, Shri Chitta
Behera, Shri Bhajaman
Bengali Singh, Dr.
Benjamin, Shri S.
Bhagey Gobardhan, Shri
Bhajan Lal, Shri

Bhakata, Shri Manoranjan
 Bhardwaj, Shri Parasram
 Bhartiya, Shri Santosh
 Bhatia, Shri Ram Sewak
 Bhattacharya, Shrimati Malini
 Bhattacharya, Shri Nani
 Bhuria, Shri Dileep Singh
 Birender Singh, Rao
 Bopche, Dr. Khushal Parasram
 Brahmhatt, Shri Prakash Koko
 Chakravorty, Shri Susanta
 Chand Ram, Shri
 Chandra Shekar, Shri
 Chandrasekhar, Shrimati M.
 Chandrashekharappa, Shri T.V.
 Charles, Shri A.
 Chatterjee, Shri Nirmal Kanti
 Chatterji, Shri Somnath
 Chaudhary, Shri Ishwar
 Chaudhary, Shri Ram Prasad
 Chaudhary, Shri Rudrasen
 Chaudhry, Shri Kamal
 Chauhan, Shri Prabhatsinh
 Chavda, Shri Khemchandbhai
 Somabhai
 Chennithala, Shri Ramesh
 Chennupati, Shrimati Vidya
 Chidambaram, Shri P.
 Choudhury, Shri Lokanath
 Choudhury, Shri Saifuddin
 Chowdhary, Shri Dasai
 Dandavate, Prof. Madhu
 Danwe, Shri Pundlik Hari
 Das, Shri Anadi Charan
 Das, Shri Bhakta Charan
 Datta, Shri Amal

Delkar, Shri Mohanbhai Sanjibhai
 Dennis, Shri N.
 Deora, Shri Murli
 Deshmukh, Shri Chandubhai
 Deshmukh, Shri Sudam Dattatrya
 Dev, Shri Sontosh Mohan
 Devarajan, Shri B.
 Dhakane, Shri Babanrao
 Dhankhar, Ch. Jagdeep
 Dhawan, Shri Harmohan
 Dhumal, Prof. Prem Kumar
 Dikshit, Shri Narsingh Rao
 Dinesh Singh, Shri
 Dome, Dr. Ram Chandra
 Dore, Shri Raja Ambanna Nayak
 Fernandes, Shri George
 Fernandez, Shri Joss
 Gadgil, Shri V.N.
 Gaikwad, Shri Udayasingrao
 Gajapathi, Shri Gopi Nath
 Gamit, Shri Chhitubhai Devjibhai
 Gandhi, Shrimati Maneka
 Gandhi, Shri Rajiv
 Giri, Shri Sudhir
 Giryappa, Shri C.P. Mudala
 Gomango, Shri Giridhar
 Gudadinni, Shri B.K.
 Gujral, Shri I.K.
 Gupta, Shri Dharmopal Singh
 Gupta, Shri Indrajit
 Hannan Mollah, Shri
 Hansda, Shri Matilal
 Harish Pal, Shri
 Heera Bhai, Shri
 Het Ram, Shri
 Hota, Shri Bhabani Shankar

Inder Jit, Shri
 Jag Pal Singh, Shri
 Jai Parkash, Shri
 Jangde, Shri Resham Lal
 Jaswant Singh, Shri
 Jatav, Shri Than Singh
 Jatiya, Shri Satynarayan
 Jayamohan, Shri A.
 Jeevarathinam, Shri R.
 Jena, Shri Srikanta
 Jha, Shri Bhogendra
 Jorawar Ram, Shri
 Joshi, Shri Dau Dayal
 Ju Deo, Shri Dilip Singh
 Kabde, Dr. Venkatesh
 Kale, Shri Sukhdeo Nandaji
 Kalvi, Shri Kalyan Singh
 Kamal Nath, Shri
 Kamble, Shri Arvind Tulshiram
 Kapse, Prof. Ram Ganesh
 Kataria, Shri Gulab Chand
 Kaul, Shrimati Sheila
 Kaushik, Shri Purushottam
 Keshari Lal, Shri
 Khan, Shri Arif Mohammad
 Khan, Shri Sukhendu
 Khan, Shri Zulfiquar Ali
 Khandelwal, Shri Pyarelal
 Kodikkunnil, Shri Suresh
 Kotadia, Shri Manubhai
 Kumaramangalam, Shri P.R.
 Kurien, Prof. P.J.
 Lakshmanan, Prof. Savithri
 Lodha, Shri Guman Mal
 Lodhi, Shri Ganga Charan
 Mahabir Prasad, Shri

Mahajan, Shrimati Sumitra
 Mahale, Shri Haribhau Shankar
 Mahata, Shri Chitta
 Makkasar, Shri Shopat Singh
 Malik, Shri Purna Chandra
 Malik, Shri Satya Pal
 Mallik, Shri Mangaraj
 Mallikarjun, Shri
 Mandal, Shri Sanat Kumar
 Manjay Lal, Shri
 Mantosh, Shri Paul R.
 Manvar, Shri Balvant
 Marbaniang, Shri Peter G.
 Masudal Hossain, Shri Syed
 Mathew, Shri Palai K.M.
 Mayekar, Shri Gopalrao
 Meena, Dr. Kirodi Lal
 Meena, Shri Nandlal
 Meghwal, Shri Kailash
 Mehta, Shrimati Jayawanti Navin-
 chandra
 Mewar, Shri Mahendra Singh
 Mirdha, Shri Nathu Ram
 Mishra, Shri Balgopal
 Mishra, Shri Janeshwar
 Mishra, Shri Raj Mangal
 Misra, Shri Satyagopal
 Mukherjee, Shrimati Geeta
 Mukhopadhyay, Shri Ajoy
 Munda, Shri Govinda Chandra
 Munda, Shri Karia
 Munjare, Shri Kankar
 Muraleedharan, Shri K.
 Murthy, Shri M.V. Chandra
 Shekara
 Naik, Shri G. Devaraya

Naik, Shri Ram
 Nandi, Shri Yellaiah
 Narayan, Shri P.G.
 Nathu Singh, Shri
 Nayak, Shri Nakul
 Negi, Shri C.M.
 Nehru, Shri Arun Kumar
 Netam, Shri Arvind
 Nikam, Shri Govindrao
 Nitish Kumar, Shri
 Odeyar, Shri Channaiah
 Pal, Shri Rupchand
 Pande, Shri Rajmangal
 Pandey, Prof. Yadu Nath
 Pandeya, Dr. Laxminarayan
 Pandian, Shri D.
 Pani, Shri Ravi Narayan
 Panja, Shri Ajit
 Panwar, Shri Harpal Singh
 Paraste, Shri Dalpat Singh
 Paswan, Shri Chhedhi
 Paswan, Shri Ram Vilas
 Paswan, Shri Sukdeo
 Patel, Dr. A.K.
 Patel, Shri Chandresh
 Patel, Shri Natubhai M.
 Patel, Shri Ram Pujan
 Patel, Shri Shantilal Purushottam
 Das
 Patel, Shri Somabhai
 Pathak, Shri Harin
 Patidar, Shri Rameshwar
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Basavaraj
 Patil, Shri Shankarrao
 Patil, Shri Shivraj V.

Patil, Shri Uttamrao
 Patil, Shri Uttamrao
 Lakmanrao
 Patnaik, Shri Sivaji
 Peruman, Dr. P. Vallal
 Phundkar, Shri Bhaosaheb
 Pundlik
 Poojary, Shri Janardhana
 Prabhu, Shri R.
 Pradhani, Shri K.
 Pramanik, Shri Radhika Ranjan
 Prasad, Shri Hari Kewal
 Prasad, Shri R.S.
 Prasad, Shri V. Sreenivasa
 Purohit, Shri Banwarilal
 Raghavji, Shri
 Rai, Shri Kalip Nath
 Rai, Shri Lal Baboo
 Rai, Shri M. Ramanna
 Raje, Shrimati Vasundhara
 Rajeshwaran, Dr. V.
 Rajeswari, Shrimati Basava
 Raju, Shri Bh. Vijayakumar
 Raju, Shri M.M. Pallam
 Raju, Shrimati Uma Gajapathi
 Rajveer Singh, Shri
 Ram Awadh, Shri
 Ram Babu, Shri A.G.S.
 Ram Dhan, Shri
 Ram Sagar, Shri (Bara Banki)
 Ram Sagar, Shri (Saidpur)
 Ram Sajiwan, Shri
 Ram Singh, Shri
 Ramachandran, Shri Mulappally
 Ramadass, Dr. R.
 Ramamurthy, Shri K.
 Rana, Shri Kashiram Chhabildas

Ranga, Prof. N.G.
 Rao, Shri J. Vengala
 Rao, Shri K. Rama Mohan
 Rao, Shri R. Gundu
 Rao, Shri Srinivas
 Rasheed Masood, Shri
 Rathva, Shri Narayanbhai
 Jamlabhai
 Rathod, Shri Uttam
 Rathor, Dr. Bhagwan Dass
 Rawat, Shri Harish
 Rawat, Prof. Rasa Singh
 Ray, Dr. Sudhir
 Raychaudhuri, Shri Sudarsan
 Reddy, Shri Kotla Vijaya
 Bhaskara
 Reddy, Shri P. Narsa
 Reddy, Shri R. Surender
 Routray, Shri Nilamani
 Roy, Shri Haradhan
 Roypradhan, Shri Amar
 Sadul, Shri Dharmanna
 Mondayya
 Sahay, Shri Subodh Kant
 Sai, Shri Nand Kumar
 Saini, Shri Gurdial Singh
 Sait, Shri Ibrahim Sulaiman
 Saroj, Shri Sarju Prasad
 Sathe, Shri Vasant
 Save, Shri Moreshwar
 Sayeed, Shri Mufti Mohammad
 Selvarasu, Shri M.
 Shah, Shri Babubhai Meghji
 Shah, Shri Jayantilal Virchandbhai
 Shakeelur Rehman, Dr.
 Shakya, Shri Ram Singh
 Shankaranand, Shri B.

Shastri, Shri Anil
 Shastri, Shri Kapil Dev
 Shastri, Shri Yamuna Prasad
 Shekhada, Shri Govindbhai
 Kanjibhai
 Shingada, Shri D.B.
 Shiwankar, Prof. Mahadeo
 Shrivastava, Dr. Shailendranath
 Silvera, Dr. C.
 Singaravadivel, Shri S.
 Singh, Shri Ajay
 Singh, Shri Dhanraj
 Singh, Shri Har Govind
 Singh, Shri Hari Kishore
 Singh, Shri Jagannath
 Singh, Shri K. Manvendra
 Singh, Shri Lalit Vijoy
 Singh, Shri Mandhata
 Singh, Prof. N. Tombi
 Singh, Shri Pratap
 Singh, Shri Radha Mohan
 Singh, Shri Ram Naresh
 Singh, Shri Ram Prasad
 Singh, Shri Ramdas
 Singh, Shri Sukhendra
 Singh, Shri Surya Narayan
 Singh, Shri Uday Pratap
 Singh, Shri Vishwanath Pratap
 Singh Deo, Shri A.N.
 Sinha, Shrimati Usha
 Soren, Shri Shibu
 Subedar, Shri
 Sukhbuns Kaur, Shrimati
 Sultanpuri, Shri K.D.
 Sundararaj, Shri N.
 Sur, Shri Monoranjan

Suryawanshi, Shri Narsingrao
Tandel, Shri D.J.
Tarif Singh, Shri
Tarwala, Shri Amratlal Vallabhdas
Taslimudin, Shri
Thakore, Shri Gabbhaji Mangaji
Thapa, Shri Nandu
Thomas, Prof. K.V.
Thorat, Shri S.B.
Tiraky, Shri Piyus
Tiwari, Shri Brij Bhushan
Tiwari, Shri Janardan
Tyagi, Shri K.C.
Uma Bharati, Kumari
Umbrey, Shri Laeta
Unnikrishnan, Shri K.P.
Vaghela, Shri Shankersinh
Varma, Shri Dharmesh Prasad
Varma, Shri Ratilal Kalidas
Varma, Shri S.C.
Venkatesan, Shri P.R.S.
Verma, Shri R.L.P.
Verma, Shri Upendra Nath
Verma, Shrimati Usha
Vijayaraghavan, Shri A.
Viswanatham, Dr.
Yadav, Shri Chhotey Singh
Yadav, Shri Chun Chun Prasad
Yadav, Shri Devendra Prasad

Yadav, Shri Hukumdeo Narayan
Yadav, Shri Janardan
Yadav, Shri Kailash Nath Singh
Yadav, Shri Mitra Sen
Yadav, Shri Ramendra Kumar
Ravi
Yadav, Dr. S.P.
Yadav, Shri Sharad
Yadav, Shri Surya Narayan
Yadava, Shri Ramjilal
Yadvendra Datt, Shri
Yuvraj, Shri
Zainal Abedin, Shri

NOES

Prasad, Shri R.S.
Roy, Shri A.K.
†Singh, Shri Ramashray Prasad

MR. SPEAKER: Subject to correction*, the result of the division is:

Ayes : 352**

Noes : 003

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

Clause 2 was added to the Bill.

†Wrongly voted for Noes and from wrong seat.

*The following Members also recorded their votes:-

AYES: Sarvashri Samarendra Kundu, Bega Ram, Satyapal Singh Yadav, Harsha Vardhan, Yusuf Beg, Ram Sharan Yadav, Kalka Das, Madan Lal Khurana, Maganbhai Manibhai Patel, Arjurbhai Patel, Prem Pradeep, Mahadeepak Singh Shakya, Santosh Kumar Gangwar, Manik Sanyal, D. D. Khanoria, Girdhari Lal Bharghava, Tarit Baran Topdar, Prof. Saif-ud-din Soz, Sarvashri Kadambur M. R. Janardhanan, Ramashray Prasad Singh, Dr. Golam Yazdani, Sarvashri Vamanrao Mahadik, Ashok Anandrao Deshmukh, P. C. Thomas, K. C. Palanisamy, Dr. Debi Prasad Paul, Sarvashri Chiranjil Lal Sharma, V. Krishna Rao, Dr. Chinta Mohad, Shri P. Panchalliah, Shrimathi T. Manemma, Kumari Kamalaji Kareddula, Sarvashri Dharm Pal Sharma, R. N. Rakesh, P. Shanmugam, L. Adajkalaraj, C. K. Kuppuswamy, L. Bajaraman, E. S. M. Pakeer Mohammed, Y. Ramakrishna, Dr. Basavaraj Jawali, Sarvashri S. T. Patil, Sanford Marak, K. S. Rao, J. Chokka Rao, P. K. Thungon, Oscar Fernandes, Ramprakash, D. K. Naiker, Mohanlal Jhikram, Prataprao Baburao Bhosle, Shrimati J. Jamuna, Sarvashri Shantaram Potdukhe, Shikho Sema, A. Pratap Sai, M. G. Reddy, M. Rajamohan Reddy, Rama Krishha Konthala, S. Vijaya Rama Raju, Venkata Krishna Reddy, Kasu Bojja Venkata Reddy, Baburao Paranjpe.

NOES: Sarvashri Kirpal Singh, Rajdev Singh, Harbhajan Lakha, Baba Sucha Singh, Smt. Bimal Kaur Chalse, S. Atinder Pal Singh.

**353, As corrected.

*Clause 1—Short title**Amendment made*

Page 1, line 3,—

for “Seventy-sixth” substitute
“Sixty-seventh”

(*Shri Mufti Mohammad Sayeed*)

MR. SPEAKER: The question is:

“That Clause 1, as amended, stand part of the Bill.”

The motion was adopted.

Clause 1, as amended, was added to the Bill.

MR. SPEAKER: The question is:

“That the Enacting Formula and the long title stand part of the Bill.”

The motion was adopted.

The Enacting Formula and the Long Title were added to the Bill.

SHRI MUFTI MOHAMMAD SAYEED: I beg to move:

“That the Bill, as amended, be passed.”

MR. SPEAKER: I have received requests from 2 or 3 Members, that they want to speak at the time of passing of the Bill. Now Mr. A. K. Roy—only two minutes each.

SHRI A. K. ROY (Dhanbad): Sir, Last time also, I opposed the extension; this time also I am opposing the

extension. I consider that it is a wrong Bill being brought in at a wrong time in a wrong way, and it would serve a wrong purpose.

We have heard the question of collective wisdom. Here, we are witnessing collective lack of wisdom. This is something foolish. If the Government do wrong, the Opposition can rectify it; but if the Government and the Opposition are collectively do wrong I want to know who will rectify it. The people outside are waiting for that day.

Even in the reply which the hon. Home Minister gave—and the Prime Minister wanted to give a reply, but later on he refrained from doing so; I do not know whether there was any pressure or not—I do not know why he abstained from explaining it. We are specifically interested to know what were the steps specifically taken after the last extension, to make elections possible; and why did Government fail, and what are the drawbacks, and what were the difficulties and how they were contemplating to overcome them this time. This is a very specific question for which the House wants a reply. Without that, it would be a Himalayan mistake—and it should be recorded like that.

DR. THAMBI DURAI (Karur): It is a sad day today, because our brethren in Punjab will be missing the democratic system which was there in the earlier days. During the debate most of the speakers, including the Leftist groups, all said that they wanted early elections, but finally they have said that there is no conducive

atmosphere there now, for elections in Punjab.

Whatever be the position, during the debate also I had requested the Prime Minister to let me know what are the steps he has taken to create confidence among the people of Punjab, whether he is going to give more funds to develop their language, and also whether he is going to declare all the national languages in the Schedule as the official languages of this country. Only then i.e. only by creating such a confidence can they get the confidence of the people of the country.

Secondly, about economic measures, I had asked the Prime Minister when he was going to bring the Bill for the Right to Work, and whether he was going to bring it in this Session. He feels that the Constitution Amendment Bill on Punjab has to be taken seriously; but he is forgetting the root cause of the whole problem in the country. I would tell him that only when he takes such an interest he can solve the problem of terrorism in this country. Therefore, I request the Prime Minister once again, and request the Government to take early steps to bring Bill for the Right to Work in this Session itself, if possible. Bills are brought to satisfy some sections of the people, e.g. the Bill on the Councils in the Agenda. We are moreover there are many rallies organised which you have attended. When we speak about our economy, we speak about petroleum scarcity. The Government is spending crores of rupees in organising rallies and using petrol for motor vehicles used for them getting it here and our economy has been affected. Therefore, I request the Prime Minister once again, to see that he brings the Bill for the Right to Work and thus solve the unemployment problem in the country, and also take steps to respect the culture and languages of all the sections in the country. (*Interruptions*).

This is the highest forum where we are discussing everything. Sometimes we are passing Bills after having time adjustment, that also with discussion. But someone wrongly briefed the press and Doordarshan this House was going to pass this Bill without discussion, this is wrong. It should not happen in the future also. Therefore, I request once again: Please take action against those who have briefed you, and also see that the Doordarshan does not give a wrong picture of what is happening in this House.

[*Translation*]

SHRIMATI BIMAL KAUR
KHALSA (Ropar): Honourable Speaker, Sir, I have been opposing this constitutional amendment bill right from the beginning and even today I do so strongly. I want to inform the House that when the honourable Prime Minister called a meeting of the MPs from Punjab, it appeared from his views that he is in favour of holding elections in Punjab. But the supporting parties like C.P.I., C.P.M. and B.J.P. are not in favour of elections in Punjab, because of which the Prime Minister had to surrender before them. These parties feel that they do not have any support in Punjab and they cannot win elections there on their own. I want to say that the people who are advising the Prime Minister on Punjab these days are the people who advised the former Prime Minister Shrimati Indira Gandhi also that terrorist activities in Punjab are increasing. The terrorists hide themselves and take refuge in Harminder Sahib after committing anti-social activities. That is why they decided to conduct Operation Blue Star in Darbar Sahib so that the terrorists can be driven away from there. These people thought that the situation in Punjab will improve through such steps, but its result is before us and every one of us is aware of it. Such actions have deteriorated the situation in Punjab instead of

[Smt. Bimal Kaur Khalsa]

improving it. Previously these people used to say that terrorists hide themselves in Darbar Sahib after committing terrorist activities. But today I want to ask them as to why Darbar Sahib is surrounded by Police, C.R.P. and B.S.F. from all sides. Why sikhs are not allowed for praying there? I feel such actions won't improve the situation in Punjab rather the condition will worsen. Let the Government say as to why elections are not being held in Punjab. Can the situation in Punjab improve by not conducting elections there. Instead, the situation will worsen. Today, Shri Khurana's party is in favour of extending President's rule in Punjab. I want to ask him whether this will help anyway in improving the situation in Punjab. Personally, I feel that the people who say that the situation in Punjab is not congenial for holding elections, are themselves responsible for the deteriorating situation there. On the one hand they say that the atmosphere of Punjab is not good and elections can't be held there and on the other hand they spoil the atmosphere by encouraging the anti-reservationists movements. Bullet is not the solution of any problem including the problems in Punjab. Today Punjab is ruled by Police. Go and see yourself. How much worried the people are there because of police atrocities. By extended Presidents rule, police is committing more atrocities on people. The police and the bureaucracy are not in favour of holding elections in Punjab. Today the situation is such that Police have taken the law in their own hands. The decisions which are supposed to come from the courts are given by the Punjab Police and the officers there. Even death sentence is awarded by the Police. If you are really in favour of improving the situation in Punjab you should announce the date of election in Punjab and suitable time for the same in the House just today. What steps the Government is going to take to improve the situation in Punjab after extending the President's rule? Many years have elapsed when

the elections were held for Shriomani Gurudwara Prabandhak Committee. My next submission is that elections of the committee may be conducted as early as possible and the present Prabandhak Committee be dissolved immediately. The present situation is such that no sikh can enter the Golden Temple for offering prayers. When we went there after Blue Star Operation on 6th June for prayers, the policemen arrested and jailed us. This is the present condition of Punjab. May I know whether the Constitution of India permits to arrest youths from their houses and detain them in jail for years together and no notice to that effect is given. There was a youth named Khushwinder Singh in our village Budhgarh who was arrested by police three years ago. Till now his whereabouts are not known. His parents are wandering in search of him. Similarly, there is one Kulvinder Singh alias "kid" the only son of his parents. He was rounded up by police in the presence of everybody. Now it is said that he is absconding. No body knows as to how many youths are rounded up from their homes. They are taken by the police and released only after extracting 40 to 50 thousand rupees as ransom. This is the situation in Punjab these days. So the Government should announce in the House today itself the time by which elections will be held in Punjab, and the way the situation will be improved there and the steps to be taken in this regard.

[English]

MR. SPEAKER: Mr. Inder Jit.

SHRI INDER JIT (Darjeeling): Mr. Speaker, the Home Minister is requesting Mr. Khurana to withdraw his amendment in the hope that we hope to hold the elections within six months. In my view, more expression of a hope is not enough. I want a firm commitment from the Home Minister and in fact from the Prime Minister himself that elections will be held within six months and that there will be no demand for a further extension.

One more commitment may be made, that the necessary steps for holding free and fair elections will be taken, or otherwise the situation will be exactly the same and there will be no difference. This commitment must be given by the Prime Minister himself.

THE MINISTER OF HOME AFFAIRS (SHRI MUTTI MOHAMMAD SAYEED): Sir, it was already stated here in the House that the Government is very keen to restore normal conditions in Punjab for holding elections. Previously, when we sought the extension, at that time we said it. It is a fact that there is a credibility gap. When we say that we will have elections, may be, nobody will believe us. (*Interruptions*)

I must say whatever I have to say. Let me say it. So, there was a lot of discussion. The Prime Minister had interactions with all the segments of opinion in Punjab including the Akali Dal. We had lengthy discussions with our supporting parties, the BJP, CPM, CPI and the general consensus evolved was that conditions were not conducive for holding free and fair elections in Punjab. So, it should be the effort of all the parties including the main Opposition Party, the Congress, that we should joint together in order to create conditions politically and otherwise so that elections are possible in the coming six months.

As far as the Government is concerned, the Prime Minister has already assured that the elections will be held in Punjab. We cannot deprive the people of Punjab of their democratic right. They have a democratic right to elect their representatives as those from anywhere else in the country. So, I assure the hon. members, especially those who have spoken for having elections, that there is no question of BJP, CPM, CPI opposing the Jarata Dal about having elections. It was the total consensus which was evolved that an extension is a must. Unless and until normal conditions are there and a congenial atmosphere

is created in Punjab there cannot be free and fair elections. So, our joint effort will be to create congenial conditions in Punjab so that free and fair elections are held.

SHRI KAMAL CHAUDHRY (Hoshiarpur): How can free and fair elections be held ...(*Interruptions*)

MR. SPEAKER: Mr. Kamal Chaudhry, please sit down.

Before I put the motion that the Bill, (as amended), be passed, to the vote of the House, this being a Constitution (Amendment) Bill, voting has to be by division.

Let the Lobbies be cleared

MR. SPEAKER: Now, the Lobbies have been cleared.

The question is:

“That the Bill, as amended, be passed.”

The Lok Sabha Divided:

AYES

Division No. 4

11.55 hrs.

Acharia, Shri Basudeb

Adaikalaraj, Shri L.

Agarwal, Shri J.P.

Agnihotri, Shri Rajendra

Aher, Dr. Daulatrao Soruji

Ahmed, Shri Anwar

Ahmed, Shri Kamaluddin

Ajit Singh, Shri

Amat, Shri D.

Anbarasu, Era Shri

Antony, Shri P.A.

Antulay, Shri A.R.

Argal, Shri Chhaviram

Arunachalam, Shri M.
 Asokaraj, Shri A.
 Athithan, Shri Dhanuskodi R.
 Baig, Shri Arif
 Bais, Shri Ramesh
 Baitha, Shri Mahendra
 Bala, Dr. Asim
 Bala Goud, Shri T.
 Balaraman, Shri L.
 Bali, Shrimati Vyjayantimala
 Banatwalla, Shri G.M.
 Banera, Shri Hamendra Singh
 Bankhele, Shri Kisanrao Baburao
 Bansi Lal, Shri
 Barman, Shri Palus
 Basavaraj, Shri G.S.
 Basheer, Shri T.
 Basu, Shri Anil
 Basu, Shri Chitta
 Beg, Shri Yusuf
 Behera, Shri Bhajaman
 Bengali, Singh. Dr.
 Benjamin, Shri S.
 Bhagey Gobardhan, Shri
 Bhajan Lal, Shri
 Bhakata, Shri Manoranjan
 Bhardwaj, Shri Parasram
 Bhargava, Shri Girdhari Lal
 Bhartiya, Shri Santosh
 Bhatia, Shri Ram Sewak
 Bhattacharya, Shrimati Malini
 Bhattacharya, Shri Nani
 Bhosle, Shri Prataprao Baburao
 Bhoys, Shri Reshma Motiram
 Bhuria, Shri Dileep Singh
 Birender Singh, Rao

Bopche, Dr. Khushal Parasram
 Brahmbhatt, Shri Prakash Koko
 Chakravorty, Shri Susanta
 Chand Ram, Shri
 Chandra Shekhar, Shri
 Chandrasekhar, Shrimati M.
 Chandrashekharpapa, Shri T.V.
 Charles, Shri A.
 Chatterjee, Shri Nirmal Kanti
 Chatterji, Shri Somnath
 Chaudhary, Shri Ishwar
 Chaudhary, Shri Ram Prasad
 Chaudhary, Shri Rudrasen
 Chaudhry, Shri Kamal
 Chauhan, Shri Prabhatsinh
 Chavda, Shri Khemchandbhai
 Somabhai
 Chennithala, Shri Ramesh
 Chennupati, Shrimati Vidya
 Chidambaram, Shri P.
 Chinta Mohan, Dr.
 Choudhury, Shri Lokanath
 Chowdhary, Shri Dasai
 Damor, Shri Somjibhai
 Dandavate, Prof. Madhu
 Danwe, Shri Pundlik Hari
 Das, Shri Anadi Charan
 Das, Shri Bhakta Churan
 Dasgupta, Dr. Biplab
 Datta, Shri Amal
 Delkar, Shri Mohanbhai Sanjibhai
 Dennis, Shri N.
 Deora, Shri Murli
 Deshmukh, Shri Ashok Anandrao
 Deshmukh, Shri Chandubhai
 Dev, Shri Sontosh Mohan

Devarajan, Shri B.
 Dhakane, Shri Babanrao
 Dhankhar, Ch. Jagdeep
 Dhawan, Shri Harmohan
 Dhumal, Prof. Prem Kumar
 Dikshit, Shri Narsingh Rao
 Dinesh Singh, Shri
 Dome, Dr. Ram Chandra
 Dore, Shri Raja Ambanna Nayak
 Fernandes, Shri George
 Fernandes, Shri Oscar
 Fernandez, Shri Joss
 Gadgil, Shri V.N.
 Gaikwad, Shri Udaysing Rao
 Gajapathi, Shri Gopi Nath
 Gamit, Shri Chhitubhai Devjibhai
 Gandhi, Shrimati Maneka
 Gandhi, Shri Rajiv
 Giri, Shri Sudhir
 Giriappa, Shri C.P. Mudala
 Gomango, Shri Gitidhar
 Gounder, Shri A.S.
 Gowda, Shri D.M. Putte
 Gudadinni, Shri B.K.
 Gujral, Shri I.K.
 Gupta, Shri Dharmpal Singh
 Gupta, Shri Indrajit
 Gupta, Shri Janak Raj
 Hannan Mollah, Shri
 Hansda, Shri Matilal
 Harish Pal, Shri
 Harsh Vardhan, Shri
 Heera Bhai, Shri
 Het Ram, Shri
 Hota, Shri Bhabani Shankar

Inder Jit, Shri
 Jaffer Sharief, Shri C.K.
 Jag Pal Singh, Shri
 Jai Parkash, Shri
 Jamuna, Shrimati J.
 Janardhanan, Shri Kadambur M.R.
 Jangde, Shri Resham Lal
 Jaswant Singh, Shri
 Jatav, Shri Than Singh
 Jatiya, Shri Satynarayan
 Jawali, Dr. Basavaraj
 Jayamohan, Shri A.
 Jeevarathinam, Shri R.
 Jena, Shri Srikanta
 Jha, Shri Bhogendra
 Jhikram, Shri Mohanlal
 Jorawar Ram, Shri
 Joshi, Shri Dau Dayal
 Ju Deo, Shri Dilip Singh
 Kabde, Dr. Venkatesh
 Kale, Shri Sukhdeo Nandaji
 Kalka Das, Shri
 Kalvi, Shri Kalyan Singh
 Kamal Nath, Shri
 Kamble, Shri Arvind Tulshiram
 Kamson, Prof. Meijinlung
 Kapse, Prof. Ram Ganesh
 Kasu, Shri Venkata Krishna Reddy
 Kataria, Shri Gulab Chand
 Kaul, Shrimati Sheila
 Kaushik, Shri Purushottam
 Kashari Lal, Shri
 Khan, Shri Arif Mohammad
 Khan, Shri Sukhendu
 Khan, Shri Zulfiquar Ali

Khandelwal, Shri Pyarelal
 Khanoria, Shri DD
 Khurana, Shri Madan Lal
 Kodikkunnil, Shri Suresh
 Konthala, Shri Rama Krishna
 Koadia, Shri Manubhai
 Kumaramangalam, Shri P.R.
 Kundu, Shri Samarendra
 Kuppuswamy, Shri C.K.
 Kurien, Prof. P.J.
 Lakshmanan, Prof. Savithri
 Lodha, Shri Guman Mal
 Lodhi, Shri Ganga Charan
 Mahabir Prasad, Shri
 Mahadik, Shri Vamanrao
 Mahajan, Shrimati Sumitra
 Mahale, Shri Haribhau Shankar
 Mahata, Shri Chitta
 Mahato, Shri Shailendra
 Malik, Shri Purna Chandra
 Malik, Shri Satya Pal
 Mallik, Shri Mangaraj
 Mallikarjun, Shri
 Mandal, Shri Sanat Kumar
 Manjay, Lal, Shri
 Mantosh, Shri Paul R.
 Manvar, Shri Balvant
 Marbaniang, Shri Peter G.
 Masudal Hossain, Shri Syed
 Mathew, Shri Palai K.M.
 Mayekar, Shri Gopalrao
 Meena, Dr. Kirodi Lal
 Mecna, Shri Nandlal
 Meghwal, Shri Kailash
 Mehta, Shrimati Jayawanti Navin-
 chandra

Mewar, Shri Mahendra Singh
 Mirdha, Shri Nathu Ram
 Mishra, Shri Janeshwar
 Mishra, Shri Raj Mangal
 Misra, Shri Satyagopal
 Mohamed, Shri E.S.M. Pakeer
 Mujahid, Shri B.M.
 Mukherjee, Shrimati Geeta
 Munda, Shri Govinda Chandra
 Munda, Shri Karia
 Munjare, Shri Kankar
 Muraleedharan, Shri K.
 Murthy, Shri Kusuma Krishna
 Murthy, Shri M. V. Chandra She-
 kara
 Naik, Shri Ram
 Naikar, Shri D.K.
 Nandi, Shri Yellaiah
 Narayanan, Shri P.G.
 Nathu Singh, Shri
 Nayak, Shri Nakul
 Negi, Shri C.M.
 Nehru, Shri Arun Kumar
 Netam, Shri Arvind
 Nikam, Shri Govindrao
 Nitish Kumar, Shri
 Odeyar, Shri Channaiah
 Pacherwal, Shri Gopal
 Pal, Shri Rupchand
 Palanisamy, Shri K.C.
 Pande, Shri Rajmangal
 Pandey, Prof. Yadu Nath
 Pandeya, Dr. Laxminarayan
 Pandian, Shri D.
 Pani, Shri Ravi Narayan
 Panja, Shri Ajit

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 Chandresh
 Patel, Shri Maganbhai Manibhai
 Patel, Shri Natubhai M.
 Patel, Shri Pahlad Singh
 Patel, Shri Ram Pujan
 Patel, Shri Shantilal Purushottam
 Das
 Patel, Shri Somabhai
 Pathak, Shri Harin
 Patidar, Shri Rameshwar
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Basavara
 Patil, Shri S.T.
 Patil, Shri Shankarrao
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Uttamrao Lakmanrao
 Patnaik, Shri Sivaji
 Penchalliah, Shri P.
 Peruman, Dr. P. Vallal
 Phundkar, Shri Bhaosaheb Pun-
 dlik
 Poojary, Shri Janardhana
 Pottukhe, Shri Shantaram
 Prabhu, Shri R.
 Pradhani, Shri K.
 Pramanik, Shri Radhika Ranjan
 Prasad, Shri Hari Kewal

Prasad, Shri R. S.
 Prasad, Shri V. Sreenivasa
 Prem Pradeep, Shri
 Purohit, Shri Banwarilal
 Purushothaman, Shri Vakkom
 Raghavji, Shri
 Rai, Shri Kalp Nath
 Rai, Shri Lal Baboo
 Rai, Shri, M. Ramanna
 Rajeshwaran, Dr. V.
 Rajeswari, Shrimati Basava
 Raju, Shri Bh. Vijayakumar
 Raju, Shri M.M. Pallam
 Raju, Shri S. Vijaya Rama
 Raju, Shrimati Uma Gajapathi
 Rajveer Singh, Shri
 Rakesh, Shri R.N.
 Ram Awadh, Shri
 Ram Babu, Shri A.G.S.
 Ram Dhan, Shri
 Ram Prakash, Ch.
 Ram Sagar, Shri (Bara Banki)
 Ram Sagar, Shri (Saidpur)
 Ram Singh, Shri
 Ramachandran, Shri Mullapally
 Ramdass, Dr. R.
 Ramakrishna, Shri Y.
 Ramamurthy, Shri K.
 Rana, Shri Kashiram Chhabildas
 Ranga, Prof. N.G.
 Rao, Shri J. Chokka
 Rao, Shri J. Vengala
 Rao, Shri K. Rama Mohan
 Rao, Shri K.S.
 Rao, Shri R. Gundu
 Rao, Shri Srinivas

Rao, Shri V. Krishna		Selvarasu, Shri M.
Rasheed Masood, Shri		Sema, Shri Shikiho
Rathwa, Shri Narayanbhai	Jam-	Shah, Shri Babubhai Meghji
labhai		Shah, Sri Jayantilal Virchandbhai
Rathod, Shri Uttam		Shakeelur Rehman, Dr.
Rathor, Dr. Bhagwan Dass		Shakya, Dr. Mahadepak Singh
Rawat, Shri Harish		Shakya, Shri Ram Singh
Rawat, Prof. Rasa Singh		Shankaranand, Shri B.
Raychaudhuri, Shri Sudarsan		Shanmugam, Shri P.
Reddy, Shri A. Venkata		Sharma, Shri Chiranji Lal
Reddy, Shri B.N.		Sharma, Shri Dharm Pal
Reddy, Shri Bojja Venkata		Shastri, Shri Anil
Reddy, Shri Kotla Vijaya	Bhas-	Shastri, Shri Kapil Dev
kara		Shastri, Shri Yamuna Prasad
Reddy, Shri M.G.		Shekhada, Shri Govindbhai Kan-
Reddy, Shri P. Narsa		jibhai
Reddy, Shri R. Surender		Shingada, Shri D.B.
Reddy, Shri Rajamohan		Shiwankar, Prof. Mahadeo
Routray, Shri Nilamani		Shrivastava, Dr. Shailendranath
Roy, Shri Haradhan		Sidnal, Shri S.B.
Roypradhan, Shri Amar		Silvera, Dr. C.
Sadul, Shri Dharmanna Mondayya		Singaravadivel, Shri, S.
Sahay, Shri Subodh Kant		Singh, Shri Ajay
Sai, Shri Nand Kumar		Singh, Shri Dhanraj
Saini, Shri Gurdial Singh		Singh, Shri Har Govind
Sait, Shri Ibrahim Sulaiman		Singh, Shri Hari Kishore
Sanyal, Shri Manik		Singh, Shri Jagannath
Saran, Shri Daulat Ram		Singh, Shri K. Manvendra
Saroj, Shri Sarju Prasad		Singh, Shri Lalit Vijay
Sarwar Hussain, Shri		Singh, Shri Lokendra
Sathe, Shri Vasant		Singh, Shri Mandhata
Save, Shri Moreshwar		Singh, Prof. N. Tombi
Sayeed, Shri Mufti Mohammad		Singh, Shri Pratap
Sayeed, Shri P.M.		Singh, Shri Radha Mohan
Scindia, Shri Madhavrao		Singh, Shri Ram Naresh
Scindia, Shrimati Vijayaraje		Singh, Shri Ram Prasad

Singh, Shri Ramashray Prasad*	Tyagi, Shri K.C.
Singh, Shri Ramdas	Uma Bharati, Kumari
Singh, Shri Sukhendra	Umbrey, Shri Laeta
Singh, Shri Tej Narayan	Unnikrishnan, Shri K.P.
Singh, Shri Uday Pratap	Vaghela, Shri Shankersinh
Singh, Shri Viswanath Pratap	Varma, Shri Dharmesh Prasad
Singh Deo, Shri A.N.	Varma, Shri Ratilal Kalidas
Sinha, Shrimati Usha	Varma, Shri S.C.
Sodhi, Shri Mankuram	Vekaria, Shri S.N.
Solanki, Shri Surajbhanu	Venkatesan, Shri P.R.S.
Sonkar, Shri Kalpnath	Verma, Shri R.L.P.
Soren, Shri Shibu	Verma, Shri Sheo Sharan
Soz. Prof. Saif-ud-din	Verma, Shri Upendra Nath
Srikantaiah, Shri H.C.	Verma, Shrimati Usha
Sukhbuns Kaur, Shrimati	Vijayaraghavan, Shri A.
Sultanpuri, Shri K.D.	Viswanatham, Dr.
Suman, Shri Ramji Lal	Yadav, Shri Baleshwar
Sumbrui, Shri Bagun	Yadav, Shri Chhotey Singh
Sundararaj, Shri N.	Yadav, Shri Chun Chun Prasad
Sur, Shri Monoranjan	Yadav, Shri Devendra Prasad
Suryawanshi, Shri Narsingrao	Yadav, Shri Hukumdeo Narayan
Tandel, Shri D.J.	Yadav, Shri Janardan
Tarif Singh, Shri	Yadav, Shri Kailash Nath Singh
Tarvala, Shri Amratlal Vallabha- das	Yadav, Shri Mitra Sen
Taslimudin, Shri	Yadav, Shri Ram Sharan
Thakore, Shri Gabbhaji Mangaji	Yadav, Shri Ramendra Kumar Ravi
Thambi Durai, Dr.	Yadav, Dr. S.P.
Thapa, Shri Nandu	Yadav, Shri Satyapal Singh
Thomas, Prof. K.V.	Yadav, Shri Sharad
Thomas, Shri P.C.	Yadav, Shri Surya Narayan
Thorat, Shri S.B.	Yadava, Shri Ramjilal
Thungon, Shri P.K.	Yadvendra Datt, Shri
Tiraky, Shri Piyus	Yazdani Dr. Golam
Tiwari, Shri Brij Bhushan	Yuvraj, Shri
Tiwari, Shri Janardan	Zainal Abedin, Shri

*Voted from wrong seat.

NOES

Atinder Pal Singh, S.

Prasad, Shri R.S.

Rajdev Singh, Shri

Roy, Shri A.K.

MR. SPEAKER: Subject to correction*, the result of the division is

Ayes : 432**

Noes : 004

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The Bill, as amended, is passed by the requisite majority, in accordance with the provisions of Article 368 of the Constitution.

The motion was adopted.

12.00 hrs.

PROF. SAIF-UD-DIN SOZ (Bara-mulla): Yo umust hear me. (*Interruptions*)

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): At 2 o' clock we will

start the discussion on the Adjournment Motion. You kindly indicate how many hours you are allowing and at what time voting will take place.

MR. SPEAKER: We will start the discussion at 2 o' clock. I think, two-and-a-half hours will do.

SHRI SOMNATH CHATTERJEE (Bolpur): Three hours.

MR. SPEAKER: All right, voting will take place at 5 p.m. sharp. Is it agreed?

PROF. P. J. KURIEN (Mavelikara): There are many Members who would like to participate in this. So 5 p.m. is not agreeable to us. Let it be 6 p.m. (*Interruption*).

MR. SPEAKER: We will begin discussing the Adjournment Motion at 2 p.m. sharp. This will continue till 6 p.m. and voting will take place just past 6 p.m.

PROF. SAIF-UD-DIN SOZ: I wanted the Prime Minister to be here to answer my points. I have moved an adjournment motion.....(*Interruption*).

[*Translation*]

MR. SPEAKER: Please go peacefully.

[*English*]

PROF. SAIF-UD-DIN SOZ: You please restore the House to order.

MR. SPEAKER: You may speak.

*The following Members also recorded their votes:-

AYES: Sarvashri Bega Ram, Balgopal Mishra, Saifuddin Choudhury, Shrimai, Vasundhara Raje, Shrimati Subhashini Ali, Sarvashri Shopat Singh Makkasar, Santosh Kumar Gangwar, Sudhir Ray Ajoy Mukhopadhyay, Tarit Baran Topdar, Ram Sajiwan, Dr. K. Kalimuthu, Surya Narayan Singh, Ram Krishan Yadav, Sudam Dattatrya Deshmukh, Dr. Debi-Prasad Pal, Shri G. Devaraya Naik, Kumari Kamalaji Karodula, Sarvashri Sanford Marak, Abdul Samad, Reshma Motiram Bhoje.

NOES: Sarvashri Kirpal Singh, Harbhajan Lakha, Baba Sucha Singh, Shrimati Bimal Kaur Khalsa.

**433, As corrected.

PROF. SAIF-UD-DIN SOZ: It is neither the Central Hall nor their party office. It is indiscipline... (*Interruptions*)

MR. SPEAKER: You do not assume the role of the Speaker. Will you please go to your seat? You are not the Speaker; I am the Speaker...

(*Interruption*)

PROF. SAIF-UD-DIN SOZ: See what the Ministers are doing. Let them resume their seats. Kashmir is burning. Innocent people are being killed.....(*Interruption*)

[*Translation*]

MR. SPEAKER: What you said is right.

PROF. SAIF-UD-DIN SOZ: No attention is paid if we speak in normal tone.

MR. SPEAKER: Why are you so angry, you may speak.

12.05 hrs.

RE. KILLING OF INNOCENT PERSONS AND BURNING OF HOUSES AT HANDWARA IN JAMMU AND KASHMIR ON 1ST OCT, 1990

PROF. SAIF-UD-DIN SOZ (Baramulla): Sir, I had moved an Adjournment Motion today as also a Motion under rule 184 as I wanted this House to adopt a Resolution asking the Central Government to stop death and destruction in Kashmir and killings of innocent persons and burning of houses there. On 1st October, 1990 at Handwara, BSF opened indiscriminate firing on innocent people in retaliation for the killing of a BSF Jawan. They set on fire houses and shops and about 295 shops, 38 houses and 25 grain stores were burnt to ashes and many innocent people got trapped into shops

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which were set on fire. It is mentioned yesterday evening in the Indian Express that seven bodies were found in the debris and official figure of total dead in twenty two whereas the actual killings must be more than thirty. The Central Government is watching this situation of death and destruction and not asking the State Government to distinguish between the militants and the innocent people. I ask this Government to explain its policy on Kashmir. What are they going to do there? In my opinion it is a situation worse than war and sometimes I think that the Central Government has waged a proxy war against innocent people of Kashmir. Let the hon. Home Minister answer my points. The Governor there has done worse to the people of Kashmir because his advisers are the same people who worked with the former Governor, Mr. Jagmohan. Now, killing of innocent people has become a routine. This Governor has failed to distinguish between the militants and the innocent people. It is because of the fact that there are two black laws—Disturbed Area Act and the Armed Forces (Jammu and Kashmir) Special Powers Act. These two black laws give great authority to the forces to open fire to destroy houses and do anything. The Governor's administration has taken up a confrontationist attitude with the employees who have gone on a general strike. Now the common man is in difficulty. Ration shops are closed, medical services are totally disrupted, electricity and water supply is also disrupted. Banks are closed and the common people are facing great hardship. Is this the way to run the State? I want answers to my questions from the hon. Home Minister, otherwise, I will walk out. He has to answer my questions. (*Interruptions*)

[*Translation*]

MR. SPEAKER: People have been killed, you have made your point. Mr. Zoz, please sit down now. I have allowed you to speak. Now,

this is extremely wrong. You have said what you had to say, please be seated now.

(Interruptions)

[*English*]

MR. SPEAKER: Hon. Home Minister is responding.

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Sir, day before yesterday many shops and houses in Handwara caught fire .

PROF. SAIF-UD-DIN SOZ: 295 to be precise.

SHRI MUFTI MOHAMMAD SAYEED: Hon. Member, Shri Soz knows very well that Kupwara district as a whole is very much affected. There is a lot of terrorist activity, lot of people are infiltrating through Kupwara and there have been many encounters and since last four days 158 A.K. 47 Rifles were seized by the security forces and 150 people were apprehended on the border. Here are frequent encounters and ambushes made by terrorists on our security forces. In Handwara there was an ambush on police station. With our BSF and Kashmir Police there was complete encounter for hours. The BSF was not outside on the road. And they just asked the shonkeepers to vacate their shops so that they could use their positions. Then, I am told—it is a matter to be inquired into—they threw grenades in their shops and the shops caught fire. I agree that they have been forced, there are excesses committed by our security forces and that should be inquired into. And there have been so many inquiries and action has been taken against many officers who were responsible for committing many excesses. But about the present one, I have made discreet inquiries as to what is the case. There is a lot of confusion and Governor Saxena has announced a team of officers to inquire into the matter.

(Interruptions) Mr. Soz, you can listen to me.

PROF. SAIF-UD-DIN SOZ: There should be a judicial inquiry *(Interruptions)*.

SHRI MUFTI MOHAMMAD SAYEED: Mr. Soz, you are not sure about the facts as to who committed this crime. You should know that. You are saying that security forces have done. Who has told you that? I have been here, Mr. Soz, I got the information.....*(Interruptions)*.

PROF. SAIF-UD-DIN SOZ: They have killed innocent people. Mr. Ghulam Rasool Mullick, who is a M.L.C. has been killed. Was he a terrorist? You are misleading the House.

SHRI IBRAHIM SULAIMAN SAIT (Manjeri): There should be a judicial inquiry. *(Interruptions)*.

SHRI MUFTI MOHAMMAD SAYEED: Hon. Member Mr. Sulaiman Sait demands inquiry. *(Interruptions)*. I say, inquiry has already been ordered.

SHRI G. M. BANATWALLA (Ponnani): That is a farce. We want a judicial inquiry.

SHRI MUFTI MOHAMMAD SAYEED: And I assure the hon. Members of the House that whoever has committed this serious crime will be punished positively, I assure that. There is no question of let up.

MR. SPEAKER: I am informed that Shri Mohammad Shafi is staging dharna outside the building at Gate No. 1. I would request our hon. Member Shri Mohammad Shafi to refrain from doing so and resume his seat in the House.

Now, Mr. Guman Mal Lodha.

PROF. SAIF-UD-DIN SOZ: I am not satisfied with the answer. I

am walking out. It is not a correct answer. (*Interruptions*). There should be judicial inquiry. I am walking out.

Prof. Saif-ud-din Soz then left the House.

SHRI G. M. BANATWALLA: The demand for judicial inquiry has not been accepted. We are not satisfied. So we are walking out.

Shri G. M. Banatwalla and some other hon. Members then left the House.

MR. SPEAKER: Now, Mr. Lodha.

(*Interruptions*).

MR. SPEAKER: I will allow you, I told you. Please take your seat.

(*Interruptions*)

12.14 hrs.

RE. ATTENTION AND CARE GIVEN BY THE INDIAN HIGH COMMISSION IN LONDON TO LATE CHIEF JUSTICE OF INDIA SHRI SABYASACHI MUKHERJEE DURING HIS ILLNESS

[*English*]

SHRI GUMAN MAL LODHA (Pali): Sir, with a heavy heart and profound sense of sorrow I have to bring to the notice of this august House that the late Chief Justice of the Supreme Court of India Shri Mukherjee, who was on official visit to an International Conference, was in London on the 20th, while on his way back, when he got heart attack, he was not given any proper and adequate treatment in London by the High Commission. (*Interruptions*).

I have met Mrs. Mukherjee and discussed the matter in detail after the newspaper reports flashed that it was a case of criminal negligence where the High Commissioner in London refused to provide any treatment on a false pretext that he was not on the State tour or on official visit.

Mrs. Mukherjee repeatedly told the High Commissioner that there was a sanction given by the Government of India in which the hon. Chief Justice had been allowed to attend the international conference on Government business and return via London. In spite of that on 20th when he got an attack he was kept in a hospital which was a charity hospital, a hospital which was of third category, a hospital where there was no heart specialist. It is a shame for all of us that he was kept in the corridors of the hospital lying on the floor for eight hours for the whole day. The High Commissioner did not visit. One representative of the High Commissioner came in the morning and Mrs. Mukherjee told him to kindly arrange for some room. He said that he was getting it done. But he refused to do anything and returned to the High Commission at 10.30 A.M. The whole day there was nobody from the morning till evening up to 5.30 P.M.

Then at 12 O'clock Mrs. Mukherjee again rang up the High Commissioner and told him that the condition is becoming worse, no room is being provided, no medical care is being taken, doctors are not there, only the registrars who are on duty who are the students are looking after him and therefore kindly do something. This happened from 20th to 25th. On the 20th evening one room was provided; but not with the facilities for the treatment of the ailment that he was having; but in the orthopedix ward which had nothing to do with the heart ailment. It is shameful that for four days the diagnosis was not done that our Chief Justice was having heart trouble.

On the last day that is 24th, the Chief Justice became breathless and he told his wife that when he returns to India he would tell the Prime Minister kindly not to send the Chief Justice of India or anybody if High Commissioner cannot take elementary care of their health. He was so

[Sh. Guman Mal Lodha]

much disturbed and perturbed that he asked that somebody should be got from the Supreme Court; or he may be flown to his motherland INDIA but that also was not arranged.

I want to tell this House, the hon. Speaker and the hon. Ministers concerned that the High Commissioner of London behaved in a criminal negligent manner. It is not a case of normal death. I would not call it murder by negligence, but I would certainly say that a responsible person holding the office of the High Commissioner should, even if somebody else had gone, not have acted in the manner he did. Our Chief Justice is the fourth in the rank after the President, the Vice President and the Prime Minister. He was not given the care that would be given to an ordinary Class-1 IAS Officer or a Secretary or an Under Secretary or an MP or MLA. For five days the Chief Justice struggled without any aid between life and death.

Mrs. Mukherjee told me that specialist doctors were not available. Ultimately on the fourth day it was found as a discovery by Columbus or Vascodagama that he had heart Trouble and no treatment was given for four days with the result that on the fifth day he collapsed and collapsed in a condition which would bring shame to all of us; not only today but the posterity would curse us.

I would therefore request that suitable action should be taken for what the High Commissioner has done. He tried to defend first. He first said that there was no sanction and therefore he did not allow it because there was no provision for reimbursement to be done. All the four days the High Commissioner was talking

of 'reimbursement'. Are we to lose the precious life of the Chief Justice of India on the point whether reimbursement would be done or not? Is the High Commissioner not competent enough to decide this? For a few coins of money we have lost our Chief Justice the head of judiciary of 60 crores of people. The entire world is laughing at us. People in London simply ask whether this is the manner the Chief Justice of a country, a Government and of a democracy which is the largest in the world is treated and forced to 'DIE' Sir, not only this. When the dead body was brought here, I was just shocked to find that even to add insult to injury the State funeral was not given. According to the convention, the Chief Justice of India when he dies in harness is entitled to it. But here also, in spite of the efforts of the senior-most Judge, trying hard for it, no arrangement was made. Even the arrangement for receiving the dead body and for taking it to the funeral ground etc., was so scanty and shabby that each one in the judiciary was sore about it. The Bar Council of India—the Supreme Court Bar Association—has passed a resolution. But what has been done is this. The head has been left and the tail has been caught—a Doctor has been removed from the panel of Doctors in London in order to show that something has been done. But, what the Doctor has said is this. He said this publicly that if I would have been asked to treat Mr. Mukharji, I would not have allowed to keep him in that hospital, because it is a charity hospital, a poor aged man's hospital, where no treatment is given properly. I would therefore request that a Parliamentary Committee should be formed. It is not a matter of just Mr. Mukharji's death, but it is a matter of honour of the entire judiciary, honour of the rule of law and honour of our Constitution.

SHRI SANTOSH MOHAN DEV
 (Tripura West): We support you.

SHRI P. CHIDAMBARAM (Sivaganga): You may move a motion.

SHRI GUMAN MAL LODHA: Sir, I would say that a Parliamentary Committee may be formed and specialists may also be included in it to assist the Members. Then, the whole matter may be inquired into. Till then, the High Commissioner in London should be called back immediately. Thank you very much.

SHRI CHANDRA SHEKHAR (Ballia): Mr. Speaker, Sir, this is the most tragic and shameful story. What the hon. Member Shri Lodha has said—a part of it—is correct. Without any discussion, the High Commissioner from there, should be called back, because whatever may be the reason, no High Commissioner can arrogate himself this type of callousness and negligence way in which the Chief Justice of India—whether sanction was there or not—should have been treated.

The hon. Foreign Minister is here. I do not know who is the High Commissioner there.

AN HON. MEMBER: Shri Kuldeep Nayyar.

SHRI CHANDRA SHEKHAR: If persons, who are social-climbers, are given such high-positions, they will behave like this. Shri Kuldeep Nayyar has no business to remain as High Commissioner of India in London. There is no need to go into the inquiry of the whole case. He must be sacked immediately and there is no point in discussing this.

SHRI SOMNATH CHATTERJEE (Bolpur): Mr. Speaker, Sir, I join the hon. Members who have referred to the tragic incident that has taken place resulting in the death of the sitting Chief Justice of India. Sir, I had an occasion to talk to Mrs. Mukharji and she described in detail that there was complete lack of

seriousness on the part of the hospital authorities or—much more serious—on the part of the High Commission Officials including the High Commissioner in London. The Chief Justice of India was lying on the stretcher for hours. Then, he was put into a general ward and then into a cabin. No attempt was even seen to have been made to call a specialist for the purpose of his treatment. Even the wife of the ailing Chief Justice was not informed as to what steps are being taken. She was only allowed to go inside during the Visiting Hours. That is 2.30 p.m., she said. Till then, she was frantically telephoning herself, the hospital authorities to find out what was the condition of her husband. What has really shocked me is this. We have such a big Office there, such a big establishment there; the Chief Justice of India is lying ill; and nobody has taken any care even to really attend to him, to find out doctors, to find out another place of treatment, if cabins or rooms are not available in the hospital, where he had been admitted. I am told that it is a free hospital which is connected with the National Health Scheme, where outsiders are not ordinarily allowed. Why then he was not removed from there and sent to a private Nursing Home? Was it not the duty of the High Commission?

Sir, we have lost a precious life. Under the Constitution, Chief Justice of India is the acting President of this country when the President and the Vice-President are not available. This is the high position in which the Chief Justice of India is put in our country. This is a matter of grave concern that we have such big establishments and that ordinary care is not taken when high dignitaries are going there. I shudder to think what will happen to ordinary Indians who are going there and need help from the Indian High Commission in London.

[Sh. Somnath Chatterjee]

The other thing most reprehensible is that the wife of the Chief Justice will be reminded about the difficulties of providing treatment or providing even transport on the ground that these reimbursements have to be earlier arranged for. This is very serious. She was being reminded every time: "You are on a private visit. As the Chief Justice of India was on a private visit, therefore, unless we get the clearance from Delhi and some arrangement is made for reimbursement, nothing can be done." This type of attitude we cannot condone and we must take a very serious view of this matter. The persons responsible for this should be punished. Whatever step has to be taken for that, it has to be taken by the Government. They must take us into confidence about what they are thinking on that. We want that all possible steps should be taken at least to show now respect to the memory of the late Chief Justice. There are various difficulties faced by the family. I am sure, the Government would take appropriate steps to see that no further difficulty the family gets into in view of the sudden tragic happening that has taken place.

MR. SPEAKER: It is a serious matter.

SHRI P. CHIDAMBARAM: Sir, this is far too serious a matter. And I wish to add just one or two points of information to supplement what my learned friends, Mr. Somnath Chatterjee and Mr. Guman Mal Lodha, have mentioned. Mr. K. K. Venugopal, President of the Supreme Court Bar Association called upon Mrs. Mukharji and has submitted an eight page report. I have the report. But I do not wish to place it today on the Table of the House in the hope that—let me underline 'that'—the Government will act by tomorrow in recalling Mr. Kuldip Nayyar, who is there as our High Commissioner. There is no reason at all

to doubt what Mrs. Mukharji has said. I know her. She is a very humble person. She is a God-fearing person. There is no reason at all to subject her on this matter to any further inquiry. What Mrs. Mukharji has told Mr. K. K. Venugopal and Mr. K. K. Venugopal has recorded in his own handwriting, certainly this report must be accepted as the truth and there is no further need for any inquiry into this matter. If even a fraction of Mr. Venugopal's report is correct, I share Mr. Chandra Shekhar's statement what Mr. Lodha has said, you can say he belongs to a political party. What Mr. Somnath Chatterjee has said, he belongs to a political party but Mr. Venugopal, who is President of the Supreme Court Bar Association, personally talked to Mrs. Mukharji and has recorded in his own handwriting a report. If a fraction of that report is correct, Mr. Kuldip Nayyar should be sacked immediately. He should be recalled immediately. I am holding that report only until tomorrow in the hope that Government will act tonight or tomorrow and tell us tomorrow what action they have taken.

Kindly see the statement issued by Mr. Kuldip Nayyar.

MR. SPEAKER: Has he issued a statement?

SHRI P. CHIDAMBARAM: He sent a report. It has appeared in all the papers verbatim. External Affairs Minister is here. (*Inerrptions*) This is what he has said:

"The controversy raised over medical attention to the late Chief Justice Mukharji is unfortunate because all possible facilities were available to him."

The next sentence is and I object to it strongly:

"He reached from the United States on a private visit on September 20."

What does he mean by saying 'private visit'? Is the Chief Justice of India a private person? What is a private visit? If Mr. Gujral or the Prime Minister go there, will the visit become a private visit just because they have not been invited by the Government of England or the Government of United Kingdom! The Chief Justice is a Chief Justice 24 hours a day. He is Chief Justice 365 days in a year. There can be no such thing as a private visit and a public visit. If a public visit or an official visit had been there, they would have provided medical attention. For this single sentence that characterises that the visit of the Chief Justice is a private visit, the High Commissioner must be recalled immediately. I do not wish to add anything more. Let me reserve my right and I appeal to you to allow me to place that report on the Table of the House tomorrow, if the Government does not come forward with a positive statement that the High Commissioner will be recalled immediately. Secondly, a Joint Parliamentary Committee must be appointed to probe into who was responsible and who was not responsible and the Government must do everything possible to show sympathy and support to the family of the Late Chief Justice. When Justice Fazl Ali passed away—I remember—our Government departed from the rules and paid a special compensation to his family. Yesterday the Congress President and the Leader of the Opposition had written to the Prime Minister saying that at least the same facilities must be given to Mr. Mukharji's family. We want the Government to announce now that the High Commissioner will be recalled immediately, an inquiry will be there and that at least the same facilities that were granted to Justice Fazl Ali's family will be granted to Mr. Mukharji's family. These are our demands.

SHRI INDRAJIT GUPTA (Midnapore): While supporting fully what

all my colleagues here have said, I wish to stress that action has to be taken imperatively and immediately against the High Commissioner. Of course, that is not going to restore Mr. Mukharji to us. There are different aspects of this matter. I would say that criminal negligence has led to this tragedy. I have met one or two people, apart from Mrs. Mukharji, who were in London at that time and now here in Delhi. They say that when some other Indian friends were talking to Mr. Kuldip Nayyar, after the death of Mr. Mukharji, about this matter and were rather worked up about it, he said,—I cannot vouch for this, it is a report that I received—"I cannot be expected to do anything better for any old buffer who comes and falls ill here." I do not know whether these are the words which he actually used. But I know that during those four or five days when Mr. Mukharji was lying in the Royal Free Hospital, nobody from the High Commission visited him. Royal Free Hospital is not a charitable hospital. That is a wrong idea. It is a hospital under the National Health Service Scheme of Britain and naturally it is a free hospital because only insured people are supposed to be treated there. But the point is, firstly, no specialist was called there to examine him. Was it not the job of the High Commission in India to find out about this? No responsible officer or official of the High Commission went there to see him. The High Commissioner went once on the first day and after that, nobody from the High Commission went even to visit him and find out as to how he was and what was happening. A suggestion was made on the third day, I think, that he could be shifted to a private hospital. But nothing was done. It may be because an excuse was sorted out as to what is going to be done about the reimbursement. If he was in a private hospital, then he was to pay. It may be that he had to pay quite a lot. So, this is the

[Sh. Indrajit Gupta]

other part of the question. The Foreign Minister is here now. If the present rules and regulations that have been framed by them are such that, when VIPs of this status fall ill seriously and are hovering between life and death and it is a question of giving them proper medical attention and care and those rules and regulations prevent it on the ground that they do not know whether reimbursement will be sanctioned or not, then it is something fantastic. I think when a Cabinet Minister of our Government or the Prime Minister will fall ill on a private visit—God forbid—when they are abroad in some other country, I doubt whether they would be treated, by our Embassy or High Commission, in the way in which Mr. Mukharji has been treated. Sir, this is something shocking. Therefore, I do not know whether a Parliamentary Commission is going to help very much to inquire into this matter or not. We are not competent to say anything on the medical side, of course, except that there was no specialist assigned to go and examine him properly and suggest as to what should be the course of the treatment or whether he should be shifted to another institution. But the attitude of the High Commissioner is totally reprehensible, and if he has really made such a remark, which was reported to me by one Indian couple, husband and wife, who had just come from London saying that 'I cannot be expected to do anything better for an old buffer, who comes and falls ill here', it is shocking. I think the Government must act immediately and take this matter seriously. The whole House is reflecting the sentiments of millions of people outside, I can tell you. They must act in this matter immediately and this erring High Commissioner must be pulled up and withdrawn. If in your rules and regulations there are all these anomalies and contradictions, they must be immediately overhauled.

SHRI DINESH SINGH (Pratapgarh): He could have sanctioned this himself.

SHRI INDRAJIT GUPTA: He could have done anything. Everybody knows that the amount would be reimbursed. The High Commissioner in U.K. is not a joke, the High Commissioner in U.K. is a person of considerable status and power and he has got within his discretion to say that such a treatment must be taken and that he takes the responsibility of seeing that it will be reimbursed. I cannot understand the meaning of this at all.

We are all very much agitated and the Government should act immediately.

SHRI VASANT SATHE (Wardha): Mr. Speaker, Sir, I am very sorry that such a thing should have at all happened. The other day when I went to their residence to pay my condolences, my good friend, Shri Dinesh Goswami was also there, and the way Mrs. Mukharji was describing the callous manner in which the entire negligence had taken place, one felt so moved that one could not resist one's anguish. I am a heart patient myself and I have gone through this whole process. If this ailment or any other related ailment is not attended to immediately and properly, it is all a question of touch and go.

Here was our Chief Justice of India and on technical grounds, on a ground to say, which she has officially now stated in a statement that it was because he was on a private visit, therefore, we could not do anything more, is really shocking. This should not have been stated even in the case of an ordinary citizen of India. What are our Embassies and High Commissions for if they are not our home away from home, if they cannot look after our people who go? Is this the humanitarian attitude that has to be adopted? A High

Commissioner or an Ambassador is like a father there to our people who go there. His officials take a cue from him. If the seniormost man's attitude is so callous as has been reported even if a fraction of it is true I am sure, the hon. Foreign Minister would take this matter very seriously, would himself feel so hurt by such a behaviour of any such official and would not spare him. I do not understand and the House would not understand by any stretch of imagination how such a thing can happen.

Sir, you are the Speaker. You, any one of us or any Minister, if they go out for some Conference and are on their way. Here was a case, he was on an official visit attending a Conference in the States. Naturally, he has to come back. The most proper way to come back is via London. Can you say that in London he was not on an official visit? I cannot understand the fallacy, the absurdity of this. As was rightly pointed out by our friend, our Chief Justice of India, President, Vice-President or any of our Ministers, wherever any one of them goes, he is an official of the Government. Therefore, can you say whether under the Rules he was technically correct or not? Even if you presume that there was some technical reason because the Foreign Minister or the Finance Minister may say that on technical ground he could not have reimbursed it.

THE FINANCE MINISTER (PROF. MADHU DANDAVATE): I am the last man to say so. What is needed is not the rule but the courtesy.

SHRI G. M. LODHA (Pali): Mrs. Mukherjee had a sanction.

SHRI VASANT SATHE: That is true. She pointed out to him that he had a sanction but even then he was not willing to accept it. He said, "I do not have any information from my Government that he is on an offi-

cial visit. Therefore, I am not taking any cognizance of what Mrs. Mukherjee is saying." This was the wording of the high and mighty High Commissioner. I would like to say that any High Commissioner has enough power to take a decision. When I was under treatment in Houston, the Ambassador helped me on his own discretion. Did he get permission from the Foreign Minister? He sent an official from the Embassy to look after me in Houston. That was the courtesy shown by him. These are the normal powers of any Ambassador or any High Commissioner. What will the Parliamentary Committee do? I don't know, but if there are any rules they need to be amended. It is high time that they are amended now. This was the most discourteous and callous act. I don't want to use stronger language. He was already a heart patient. She told him that he is a heart patient and he already had a heart attack. Please look after him properly. In his not doing this, we have lost a man. Sir, this ailment is such that if timely and proper treatment is given, a man's life can be saved easily. We have lost a very good person. We have lost a Chief Justice which is a very valuable life--for total negligence and callous attitude of a highest official who is our representative there. I don't think by any stretch of imagination it can be said that such a man deserves to be kept there even for a moment. Inquiries may be there. They may give some explanation but I don't care about it. Sir, you know the view of the House. You please recall him. You please announce here and now that we accept the views expressed by this House. The House is the master, House is supreme. We are unanimous on this. Please call him immediately. Don't think of the rules you are going to follow. I entirely support the view that we must give all the facilities and all the respect that needs to be given to his family.

SHRIMATI VIJAYARAJE SCINDIA (Guna): Sir, I would like to express mine as well as my party's view and as a matter of fact the whole House is anguished and shocked over this sad incident. I feel that this shows the total callousness, not only the callousness but scant respect we have for the judiciary. I hang my head in shame if a person who is holding the highest position in the judiciary is treated in this way. What will the people of other countries think about us? I don't want to elaborate further. I just want to express mine and my party's anguish and shock. I agree with the views expressed here and I hope the Minister will act quickly and will try to make amends. I hope he will at least apologise to the poor lady Mrs. Mukherjee. She must have suffered a hell to see her husband die helplessly like that. Is he fit to be an Ambassador who does not even bother to look after a person like the Chief Justice of India. So, I am simply shocked at this incident. As I got an opportunity now to express my feelings of anguish I would also like to request the hon. Minister that as early as possible, he should recall the ambassador. That is the least he could do at this present juncture.

SHRI SAMARENDRA KUNDU (Balasore): Mr. Speaker, Sir, Shri Sabyasachi Mukherjee was a noble soul. He is not with us today. I won't say that he was only a Chief Justice but he was also a very eminent statesman of our country. He had very forward views on many matters. Perhaps, Mr. Speaker, you might not be knowing him—he was a member of the Indian Socialist Group in London—but at the same time all of us know Shri Kuldip Nayyar, personally and very intimately. I just could not believe it. Concern has been expressed repeatedly by the hon. Members. I just want to bring to your notice one or two matters which have come to my notice through Mrs.

Mukherjee. When Shri Sabyasachi Mukherjee got down in London Airport, his legs were shivering and the doctors attended on him. From there, why was he taken to the house of his friend? Why was he not taken to the hospital? Why was he taken to the National Health Hospital? I want to know whether the British Government was made aware of his illness or not. He was kept in the corridor. I would thank even those doctors of the National Health Hospital. They made available to him what was possible at that time, to cure him. They provided him with a cabin. But again, there was a talk that Shri Sabyasachi Mukherjee will be taken back again to his friend's house. Why? I just refuse to believe that Shri Kuldip Nayyar was such a try and cut fellow. It is because, he had been involved in the protection of human rights here. He came to see the Chief Justice only once. Why? He sent his Deputy, Mr. Salman Haider. Why? All these gossips which had been mentioned by Shri Indrajit Gupta should be made known to us. It is very necessary. It is a terrible thing that a noble soul, who was so close to us had passed away. We all join in saying that there should be an enquiry into this.

Therefore, I request the hon. Minister to give us a brief account of this happening, whether today or tomorrow and then a proper enquiry should be made so that everything is revealed.

DR. THAMBI DURAI (Karur): Mr. Speaker, Sir, I join my colleagues for taking necessary action on the callous behaviour and the treatment meted out to our Late Chief Justice Shri Sabyasachi Mukherjee in London. Because of this carelessness, we lost a great man of this country. It is immaterial whether it was his private visit or the official one. Since, he was holding the office of the Chief Justice, naturally, the High Commissioner should have

given more importance to him. I would rather say that our High Commissioner should give the same kind of treatment even to the ordinary citizen of our country.

Therefore, I would request you once again—our External Affairs Minister is a good man, he is an experienced man, he would have come across so many complaints from other High Commissions' functioning—because we also use to receive many complaints when our people go outside that in certain places they are not properly attended to—to take necessary action in this regard. It is high time that we should change our laws if at all there is any impediment.

We must take necessary action against our High Commissioner in England and I hope the hon. Minister will look into the matter.

Thank you.

SHRI SONTOSH MOHAN DEV: I fully share the feelings of the House, but I would like to put a question to the Minister of External Affairs. In 1980, I was in Moscow in a delegation; and we had lost a Member there, Mr. Bairab Mohanty. I rang up the present External Affairs Minister from the Hotel Sovietskya. Within half an hour, he was in the hotel.

SHRI EDUARDO FALEIRO (Mormugao): He was a very good Ambassador, very courteous.

SHRI SONTOSH MOHAN DEV: The doctors came; he died, but even after his death, I had seen that the present External Affairs Minister had taken all steps to see that the dead body was flown here, and arrangements were made. Of course, the Government here then was our Government. When he is the External Affairs Minister, and there is a good friend of his as the High Commissioner in U.K., why did this serious lapse take place—on a very petty

ground, viz. that he was not on official duty there?

I would like to repeat this again, to the Minister: I visited four countries in the month of June; and I approached him, and he gave information to those embassies: at Bangkok, Hong Kong, Malaysia and Singapore. At all the places, I have seen that his Ambassadors looked after us. I was not on an official visit. But his message went from here, that I was an ex-Minister and an M.P. If we are treated like this, how is it possible for a man like Kuldip Nayyar to neglect another? It is beyond doubt: either knowingly or unknowingly, he has made some serious mistake which has cost a precious life. Hence I join the hon. Members of this House in saying that in order to give a clear message to the other Ambassadors, viz. that they should not commit such mistakes, you must recall Kuldip Nayyar. You can give him any other assignment in your party here; he is your well-wisher. But don't keep a man who has created this situation. A message has to go to other embassies also.....(*Interruptions*)

I do not know whether the Finance Minister is so tough about giving finances to the embassies. I do not think so. He would have never said: 'No. I will not pay.' When Mr. Madhu Dandavate is there, when he is returning the Customs money like anything, why should he not pay for this particular expenditure? I do not know, but the whole country is agog with this question. We raised this matter; myself and Mr. Bhakata, and also the whole House has joined us. I would request the hon. Minister of External Affairs not to protect his old friend, and stand up and say something which may be counter-productive. He has enough problems for his Government. He should not ask for another problem. This is my only request.

SHRI EDUARDO FALEIRO: Please see that your Ambassadors behave with the same courtesy that you displayed when you were the Ambassador in Moscow.

SHRI MANORANJAN BHAKATA (Andaman & Nicobar Islands): I join all the hon. Members who have spoken on this subject. No words can appropriately condemn this criminal neglect which has been committed by the Indian High Commissioner in London. My point is that whatever may be the criminal negligence which has been committed by the Indian High Commissioner, what do we find in our country itself? What did the Government do? Government is not coming up with a *suo moto* statement. The Chief Justice of this great country died outside the country, and it was the duty of the Government, when Parliament is in Session, to make a statement *suo moto*, on what has happened, actually. Then the people of this country would have known the facts from the Government. But the Government was silent. Why? Only after the Members in this House raised the issue, they are coming out to say something. There is no question of blaming this side or that. It is a question of the prestige of this country, the Chief Justice of India who was abroad, had a massive heart attack. At that time he was put on the corridor of a hospital and was lying there for hours together. No doctor attended on him; no specialist attended on him. He should have been shifted to a private hospital, or could have been given proper medical aid.

This is why the Government should at the same time come out with specific norms to be followed in the case of dignitaries going abroad: whether they are on official tours or non-official tours. What are the courtesies which should be extended to them, what are the facilities which should be made available to them have to be

taken into consideration. I strongly advocate that the present High Commissioner should be immediately called back to this country as he has lost all credibility to remain our Ambassador in that country.

DR. DEBI PROSAD PAL (Calcutta North West): I share the sentiments expressed by this House on the untimely death of the Chief Justice of India. I had my personal association with him for more than 25 years both in the Bench of the Calcutta High Court and at the Bar. I went to the house of the Chief Justice of India and met his wife Mrs. Mukherji. The incidents which I had heard from her are really distressing. I wonder how the High Commissioner in U.K. could behave himself so irresponsibly, so callously when the Chief Justice of India was not feeling well. I can tell the House what I had heard from Mrs. Mukherji. When the Chief Justice of India landed at London from Washington, even at that time, he was feeling extremely unwell. Instead of taking him to a hospital, he was taken to his friend's house when this trouble started: he was not taken to the two leading hospitals in London, where heart patients are properly treated; he was taken to a National Health Hospital which was not at all dealing with complicated cases of heart trouble. Initially, when this trouble started, he was allowed to wait in the corridors from 11 A.M. to 6.30 P.M. This is what I had heard from Mrs. Mukherji. I was with her for more than one hour. He was sitting in a revolving chair and waiting in the corridors from 11 A.M. to 6.30 P.M. Thereafter, he was taken to an orthopaedic room, not even to a heart patient intensive care unit. There he was allowed to wait for a few hours. Then he was taken to the Intensive Care Unit where there was no proper monitoring, etc. This was how he was taken care of. Normally, in a matter like this, the High Commissioner raised a plea as to from where

will the fund come. This is most distressing. The High Commissioner should have known that the Chief Justice of India was there on an official tour. He raised a question whether the Chief Justice of India was on an official tour or non-official tour. I can tell the House that the entire tour was for official work because he attended in London a Conference of the Chief Justices all over the world; and from there he was coming; and the entire expenses are to be borne by the Government of India. In that state of affairs, his wife told the High Commissioner that whatever may be, whether the sanction comes or not, you please attend him properly and take him to a proper hospital; but nothing was done. When the Chief Justice of India told his wife about it at that time, some message came from the Minister. When the High Commissioner came to know about the message from the Minister, at least, at that time, he should have started taking proper care of the Chief Justice of India. But nothing was done.

I can tell the House that if proper attention had been taken at the proper time, then the precious life of the Chief Justice of India could have been easily saved. It was absolutely a lie to say that the Chief Justice of India wanted to return to India as early as possible; this was not correct. The High Commissioner even did not attend him properly; he only sent his representatives along with the Chief Justice of India.

13.00 hrs.

Now, if that be the position, this House knows that if a dignitary goes there and if the bill is sent to the High Commission then there is no necessity for a sanction at that stage. While waiting, the Chief Justice was not sent to a proper hospital.

I demand that in a matter like this a proper inquiry should be conducted by a sitting Judge of the Supreme

Court and preferably one of the seniormost Judges of the Supreme Court of India because this happened due to the negligence of the High Commissioner.

SHRI VASANT SATHE: Why not a Parliamentary Committee?

DR. DEBI PROSAD PAL: Yes, I demand also an inquiry by a Joint Parliamentary Committee. The matter is very serious. The High Commissioner should be recalled immediately.

SHRI VASANT SATHE: Recall him and the JPC will inquire.

DR. DEBI PROSAD PAL: The High Commissioner is guilty of a criminal act. Even when the wife of the Chief Justice was imploring the High Commissioner to take immediate steps to take the Chief Justice to a hospital, how could he have acted like that? But nothing whatsoever was done. In a matter like this, this House, I hope, will agree unanimously that the precious life of a Chief Justice of India has been lost due to the acts of negligence and omission on the part of the High Commissioner and he also acted in a manner which showed lack of responsibility. Such a High Commissioner should not be allowed to remain there even for a single moment. He should be immediately recalled and a proper inquiry should be conducted and the necessary steps also should be taken against the High Commissioner. I say it—if I may say so—with great anguish that this life could have been easily saved if the High Commissioner had taken proper steps at the proper time. With these words, I again express my anguish for the loss of such a precious life, only due to the action of the High Commissioner.

MR. SPEAKER: Many hon. members want to speak on this. I think I should invite the Minister now. I think representatives of all the parties

have spoken. Let us now hear the Home Minister.

(Interruptions)

MR. SPEAKER: I think it is better that the Minister is called now.

SHRI PIYUS TIRAKY (Alipurduars): Sir, this is a very serious matter. This has tarnished the image of the Government and the entire country. This incident deserves to be condemned in the strongest terms. We are all ashamed by the High Commissioner's behaviour. In fact this behaviour will not be tolerated by any Indian citizen. The High Commissioner must be punished for his conduct so that it serves as a lesson to anyone who indulges in this type of misbehaviour in future. It is also a matter of shame for Indians living abroad.

A person who has misbehaved with Shri Mukherjee, who was the Chief Justice of the Supreme Court, is not fit to continue as High Commissioner. I would request that an appropriate punishment should be announced in the House today itself. Apart from this, a fullscale inquiry should also be held into this case. This is what I have to say.

[English]

SHRI A. K. ROY (Dhanbad): Mr. Speaker, Sir, I like to associate myself with my other colleagues in expressing my anger and anguish about the whole incident.

Sir, it is not only criminal negligence, but what has attracted us is the arrogance in the entire affair. It looks as if the High Commissioner has taken the Government and all of us for granted, and also as if—what I also add—the Government has also taken us for granted. I like to know what has prevented the Ministry from coming out with the facts and as my colleague has stated in his *suo motu*

statement, when the hon. Minister answers on behalf of the High Commissioner, I like to ask two questions. He should explain not only the conduct of the High Commissioner, as to why he had acted like that, but also explain the delay in coming out with a statement and enlightening the House about the whole facts. I demand the immediate dismissal of that High Commissioner. That is the minimum punishment for all these things and I also expect a full explanation from the Government about the whole affair.... (Interruptions)

MR. SPEAKER: All the male Members are speaking. Please listen to the lady Member who is speaking.

KUMARI MAYAWATI (Bijnor): Sir, when I or any MP from the Bahujan Samaj Party wants to say something, we are restricted to certain subjects on which we have to speak. Sir, a picture of the party and the society to which I belong always remains in my mind. When I came to the House today and heard about it, I felt very sad. The Government must take this matter seriously.

Sir, I know that tomorrow is the last day of this 5-day session. Two days back when I tried to raise my point I was not allowed to do so. On Doordarshan the Government speaks of giving equal time to all parties, but through the medium of Door-darshan ... (Interruptions)... Sir, today you will have to listen to me. I am requesting you...

MR. SPEAKER: Of course I am listening to you. Have I stopped you from speaking? Please don't deviate from the subject.

KUMARI MAYAWATI: Whatever is said about me on Doordarshan in relation to Parliamentary proceedings makes me feel that there are a handful of people who are controlling bureaucracy, politics and

the economy. Although hon. Shri P. Upendra is not present here, I want to say that all parties should be given equal time on Doordarshan.

I would like to draw your attention towards the reservation issue. In support of reservation, Scheduled Castes and Scheduled Tribes...

MR. SPEAKER: Mayawatiji, there will be a discussion on that after 2.00 P.M.

KUMARI MAYAWATI: A prolonged discussion has been going on but nothing has come out of it. What-ever was discussed here till now pertained to a person belonging to an upper caste. The House expresses grief over the death of such persons but has little time to shed a few tears for the poor and downtrodden getting killed by anti-social elements because they support reservation. I request the House to take the death of a poor person also seriously.....(Interruptions)

[English]

MR. SPEAKER: I will go through the records.

[Translation]

I shall look into the records if there is anything that hurts public sentiment. Please sit down now.

(Interruptions)

MR. SPEAKER: Mayawatiji, you may speak on the Adjournment Motion. You may raise this point at that time. Now please sit down.

KUMARI MAYAWATI: One minute. Sir. I have risen because whatever be said in the House.....(Interruptions)

MR. SPEAKER: The death of Shri Sabyasachi Mukherjee was being discussed. I have permitted you on that.

KUMARI MAYAWATI: I am sad about that and I express deep sorrow on behalf of my party. But I request that the Bahujan Samaj Party be given due attention in all matters. All parties should be given equal weightage on Doordarshan.

MR. SPEAKER: Nobody ignores you.

(Interruptions)

[English]

MR. SPEAKER: Mr. P. C. Thomas. Though Mr. P. C. Thomas is raising a different issue, I am permitting him to raise that issue so that the House and the Minister should know.

SHRI P. C. THOMAS (Muvattupuzha): Before that I also express my concern on this issue on behalf of my party.

The other issue which I wanted to raise was that some groups of persons, our nationals, had come from Kuwait by road... (Interruptions)

SHRI A. K. ROY (Dhanbad): This issue is very serious. You should not allow it to be diluted.

MR. SPEAKER: Since this pertains to the portfolio of Mr. Gujral. I have allowed him to raise it.....

(Interruptions)

SHRI P. C. THOMAS: Some Indian nationals had come from Kuwait in cars. They came to our border after passing through Turkey, Iran, Iraq and Pakistan. They came to a place 30 kms from Amritsar, called Wagah border. When they reached there, our officers humiliated them. They were asked to leave their cars there and walk off. Many of them who refused to do so, were asked to remain there for two days and three nights. They stayed there without food and without any attention. They said that even Pakistan

[Sh. P. C. Thomas]

gave them all attention, but when they came to India, they found that the concerned officers were even saying: "Why have you gone to Kuwait? It is none of our business." They said: "You just leave the cars here and go. The second group which came, argued with the officers. They said: "We will not go without our cars because this is the only thing which we have. We have lost everything; we have lost whatever we have earned. This is a separate situation. You cannot apply such laws." They said: "You must leave your cars and walk off." They sat on dharna and blocked the whole road. At last, six cars which came in the second group, alone were allowed to go. I draw the attention of the hon. Minister of External Affairs as well as hon. Minister of Finance because now this is a situation which has to be viewed separately. If some laws relating to Customs are coming in their way, I think, this has to be viewed separately and they must be given necessary concession...*(Interruption)*

SHRI C. K. JAFFER SHARIEF (Bangalore North): I have only a submission. Parliament is an institution. Judiciary is another institution. The Chief Justice represents the judiciary. When some sentiments are expressed in the House, it is not proper that we should bring in all sorts of issues. Let us confine to the issue. One institution should respect the other institution.. *(Interruption)*

THE MINISTER OF EXTERNAL AFFAIRS (SHRI I. K. GUJRAL): I share the agony not only of this House but of Mrs. Mukherjee specially for this very sad demise. Mr. Mukherjee was not only an eminent jurist, an eminent Chief Justice but in him I have also lost a personal friend. I had the privilege of knowing Mr. Mukherjee over years and the more I knew him the more I admired him.

It was my misfortune to land in London a couple of hours after his death. Therefore, it was possible for me to condole Mrs. Mukherjee, who was staying with the High Commissioner. She was in the house of the High Commissioner. There I met her. And she was there the whole day. Both my wife and I spent a good deal of time with her, and we share her agony because this was not an ordinary death. For her it was a great personal loss. For all of us it was a loss and also for the country a loss which we can ill-afford to bear. She came back to India that day because the body was embalmed. High Commissioner's wife and Deputy High Commissioner accompanied her to Delhi in order to give her support at the time when it was needed and it was given. Many friends of mine naturally are feeling upset and their being upset is justified because if things like this happens then naturally all of us feel upset and worried. During that one day's stay there after the death and last night again on way back I looked into details of it. I will not take the time of the House to try to go into the details. But, I would only like to say that things are not as they have been stated. I will only stop with this. There are the details of it also, but this may not be the occasion for me to go into the details. I accept the suggestion that an enquiry be held and I am willing to assign the enquiry to Mr. Venugopal himself. Therefore, let Mr. Venugopal look into whole thing and come to a conclusion. Only then I will come back to talk about that. ... *(Interruptions)*.

SHRI P. CHIDAMBARAM (Sivaganga): Does the External Affairs Minister not believe the words of Mrs. Mukherjee?

SHRI I. K. GUJRAL: Mr. Chidambaram has been a very eminent Member of the House for long years. He is more eminent as a Minister and he also knows that the decisions on the spot should not be taken and he also knows that it is necessary that

responsibility, if needed, should be fixed and that I think is the last thing that Mr. Mukherjee himself would have wished because judicial process are very important in such cases like this. ...*(Interruptions)*. On the unfortunate day when Mr. Mukherjee landed in London, that was the unfortunate day when Mr. Kuldip Nayyar himself was in hospital under a surgical operation. But, an officer was appointed who was all the time attached while in hospital or otherwise. Deputy High Commissioner was visiting the Hospital twice on all the days. I am making the statement as made to me subject to corrections. ...*(Interruptions)*. It in no way means that I am contradicting Mrs. Mukherjee. That is why enquiry is necessary so that responsibility is fixed. But, at the same time, I would only say this thing that so far as reimbursement etc. I think there has been confusion created by the officer whose explanation and responsibility has already been fixed because he acted *suo-moto* in an area where he should not have and action against him had already been initiated. Therefore, there are no such rules so far as this is concerned. It is unfortunate that when this illness came it came in two waves -if I may use that word—as Mr. Mukherjee was descending from the plane then on the last step he was slightly unsteady and the officers standing next to him gave him support and brought him. Unfortunately, Mr. Mukherjee was also a diabetic.

The first suspicion of the Airport Doctor who was called immediately was that perhaps he had diabetes. Therefore, they gave whatever they thought was appropriate. I cannot comment on that. Thereafter, Mr. Mukherjee moved into his hosts house. The second attack, unfortunately, came when he was staying with the host. And the host immediately called her doctor and even her doctor advised that he should be taken to that particular hospital because her doctor was a general practitioner, who was on the

panel of that hospital and that hospital by all accounts I could know and I cannot comment on that, therefore my words should not be taken for it was considered to be a good hospital. After that, moving into a private hospital became difficult because the state of his health was such that taking him away from one hospital to another was not considered advisable by the doctors. Even then.. ..

(Interruptions)

SHRI SONIOSH MOHAN DEV: (Tripura West): Let him not give a certificate. It will be pre-judging the inquiry.

(Interruptions)

SHRI I. K. GUJRAL: Please give me one minute.

(Interruptions)

[*Translation*]

MR. SPEAKER: Sontosh Mohanji, he did not want to speak.

(Interruptions)

[*English*]

SHRI I. K. GUJRAL: I am giving the information, whatever I have just now. But I say subject to correction, subject to the final judgment and final verdict by the inquiry. That is what I am saying. Therefore, I am only sharing the first information that I have because I think the hon. Members would expect me to share it.

SHRI VASANT SATHE: Pending inquiry what action are you taking against the High Commissioner?

(Interruptions)

SHRI I. K. GUJRAL: I am not suggesting that my word should be taken as a final word. I am only sharing what information I have and, therefore, I will again repeat, I am willing to appoint an Inquiry Officer,

[Sh. I. K. Gujral]

I mean, a Judge if you want, by Mr. Venugopal himself, if you want. I am willing to get it inquired into.

(Interruptions)

SHRI VASANT SATHE: Sir, these are two different things. You should know the feeling of the House. Inquiry and what rules to be amended etc. will take place later. Now, all that we are saying is, *prima facie* on the statement of Mrs. Mukherjee heard by not one person but by so many of us and also Mr. Venugopal.....

[Translation]

MR. SPEAKER: He is saying that the Government is prepared to hold a judicial inquiry.

SHRI VASANT SATHE: A judicial inquiry will come later.

[English]

I am saying, *prima facie* we want today that the High Commissioner should be recalled. Inquiry can be made later. Otherwise we will move a resolution just now. (Interruptions). We move a motion and expose this. What is this? You cannot take this House for granted like this, Sir.

SHRI CHANDRA SHEKHAR: Mr. Speaker, Sir, there is no question of moving a resolution. But I shall request the hon. Minister, through you, that he should be more positive about the behaviour of Mr. Kuldip Nayyar because from what he has written in his letter, he has tried to find some excuses for not attending properly on the former Chief Justice of India. If he continues as the High Commissioner, any inquiry will be vitiated. So, this gentleman should be removed from that position before the inquiry is made.

SHRI SAIFUDDIN CHOUDHURY (Katwa): I agree with what Mr. Indrajit Gupta said. Mr. Kuldip Nayyar has said that Mr. Mukherjee

was on a private visit. What does it mean? Why had he to make this excuse? This makes us very suspicious about the lapses that he committed there. We agree.....

SHRI INDRAJIT GUPTA (Midnapore): Does he agree that he is on a private visit? (Interruptions).

SHRI SAIFUDDIN CHOUDHURY: No, no. He has written it, Sir. (Interruptions). What occasioned Mr. Kuldip Nayyar to tell this? He is highly irresponsible.

SHRI K. S. RAO (Machilipatnam): Let the Minister concede to call him back. (Interruptions).

SHRI SAIFUDDIN CHOUDHURY: Why he has to say that Mr. Mukherjee was on a private visit? This is a dishonour to the memory of Mr. Mukherjee. (Interruptions).

[Translation]

MR. SPEAKER: Choudhuryji, please listen, the hon. Minister is responding.

[English]

SHRI I. K. GUJRAL: So far as the private and the official visit are concerned, Sir, it is a sort of a diplomatic parlance where a person who is not on invitation of the local government is always on a private visit. (Interruptions).

SHRI SAIFUDDIN CHOUDHURY: Where the man is dying, why this type of questions are brought into? (Interruptions).

SHRI CHANDRA SHEKHAR: All words of diplomacy should not be utilised. All technical words of diplomacy should not have been utilised or used in the matter of such a serious nature, and it is totally callous on the part of the High Commissioner to say that technically he was not on a public visit and I am sorry that my

friend, Mr. Gujral is supporting that because of technical reasons he used in this language. It indicates his mind and this point should be corrected.

SHRI I. K. GUJRAL: I am not defending any one.

SHRI SAIFUDDIN CHOUHDURY: What was the need for telling this?

MR. SPEAKER: He says he is not defending any one.

SHRI I. K. GUJRAL: Sir, I am not defending anyone and I am not taking any position. (*Interruptions*).

DR. DEBI PROSAD PAL: I would like to know whether it is a fact that the Chief Justice of India told that when he goes back to India he shall report the callous attitude of the High Commissioner. That is what he told his wife.

SHRI I. K. GUJRAL: I am not defending any individual. I have only placed before the House the facts that I know or that have been shown to me. But I have also said that let a proper enquiry be held by a judge if you so wish or by Mr. Venugopal if you so wish. The word "private" has been used in a letter which I wanted to show in so far as the expenses are concerned.

SHRI VASANT SATHE: Under Rule 171 I am moving a resolution. If you don't agree to it, then I am moving a resolution.

SHRI I. K. GUJRAL: Let me finish first. Let an enquiry person be named. After naming the enquiry whatever procedures are suggested, I will accept all that.

SHRI CHANDRA SHEKHAR: Mr. Kuldip Nayyar cannot continue. I don't want these niceties of discussions.

SHRI VASANT SATHE: Sir, I move my resolution under Rule 171.

"That this House resolves that Shri Kuldip Nayyar, High Commissioner in UK be recalled immediately."

[*Translation*]

MR. SPEAKER: There are certain Rules for moving resolutions.

(*Interruptions*)

[*English*]

SHRI CHANDRA SHEKHAR: If he wants a notice, we can give a notice. Mr. Speaker, if the Ministers behave in this manner, it is unfortunate. If the House wants to express its sentiments, the hon. Minister says that give a notice and then move a resolution. I say that there is no question of resolution. On this matter a resolution is not necessary; it is a question of emotion of the House.

SHRI VASANT SATHE: If you want an enquiry, how can be an enquiry fair and proper if the same man against whom the enquiry is going to be held continues as High Commissioner?

[*Translation*]

MR. SPEAKER: Mr. Sathe, there are some Rules for moving Resolutions.

(*Interruptions*)

[*English*]

SHRI INDRAJIT GUPTA: The least that can be done, the least I say, pending the enquiry -- who is going to carry out the enquiry is still to be decided in all fairness, the High Commissioner should be asked to go on leave. He cannot be allowed to continue while the enquiry is going on. I would like to know from the hon. Minister whether he will accept this.

MR. SPEAKER: On what Shri Indrajit Gupta said, let us hear the Minister.

(Interruptions)

SHRI GUMAN MAL LODHA: I only want to reinforce this. A judge of the Supreme Court has been asked to proceed on long leave pending enquiry by the Chief Justice of India. It was a Departmental enquiry. But now it is such a serious charge and I regret to say that when the hon. Minister himself went there on the next day things were so patent they were not latent. I have met Mrs. Mukherjee and talked to her for one hour. She was all the time in tears. One thing she emphasized was that her husband said repeatedly that if he had known all this he would not have come. When he reaches India back he would tell the Prime Minister that please never send a Chief Justice to any such conferences when a High Commissioner cannot take care of him even like an ordinary man. She said that she went from pillar to post for four days. It is unfortunate that the hon. Minister, although in a very polite manner, has tried to defend an indefensible action. It is a shame brought to all of us.

The Vice Chancellor of the Delhi University Shri Baxi said that he has sent a telegram to the High Commissioner saying that "we are ashamed of you."

Immediately after this happened, he said, "I have sent a telegram to him, stating we are ashamed of you". We all feel so. *(Interruptions)* Sir, do not try to postpone things. Immediately, the things that have to be done are:

(1) The High Commissioner should be recalled; pending his recall, if certain things are to be done, he must be asked to proceed on long leave;

(2) A Joint Parliamentary Committee may be appointed here and now, to go into the matter and to report;

(3) All possible financial and other assistance should be given to Mrs. Mukherjee and in future ensure that such recurrence cannot take place and proper care taken. *(Interruptions)*

SHRI SAMARENDRA KUNDU: (Balasore): Sir, are you giving a chance to go around this whole discussion? We can resolve it after lunch. *(Interruptions)*

MR. SPEAKER: I have to resolve this issue and you know it.

SHRI SAMARENDRA KUNDU: Sir, I know you want to resolve this issue. *(Interruptions)*

SHRI DINESH SINGH (Pratapgarh): Sir, first I want a clarification. If I heard the hon. Minister correctly, he mentioned that a visit is a private visit, unless the person is invited by the Government concerned. Now, I would beg to differ with him. I would like him not to make such a categorical statement without first clearly understanding the implications. A person may be invited by a Government and then he goes at the invitation of that Government. That visit, depending on the seniority of the person and the position he holds, could be a State visit; could be a visit at the invitation of the Government concerned. When our Government sends somebody, he is on an Official visit and not on a private visit. You send an Emissary to a country, then, he is on an Official visit; you send an Ambassador, he is on an Official visit; you send Members of Parliament to the United Nations, they are on an Official visit and they are not on a private visit; they are not invited by the Government concerned. So, there is a difference between an invitation, an Official visit and a private visit. When a person of the status of the Chief Justice, visits a country, even if it is purely a private visit—this was not a purely private visit, he was in transit—he is entitled to certain facilities, certain courtesies in the

country. A High Commissioner cannot say that because he is on a private visit, he has nothing to do with it. He still is the Chief Justice and the High Commissioner must give him all the respect due to a Chief Justice. Therefore, Sir, the excuse on the basis of this that it is a private visit is unpardonable. That can never be accepted. Now, the hon. Minister has heard the views of the House. All sections of the House have demanded the recall of the High Commissioner. Would the hon. Minister say that the High Commissioner whose recall has been asked for, by all sections in Parliament, can still serve the interest of our country, in the country, to which he is assigned? I am not concerned with the inquiry and with other things. I am saying that a wish in Parliament has been expressed that a high person is not capable of holding that position, irrespective of anything else, and I do not think that he can serve the national interest. Therefore, he must be recalled immediately without any further consideration. (*Interruptions*)

SHRI P. CHIDAMBARAM: Sir, the resolutions are there, under Rule 170, 171, 184. If there is any technical difficulty, then, for that, we moved a resolution under Rule 388, to suspend that part of Rule 170, to enable us to take up that resolution immediately. (*Interruptions*) Sir, may I quote what Mr. Madhu Dandavate has said?—'what is important is not the rules; but the courtesy'. Equally in Parliament, what is important today is not the rule, but the decision; and the unanimous view of Parliament is that the High Commissioner Mr. Kuldip Nayyar should be recalled. (*Interruptions*)

PROF. P. J. KURIEN (Mavelikara): I would request the hon. Minister to kindly announce here, the withdrawal of the High Commissioner. (*Interruptions*) The entire House is one on this demand. The House is supreme. So,

you please take up this matter and announce the decision immediately.

(*Interruptions*)

[*Translation*]

SHRI RAM NAIK (Bombay North): The High Commissioner, Shri Kuldip Nayyar is not a lower-level employee, who needs to be given a notice for an inquiry or from whom an explanation is to be called. It is a very high-post and the appointment to such posts is also made in a different manner. When a prima facie case has been established against such a person it means that he has lost the confidence of this House and under these circumstances, we would like the Government to recall him immediately and not to allow him to take up any official work with immediate effect. On this point there is a unanimity in this House and we urge upon the Government to respect the sentiments of the Members and act accordingly.

[*English*]

SHRI HARIN PATHAK (Ahmedabad): It is a unanimous decision of the House.

(*Interruptions*)

MR. SPEAKER: Let us hear the Minister.

SHRI I. K. GUJRAL: Sir, on one point, I want to clarify what Mr. Dinesh Singh has said—whom I respect a great deal. I agree with him that he was not on private visit in that context. I accept it.

Secondly, that was not the relevant issue. When the hon. Chief Justice reached that day in London, he was duly received by Minister in the High Commission at the airport itself. Unfortunately, High Commissioner that day was hospitalised. Therefore, he could not personally go himself. I do not want to go into details. (*Interruptions*) I have submitted to this hon. House and to the hon. Members that any inquiry in which the inquiry officer says that he should be recalled, I will abide by it. (*Interruptions*)

SOME HON. MEMBERS: No, no. (*Interruptions*)

SHRI HARIN PATHAK: We cannot agree. (*Interruptions*)

SHRI VASANT SATHE: Are you suggesting that Parliament is inferior to some inquiry officer? (*Interruptions*)

SHRI I. K. GUJRAL: No, I submit this thing. When you inflict the punishment, you must fix the responsibility first whether he was responsible or not. (*Interruptions*) I am willing. Let the inquiry be held by a Supreme Court Judge or by Mr. Venugopal, whatever you say, I will on leave. (*Interruptions*)

SHRI CHANDRA SHEKHAR: Mr. Speaker, Sir, hon. Mr. Indrajit Gupta has given a via media. I shall request the hon. Minister to accept that suggestion of Mr. Indrajit Gupta in order to avoid further embarrassment to all of us. I think, hon. Mr. Chidambaram and Mr. Sathe will also agree to it that he should immediately proceed on leave. (*Interruptions*)

SHRI INDRAJIT GUPTA: Whoever is making the inquiry, he will have to be examined also.

SHRI CHANDRA SHEKHAR: He will also be examined.

SHRI DINESH SINGH: What status will he have in that country? (*Interruptions*)

SHRI CHANDRA SHEKHAR: Sir, I am requesting Mr. Dinesh Singh. When he will be on leave, he will not be in that country. He will be in this country. Then, he will be on private visit there. (*Interruptions*) So, I think that the hon. Minister should accept the suggestion of Mr. Indrajit Gupta. (*Interruptions*)

SHRI VASANT SATHE: Ask him to proceed on leave immediately. (*Interruptions*). By tomorrow, he must be on leave. He should proceed on leave to India. (*Interruptions*)

SHRI I. K. GUJRAL: You are well aware and so is the hon. House how much I respect the wishes of a democratically elected House like this which is a sovereign body. And I respect it a great deal. The suggestion made by Mr. Chandra Shekhar will receive my attention. (*Interruptions*)

SOME HON. MEMBERS: No, no. (*Interruptions*)

13.40 hrs.

The Lok Sabha then adjourned for Lunch till forty-five minutes past Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at forty-eight minutes past Fourteen of the Clock

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

(*Interruptions*)

RE. ATTENTION AND CARE GIVEN BY THE INDIAN HIGH COMMISSION IN LONDON TO LATE CHIEF JUSTICE OF INDIA SHRI SABYASACHI MUKHERJEE DURING HIS ILLNESS—Contd.

[*English*]

SHRI P. CHIDAMBARAM (Sivaganga): Sir, this morning, there was an impromptu discussion on the callousness shown by the High Commissioner and his officers to the Late Chief Justice. Mr. Mukharji. There was an unanimous demand in this House.....(*Interruptions*).....Who are

you to say that it is over? Sir, there was an unanimous demand by all the party leaders and all the Members who spoke demanded, without dissent, that the High Commissioner should be recalled immediately. Thereafter, Mr. Indrajit Gupta made a suggestion and Mr. Chandra Shekhar endorsed his suggestion that the via media is to ask the High Commissioner to proceed on leave. And to that, the External Affairs Minister responded very cryptically by saying that this suggestion will receive his attention. At that point of time, the Speaker was pleased to adjourn the House. That does not mean that the debate is concluded. This morning, I said that I would like to lay on the Table of the House, if the Government does not respond positively, the report prepared by Mr. K. K. Venugopal, President of the Supreme Court Bar Association, after discussing with Mrs. Mukharji. He also said that he spoke to the High Commissioner. I have spoken to Shri Venugopal and I have told him that I am going to place this report on the Table of the House. He has no objection to the report being laid on the Table of the House. On the contrary, he says that the report may be laid on the Table of the House so that the Parliament and the world will know what discussions we had. This report is a damning indictment of what the High Commissioner's office did. This morning the External Affairs Minister said that the Deputy High Commissioner visited the hospital twice a day. Here is Mrs. Mukherjee, who says:

"At no time did any officer of the High Commissioner ever meet her until she telephoned the Deputy High Commissioner Mr Haider at the request of the Chief Justice of India, who wanted to see the sanction order to find out whether his visit was being treated as official or private. Mr. Haider then met him in the afternoon on the 23rd. Even thereafter, no High Commissioner official came to visit

the Chief Justice or met Mrs. Mukherjee until his death at 8 O'clock on the morning of 25th."

One statement made by the External Affairs Minister apparently on wrong instructions is proved to be false. I can read paragraph by paragraph of this report, if you give me permission.

I insist that the debate is not over. We insist that the debate has to be resumed. Now that the Prime Minister has come, there can be no excuse for not taking a decision now. We demand three things. One, immediate recall of the High Commissioner; two, the Government must...*(Interruptions)*. I am not yielding.....*(Interruptions)*. I have not yielded. Are you allowing him to interrupt me? I am not yielding unless you ask me to sit down.....*(Interruptions)*. Mr. Kundu can change his position between morning and afternoon, we cannot change our position.

SHRI SAMARENDRA KUNDU: We are not changing our position.....*(Interruptions)*.

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): The Minister has already responded to what was said.

SHRI P. CHIDAMBARAM: We have moved a motion.....*(Interruptions)*. Will you ask him to sit down? I am on my legs. How can he interrupt me?

We have given a motion under Rule 388. If technical grounds are put in the way, let me quote Prof. Madhu Dandavate who said that in a matter like this, what matters is not rules but substance. We have given a motion.

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): Please excuse me for a second. I do not want to stand when you are standing.

SHRI P. CHIDAMBARAM: Not Rules, but courtesy.

PROF. MADHU DANDAVATE: That is right.

In relation to what happened in London, he said that the Finance Minister might use the rules; I said: for me what is important is courtesy and not rules. You can quote me, but quote me correctly.

SHRI P. CHIDAMBARAM: Let me paraphrase Prof. Madhu Dandavate. At least what he said in another context is—what matters is not rules, but substance.

We have given a motion under Rule 388 to suspend that part of Rule 170, if necessary, which requires at least two days notice. We have moved a motion for abundant caution under Rules 170, 171 and 184. It is for you to decide under which rule you will admit it. The point is that there is a resolution before this House and everybody who spoke this morning spoke eloquently and demanded the withdrawal of the High Commissioner. Let us go to the resolution. The Government is not willing to budge, the Government is standing on false prestige: Government wants to protect somebody, but the Parliament of India unanimously wants the High Commissioner to be recalled. What is the moral authority of Mr. Nayyar to represent India in the United Kingdom when the Parliament of India has expressed no-confidence in him. Parliament of India says that it has no-confidence in him. You were not here, Mr. Upendra. Every single speaker wanted Mr. Kuldip Nayyar to be recalled.

Sir, I request your permission to lay* this report on the Table of the House.

PROF. MADHU DANTAVATE: On a point of order, Sir. I have never any objection to anyone seeking permission to lay the papers on the Table of the House. But as you know it very well, according to the Rules of Procedure, one who wants to lay the papers on the Table of the House, firstly has to submit the same to the Chair; the Chair has to examine and after that he has to authenticate about the authenticity of the papers. I suggest that that procedure should be followed.

SHRI P. CHIDAMBARAM: I have already authenticated them. I went to the Deputy Speaker's chamber and I have told him about this in the morning.

SHRI VASANT SATHE: This subject can really be settled in a graceful and dignified manner. I am glad that the hon. Prime Minister is here. No personal thing is made anywhere. We are not against any person as such, be it a High Commissioner or anybody else. Let us be very clear. This is not the issue. The issue is that the manner in which a very senior, top most person of the judiciary of India, the Chief Justice who by protocol also stands third, has lost his life is very sad. There is an element of negligence involved in it. There is a dereliction of duty and that too by the highest official, i.e. the High Commissioner himself who in his official statement takes the plea that he was on a private visit and that is why they could not take all those steps that were required to be taken for the medical treatment because reimbursement was not ensured. Now, certainly, I am sure the Hon. Prime Minister will agree that no person of that rank that too a High Commissioner—can take the excuse of not giving the assistance to such a person who was already a

*As the speaker subsequently did not accord the necessary permission, the paper was not treated as laid on the table.

heart patient. We have heard the statement of his wife, probably the hon. Prime Minister must have also heard it, to every single member who has had a word with her—she told the same thing. But even after this you are still standing on some prestige as if making it a point of honour for the Government. I would request you please do not do it. I say so for two reasons. As I said, there is nothing against the person as such. But after expressing a unanimous view of the House—of anguish, disapproval and condemnation—will it be possible or will it be graceful for the High Commissioner to continue there? I don't want to make it an issue of taking vote and that is why I am not pressing for the Resolution. All I am saying is that the Prime Minister himself should agree to the suggestion given by the hon. Member Shri Indrajit Gupta which was accepted by Shri Chandra Shekar and everybody else and that is that he should be asked to proceed on leave during the period of entire inquiry. I would suggest that the inquiry should be made by the Committee of Parliament. A suggestion was made that we should ask some judge to make an inquiry. But I would say that when a judiciary is involved—when the highest person in judiciary is involved—if a judge is appointed to inquire into the case then tomorrow people will say that the particular judge had some sympathy for him. When general citizens are involved, we always ask a Supreme Court Judge to inquire into the matter but when either Supreme Court Judge or the Judge himself is involved, I think it is the duty of the Parliament to appoint a Joint Parliamentary Committee to inquire into the matter because that is what we owe as one institution to another institution. Therefore, Sir, I would suggest two things. First, that the Prime Minister should agree to ask him to proceed on leave pending inquiry by a Joint Parliamentary Committee to be appointed by the House. This is

the minimum thing that should be done.

SHRI SAMARENDRA KUNDU (Balasore): Mr. Deputy Speaker, Sir, I would request the senior friend, Mr. Sathe not to spoil the atmosphere of unanimity that was generated during the discussion on this matter. This matter was discussed and we had almost come to a unanimous opinion. Shri Indrajit Gupta very correctly suggested that the inquiry.....

AN HON. MEMBER: You are spoiling the atmosphere of the House.

SHRI SAMARENDRA KUNDU: Mr. Chidambaram said that Mr. Kundu holds one opinion in the morning and changes it in the evening but when we stand to say truth you are not ready to listen it.

Shri Indrajit Gupta very correctly said that the High Commissioner should be asked to go on leave till the inquiry is completed. This was also accepted by Shri Chandra Shekar and the Hon. Minister said, "I will look into it."

(Interruptions)

SHRI VASANT SATHE: That means you do not respect the views of the Parliament. *(Interruptions)*

15.00 hrs.

SHRI SAMARENDRA KUNDU: For Heaven's sake, please don't do that. You and Mr. Chidambaram had a tangle. Please give me one minute.

He said: "I will look into it and he will receive my attention." After that, the Speaker adjourned the House for Lunch because we were hungry. In the meantime, I had spoken once to the Speaker. I said: "What is going

[Sh. Samerendra Kundu]

on? Kindly, do it after the Adjournment Motion. I am trying to bring out a Resolution". On this, the Speaker was quite happy. So, this was rightly done. Now, again you have stated it. *(Interruptions)* Please don't try to bring both the matters. *(Interruptions)*

SHRI VASANT SATHE: After hearing the entire House what have you decided? You said, you will consider it.

PROF. MADHU DANDAVATE: Sir, to put the record straight, after listening to the viewpoints expressed by both the sections of the House, the Minister of External Affairs said—Mr. Chandra Sekhar had repeated the suggestion of Shri Indrajit Gupta — that Shri Chandra Sekhar's suggestion will receive his attention. He is working on that. Now, I would request—since Mr. Sathe has said—let us do the things honourably. Leave it at that. If you find that on the lines that you have suggested, nothing comes out, tomorrow is there which is the last day of the Session.

SHRI VASANT SATHE: We will wait till tomorrow morning.

15.02 hrs.

RE SETTING UP OF DEVELOPMENT BOARDS FOR VIDARBHA MARATHWADA AND OTHER REGIONS IN MAHARASHTRA

[*Translation*]

SHRI BANWARILAL PUROHIT (Nagpur): Mr. Deputy Speaker, Sir, I have given a notice regarding the need to constitute Development Boards in the Vidarbha and Marathwada regions of Maharashtra. Therefore I request you to give me two minutes to raise that issue in the House.

MR. DEPUTY SPEAKER: Okay. You may speak.

SHRI KAMAL NATH (Chhindwara): Mr. Deputy Speaker, Sir, I too have given a notice.

MR. DEPUTY SPEAKER: Not in this manner. It will re-open the whole issue. Mr. Purohit, you may speak, but please be brief.

SHRI BANWARILAL PUROHIT: Mr. Deputy Speaker, Sir, at the time of reorganisation of states Pandit Jawaharlal Nehru was the Prime Minister and Gobind Vallabh Pant was the Minister of Home Affairs. While merging Vidarbha and Marathwada regions with the newly organised state of Maharashtra, both these leaders had given an assurance to the people of these regions that the regional imbalances in terms of development would be removed. They had even gone to the extent of saying that a liberal attitude would be adopted in respect of these areas.

Sir, today, we have passed a constitution Amendment Bill. There was a purpose behind it. Similarly, in 1956, the people of Vidarbha and Marathwada were given an assurance, that with the incorporation of new clauses under Article 371 of the Constitution, Development Boards would be constituted for these regions to remove the regional imbalances and to put an end to the injustice being meted out to the people of these areas. Unfortunately, this assurance is yet to take a concrete shape. The Hon. Prime Minister is present in the House. I would like to submit before him that during the last session, in his reply to my question, the hon. Minister of Home Affairs had told me that Development Boards for these regions would be constituted by the Seventh. But nothing happened on that day. Even the next session is about to start and to this date no action has been taken by the Government in respect of the establishment of Development Boards for Vidarbha and Marathwada.

Sir, through you, I would like to submit to the Government that the

agitation in these regions is gaining momentum and in case the present statement continues, it may worsen the situation. The situation in both Punjab and Kashmir has deteriorated over the years. The situation in Assam has remained pretty bad for a long time now. Do they want the Vidarbha and the Marathwada also fall in that category? They are just seeking justice from the Government. Today, 35 years have passed since the Union Government gave an assurance in 1956 to the people of these regions that Development Boards would be constituted for these areas, under Article 371 of the Constitution. But that assurance has not been fulfilled so far. Today, the people of these regions are an exploited lot. Although, they are entitled to 25 per cent of the State's budgetary provisions, only a sum of Rs. 180 crores is made available for them instead of rupees 500 crores. These people are being denied their share and it is agitating the minds of the people of these regions and causing resentment among them.

Mr. Deputy Speaker, Sir, I would like to ask the Hon. Prime Minister and the Minister of Home Affairs, the reason for the delay in introducing these legislations when they are saying that everything is ready for that and that a Presidential order is required for the establishment of Development Boards for these regions. There is only one day left before the current session is over. The Government should bring forward an amendment for the establishment of a Development Board for the Konkan region. If it is a time consuming process, then at least do not defer the creation of Development Boards for Vidarbha and Marathwada and the Government should also see to it that no hindrance is created in this regard.

[*English*]

THE PRIME MINISTER (SHRI VISHWANATH PRATAP SINGH): Sir, so far as the Central Government is concerned, it has no problem regarding creation of the Board for Vidharba and Maharashtra. We have

assured for Konkan. But various proposals have been coming from the States.

First, there was some difficulty with the Governor. He gave a proposal because he has all the right. He said, this is not a proper thing in a democracy. So, we have to apply our mind.

Then, another proposal came from the Maharashtra State to have Vidharba, Marathwada, Koukan and the rest of the Maharashtra. On this—just a moment—with the Members of Parliament I had met. There were some differences of opinion. I said I would call all the Members of Parliament, and also the Chief Minister, and then we would take a decision after hearing everyone, and the Chief Minister. I stand by this commitment, and we will be calling the Members of Parliament this very month—and the Chief Minister. (*Interruptions*)

MR. DEPUTY SPEAKER: No. Please. (*Interruptions*)

SHRI KAMAL NATH: Sir, this is a question aimed at you. This Government has been resignation-prone, and the 9th Lok Sabha has also been resignation-prone. We have been hearing that the Prime Minister resigns; he says he is not resigning. The Ministers are resigning, and then not resigning. Some MPs are resigning. Now we hear in the Press that Shri Devi Lal has resigned. So, my question is to you, Sir, the Deputy Speaker sitting on the Chair: What has happened to Shri Devi Lal's resignation? There was a lot of drama enacted about it. In their party meeting, he went and gave that to the Prime Minister. So, has Shri Devi Lal resigned, or not resigned? We heard of Ministers who have resigned, and the Prime Minister not resigning. We heard that it is the Prime Minister who has resigned, and the MPs have not resigned, and eventually, no one has resigned. So, what about the story of Shri Devi Lal? Will you please tell the House?

[Sh. Kamal Nath.]

We want to know what has happened to our colleague. (*Interruption*)

SHRI SOMNATH CHATTERJEE: Can questions be put like this? There is a limit. (*Interruptions*)

[*Translation*]

SHRI K. D. SULTANPURI: Mr. Deputy Speaker, Sir, train services stand disrupted.....(*Interruptions*)...

MR. DEPUTY SPEAKER: Now we are taking up the Adjournment Motion, please take your seat.

[*English*]

SHRI VASANT SATHE: Before the Adjournment Motion, there is a privilege Motion I had given.

MR. DEPUTY SPEAKER: It is under consideration. (*Interruptions*)

SHRI VASANT SATHE: You had allowed me, Sir. You said you would allow me. I will tell you why. Unfortunately, it is about the media and the hon. Mr. Upendra. It is never done: Parliament is in session, the Constitution Amendment Bill is to be taken up....

MR. DEPUTY SPEAKER: Mr. Sathe, you have given it; and it is under consideration. (*Interruptions*)

SHRI VASANT SATHE: I have already told him; I have already spoken to the hon. Speaker in the morning. The rule provides for it. He has agreed with me. He said: 'Yes; this matter may be allowed.' He has said that this will be taken up immediately after the Constitution Amendment Bill. (*Interruptions*)

MR. DEPUTY SPEAKER: Did he say that?

SHRI VASANT SATHE: Yes, before the adjournment motion. That is why I am raising it. The short point is this: we are very sorry: a Motion, and that too, a Constitution Amendment Bill is before the House, it is going to be taken up. Regarding what is going to be done in the House, you cannot prevent it, and nobody can pre-empt it and announce it on TV that the House shall—i.e. the Speaker shall waive.... See the wording, 'shall waive the rule'. The Minister announced it himself. This is at the discretion of the hon. Speaker. Then he says: "The House shall...". Sir, kindly see this. I have heard it three times. He says the House will pass it without discussion. This he had announced. So, kindly see that no Minister, or no media particularly, does it. He speaks about both the Houses.

I do not understand this: here is a Minister who says he wants autonomy; he has already given it. Has the autonomy now come to such a stage when he instructs, and his instruction and statement are carried by AIR and Doordarshan? I cannot understand this. (*Interruptions*) It is a direct breach of privilege of the proceedings of the House. No Minister can do that. So, kindly allow us to move a breach of privilege Motion against him.

MR. DEPUTY SPEAKER: The documents which have been submitted by Mr. Chidambaram will be examined, for appropriate action. (*Interruptions*).

117 *Adjournment Motion ASVINA 12, 1912(SAKA) against Govt.'s decision* 118
Police atrocities in dealing with students agitation
on Mandal Commission Report etc.

15.10 hrs.

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. DEPUTY SPEAKER: Now we take up Adjournment Motion. Mr. B. Shankaranand.

SHRI B. SHANKARANAND (Chikkodi): I beg to move:

"That the House do now adjourn"

I have risen with a very heavy heart to move this Adjournment Motion.

SHRI HARIN PATHAK (Ahmedamad): What about 377?

MR. DEPUTY SPEAKER: We will take it up after the disposal of this motion.

SHRI B. SHANKARANAND: Today almost the entire northern India is full of tears. There are tears in the eyes of mothers and fathers whose young sons and daughters had laid down their lives against the reservation quota. In such a pathetic condition, we are now discussing this Adjournment Motion. I request the hon. Members to be a little serious about it because it is not a small matter.

SHRI SOMNATH CHATTERJEE (Bolpur): What do you mean by that? Are they not serious?

SHRI B. SHANKARANAND: I am requesting the hon. Members including you.....

SHRI SOMNATH CHATTERJEE: We want you to say something about it but you are not saying anything about it.

SHRI B. SHANKARANAND: Students are self-immolating; they are taking poison. Schools and educational institutions are closed. Parents are simply dithering from sending their children to schools; they are afraid of sending their children to

schools. A large number of buses had been burnt. Property worth crores of rupees had been lost. Everyone is looking at each other with suspicious eyes.

SHRI INDRAJIT GUPTA (Midnapore): You also. You are looking at me. I am looking at you.

SHRI B. SHANKARANAND: I am not looking at you. Perhaps I will come to that how I look at you. May I say that today there is a danger because the country is emotionally disintegrated. Caste is set up against caste. The society is divided on the caste lines. Immediately after the Prime Minister's sudden declaration expressing sympathy for the backward classes, the whole country had been plunged into darkness.

Before I proceed further, I want to make it very clear to the hon. Members that the reservation for the SC&ST is deliberately mixed up with the reservation for the backward classes by the Government according to the Mandal Commission Report. I would not say about a particular Minister or others, but the government is deliberately mixing up the reservation for the SC&ST with the reservation for the backward classes as reported by the Mandal Commission Report. There is a history on reservation for the SC&ST.

I would like to take a little time of the House about the history of reservations for the Scheduled Castes and the Scheduled Tribes so that the plan and the strategy of the Government in mixing these reservations with the reservations for the backward classes will be clear.

It was in 1932, long before Independence that Dr. Ambedkar represented the untouchables—today they are called the Scheduled Castes—and he represented the untouchables in the Round Table Conference. And then, the British Prime Minister Mr. McDonald gave a plan, which was called the Communal Award. The

[Sh. B. Shankaranand]

self-determination policy was announced by the British, the right for self-determination given to the religious minorities, the Hindus, the Muslims and the untouchables. The untouchables were given the right for self-determination as it was given to the Muslims and the Hindus.

SHRI SOMNATH CHATTERJEE:
That was separate.

SHRI B SHANKARANAND: I
am coming to that.

SHRI SOMNATH CHATTERJEE:
That was for different electorates.

SHRI B. SHANKARANAND: I
hope you do not want to hear what
I am saying.

SHRI SOMNATH CHATTERJEE:
I cannot understand what you say.

SHRI B. SHANKARANAND:
Woe betide the Barrister! He won't
understand what I am saying!
(Interruptions)

I cannot claim to have better
English than you. (Interruptions)

This Communal Award was given on the 17th August, 1932 and as I said, the then untouchables who were represented by Dr. Baba Saheb Ambedkar in the Round Table Conference, got this right, the right for self-determination by separate electorates. The separate electorate was for this that the untouchables were given the right to elect their own representatives and the Hindus were given the right to elect their own representatives and the Muslims were given the right to elect their own representatives. Along with that, the untouchables were also given a right to elect a representative, a Hindu also. In that way two votes were given to the untouchables.

Gandhiji came back from London and he rejected the proposal. He

immediately wrote to the British Prime Minister and said, "I cannot accept this Communal Award", in Pune. He said, "I am going on a fast unto death unless the British withdrew this." It was a challenge to Dr. Ambedkar also, and the fast started on the 20th September, 1932, in Poona in Yerwada prison. Pressure was brought on Dr. Ambedkar that he should not press for the rights for the untouchables, and that he should agree to the proposal of Gandhiji and save the life of Gandhiji. After four days Dr. Ambedkar said, "The life of Gandhiji is precious, let the Hindus have more chance to reform themselves and look to the untouchables as equals." And he gave the valuable right of separate electorates, to save Gandhiji's life. That happened in 1932.

Thereafter an agreement was brought out between Gandhiji and Dr. Ambedkar and that Pact is called the Pune Pact. With the intervention of some political leaders then, Dr. Ambedkar agreed for a primary election before the election of the representative of the Scheduled Castes—the untouchables. In that primary election, both sides agreed that a panel of four people may be drawn and the rest of the Hindu voters should vote for the election of the leaders, the representatives of the untouchables. Dr. Ambedkar had agreed for that. Some concessions were given to the untouchables. Dr. Ambedkar pursued to that till he brought the proposals before the Constituent Assembly and the reservations for the untouchables were hammered out and made into the provisions of the Constitution. There is a wonderful history about the Scheduled Castes and the Scheduled Tribes. The reservations made for the minorities, the Sikhs, the Parsees, the Muslims were withdrawn... (Interruptions) I am talking about the matter before the Independence and before the Constitution was drawn.

There was Minority Committee, in which Dr. Ambedkar was a member. Sardar Vallabhai Patel was also a member. Maulana Abul Kalam Azad was also a member. The leaders of the minorities were also there. The leaders of the minorities demanded the withdrawal of their reservation in 1947-48. But Dr. Ambedkar said: "No. I am not going to succumb to this pressure. I stand for the reservation of Scheduled Castes and Scheduled Tribes." The Scheduled Castes and the Scheduled Tribes were then called the untouchables. That is how, the provisions of reservations under various Articles of the Constitution were brought in. So, this reservation has a history behind it. Thereafter the reservations were not only given in the services but also under the Constitution the seats in both the State Legislatures and the Parliament were also reserved. Political reservations were made. Educational concessions were given. Age for employment was extended. Fees for the posts and fees in educational institutions were reduced. Many concessions were given to the Scheduled Castes and Scheduled Tribes. I need not go into all these provisions of the Constitution. But there is a history for the reservations of the Scheduled Castes and Scheduled Tribes and they have been enumerated in the Constitution. Now, if I refer it to this context, what were the terms of reference for Mandal Commission? The Mandal Commission does not talk about the reservation of the Scheduled Castes and Scheduled Tribes. So, let us not mix up these issues and confuse the people of this country. Let there not be any confusion.....(*Interruptions*) I will tell us to how somebody is confusing. I am coming to that...(*Interruptions*)

SHRI SOMNATH CHATTERJEE: Confusion is on that side.

SHRI B. SHANKARANAND: No. The confusion was created by the speech of the Prime Minister, the statement of the Prime Minister in Parliament on 27th August 1990. There is a serious feeling that this issue of reservation for the backward classes also has something to do with the reservation of the Scheduled Castes..... (*Interruptions*)

SHRI SOMNATH CHATTERJEE: What is the subject of the adjournment motion?...(*Interruptions*)

SHRI B. SHANKARANAND: It is creating confusion...(*Interruptions*) Can we not have saved the country from this confusion? Please do not add to it...(*Interruptions*)

SHRI SOMNATH CHATTERJEE: Confusion is on that side. There is no confusion on this side. (*Interruptions*)

SHRI B. SHANKARANAND: Confusion is whipping up the feeling...(*Interruptions*) Now this is for the Scheduled Castes of this country, not to be confused with the reservation of the backward classes. The Scheduled Castes people are not opposed to the reservation for the backward class people. The Congress Party is not opposed to the reservation for the backward classes. We are not at all against reservations. We are for reservation for these people... (*Interruption*)

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI HARI KISHORE SINGH): Nice to hear this clear statement from you.

SHRI B. SHANKARANAND: We are very much for the reservation for backward classes. We do not paint a picture of our party that we are opposed to it.

SHRI HARI KISHORE SINGH: We want you to say what is your stand...*(Interruptions)*

SHRI B. SHANKARANAND: Could we not have saved the lives of young boys?

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): In his three-hour speech your leader opposed it. We know that not all of you share his views, but that is a different matter...*(Interruptions)*

SHRI KHEMCHANDBHAI SOMABHAI CHAVDA (Patan): Yesterday, the leader of the Congress Party opposed the Mandal Commission. This has come out in *National Herald*.....*(Interruptions)*

MR. DEPUTY SPEAKER: Do not talk to each other. Mr. Shankaranand, may I request you to address the Chair; otherwise, you will get responses that side.

SHRI B. SHANKARANAND: I again emphatically say that we are not opposed to the reservation for the backward classes...*(Interruptions)*

SHRI HARI KISHORE SINGH: Your party or you? *(Interruption)*

SHRI B. SHANKARANAND: The start to the anti-reservation agitation came from the non-Congress ruled States and not from the Congress ruled States. The Janata Dal ruled States and BJP ruled States are opposed to the reservations. Congress is not opposed to the reservations. Can they deny this? Has your Prime Minister and your party guts to say anything to the Chief Ministers of Orissa and Gujarat.

AN HON. MEMBER: Jyoti Bosu?

SHRI B. SHANKARANAND: Jyoti Bosu is not under him. *(Interruption)*

[Translation]

MR. DEPUTY SPEAKER: This topic was scheduled to be taken up at 2 O'clock and should have been over by 6 O'clock but it could be started finally at 3 O'clock. Many Members are to speak on it. Shankaranandji has already spoken for 20 minutes and he will take some more time. As such if you all wish to speak on it, interruptions should be avoided. You can express your views later on... *(Interruptions)*.....

[English]

DR. BIPLAB DASGUPTA (Calcutta South): Is it not true that on 2nd October when a rally was organised against reservations, the student wing of the Congress Party took an active role in it and particularly NSUI activists had been active throughout the day during the demonstration? Can you deny this that the students wing of the Congress Party did in fact take part?...*(Interruptions)*

MR. DEPUTY SPEAKER: Please take your seat.

(Interruptions)

MR. DEPUTY SPEAKER: Please take your seat first. I am on my legs. This is not a Question-Answer Hour. You cannot ask the Question and you cannot expect the reply. Now, if you want to make any point you can make your point while you are speaking. Please do not consume the time of the House in this fashion because there are many other Members who want to speak. Please do help and cooperate.

(Interruptions)

MR. DEPUTY SPEAKER: Please sit down. By just getting up and talking to other Members, you are disturbing your own Member. Please realise this. You are not helping

your own Member. Please keep quiet. Please sit down.

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): Let him start speaking on his Adjournment Motion.

MR. DEPUTY SPEAKER: Mr. Shankaranand, may I again request you to please address the Chair only.

...(Interruptions)

SHRI B. SHANKARANAND: Mr. Speaker, Sir, I cannot afford to show disrespect to my friends on the other side..... (Interruptions).

Sir, who started the discussion? Who was responsible for the agitation of the students here? I do not think anybody except the Prime Minister? The decision he took on Mandal Commission reservations for the backward classes was so surprising that it was surprising to his own colleagues. Now, I have a copy of text of Shri Devi Lal's resignation letter with me... (Interruptions). He asked how... (Interruptions). The question is that the Prime Minister did not consult his own colleagues. BJP leaders were telling that they were not consulted and the leaders of the CPI and CPI(M) were telling that they were not consulted. We only said that this loss of life and property could have been saved had the Prime Minister taken everybody into confidence, had he tried to bring about a sort of consensus and then done the same thing. He has done the greatest loss to the backward classes, this is my challenge, because everyone in this country, the non-backwards, are looking with antagonistic eyes at the backward classes. The backward classes have lost sympathy from the forward classes. Whether in service or in educational institutions, their interests will be sacrificed. I am warning the leaders of the backward clas-

ses here that they are doing the greatest harm... (Interruptions).

SHRI P. M. SAYEED (Lakshadweep): Why don't you control him, Sir? You are looking only at this side. Whenever they are standing up and disturbing him, you do not say anything to them.

MR. DEPUTY SPEAKER: This is unfair and you will not dictate from your seat.

SHRI P. M. SAYEED: It is not dictation, Sir, but you should be fair.

MR. DEPUTY SPEAKER: No more of this kind. I have been asking the speaker just to address the Chair. If he is not addressing the Chair, I cannot help it.

SHRI SONTOSH MOHAN DEV (Tripura West): These are last two days of the Ninth Lok Sabha. Why are you getting angry, Sir?

SHRI B. SHANKARANAND: Sir, it is because of the style of the functioning of the Prime Minister that he has taken everybody by surprise and created such devastation in the country that everyone in this country is looking at each other with suspicion. The backward classes have lost sympathy of others. I am warning the backward classes' leaders and others that the backward classes have lost sympathy of others. The implementation needs sympathy from the others who are there to implement them. The Constitutional Rights are there but the implementation machinery is not there. You cannot implement them simply by writing in the book or by passing resolutions. You need the sympathy of the persons who are bound to implement them. The word 'backward classes' I should say, was deliberately introduced in articles 15 and 16 by the framers of the Constitution. There are about 3,000 castes. Can you provide these

[Sh. B. Shankaranand]

3,000 castes jobs in the Government? And what has the Prime Minister given to the backward classes? He is fooling the backward classes. He says: "27 per cent reservation for the 52 per cent backward classes only in Central Government jobs and in public undertakings". He says he has not said anything about the promotions. He says, the States are free to implement their own reservations. He says, he has not touched the educational institutions. Then what have you given to the backward classes? You have given the backward classes the anger of other people who are there to implement the reservations. That is what you have given. You have submitted the backward classes to the mercy of the forward class people who are there to implement the recommendations in every walk of life. Now you have no courage to tell your own Janata Dal ruled States where the schools are burning, the trains are burning, the buses are burning, the students are giving up their lives, are committing suicide. What have you given to the backward classes? And you say they have not understood what you want to say. The Prime Minister says they have not understood what he wants to say. He says, they need not worry about themselves because, after all, what has he given to these people. He says he has not given much to the backward classes, so, let the people not worry about that. On the other hand, he wants to keep the other people happy. He wants to keep the backward classes people happy by saying: "Look, I have given to you so much" and he also wants to keep the other people happy by saying: "I have not given anything to them, so, do not worry". This is what he is saying. This double talk has created more confusion in the country. I warn these backward classes Ministers that they are falling in a trap in the name of reservations. If this had been done with consensus,

sympathy and consultation, they would not have lost anything. Only to fight with Mr. Devi Lal you brought this with the intention of helping backward classes. That every one knows. And Mr. Devi Lal himself said that "this is how you have brought it." I have got a letter here. I will just read two lines of his letter. (*Interruptions*). Mr. Devi Lal has written a letter to Mr. Bommai and here he says:

"The announcement on the acceptance of the recommendations on August 7 was an abortive attempt to scuttle the chances of the success of August 9 rally at Boat Club."

This is what Mr. Devi Lal said. The supporting parties say that they were not consulted. I pity them, I sympathise with them. (*Interruptions*).

DR. SHAIENDRANATH SHRIVASTAVA (Patna): You say what you want to say, but not what others say. (*Interruptions*).

SHRI B. SHANKARANAND: I could have very well understood that if the Prime Minister had appointed a Scheduled Castes man and given him the whole portfolio. Giving a Social Welfare portfolio—this attracts sympathy. That is what he himself has done in the Government. Who is the backward Classes Minister who is given an important portfolio? Do you think we can close our eyes? Mr. Ram Vilas Paswan is very happy when he is with you, but he is very unhappy outside when he is with a Scheduled Castes man. He says, 'What can I do? I don't have any power.' These are the crocodile tears the Prime Minister is shedding for the backward classes. Let him not think that the weaker sections people are now not enlightened.

Sir, I do not want to say, but one thing definitely I want to say.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI HARI KISHORE SINGH): What is that you do not want to say, let us hear.

SHRI B. SHANKARANAND: The decision-making of the Prime Minister is what has led this country to such a devastating situation today. Now, Punjab is burning. There they require police forces. I am told that 50 companies have been withdrawn from Punjab and they are now sent for his security arrangements, for educational institutions, specially more in Delhi, and if I can say, some companies were sent for Rath Yatra arrangement there. This is what you are doing. You have neglected Punjab, you have neglected Kashmir, and you have set fire to the emotions of the backward classes where they have taken up cudgels against the so-called upper classes. Can you give sympathy and help the backward classes by dividing the population caste-wise? Harijans are asking this especially. Fortunately this did not happen as far as the Scheduled Castes reservations are concerned. But let not the Scheduled Castes Ministers in your Ministry, in your Government, be provoked. Let us not provoke the Scheduled Castes because the Scheduled Castes reservations are necessary. The reservations for Scheduled Castes and Scheduled Tribes are not at all disturbed. The Scheduled Castes and Scheduled Tribes need not be provoked as if their reservations are being affected, and that is how some Ministers are doing, trying to create confusion and that is how some students who belong to Scheduled Castes are also committing suicide. In Haryana the entire Scheduled Castes community, I am told, is in the grip of fear. This is because.... (*Interruptions*).

[*Translation*]

KUMARI MAYAWATI (Bijnor): You are defaming the Scheduled Caste community.....(*Interruptions*).....

[*English*]

SHRI B. SHANKARANAND: Mr. Deputy Speaker, Sir, the hon. Lady Member will not understand it and I sympathise with her.

[*Translation*]

KUMARI MAYAWATI: You should not say wrong things.....(*Interruptions*).... You should properly think before speaking. You are defaming the Scheduled Caste.....(*Interruptions*)

[*English*]

SHRI B. SHANKARANAND: We thought that the stay order given by the Supreme Court would give some relief, and it was meant to be a relief to the Prime Minister himself, I understand. But it did not happen because even after the stay order, the self-immolations and suicides are going on in the educational institutions. On October 2nd I was there at Rajghat and I saw the demonstrators who came in buses and trucks and trollies wielding big sticks in their hands as if they are going to attack some people. The Delhi people were so scared of them. Even the police did not do anything; what they did was, they deliberately did something. Only the Prime Minister should reply. There is a total collapse of the law and order machinery. Mr. Prime Minister, why is this happening? What have you done? Is it not because of your doing this is happening? Let him not indulge in this sort of power politics by trying to gain sympathy of the backward classes without doing anything for them. If he had implemented the other recommendations of the Mandal Commission, perhaps the people would have appreciated. He has just closed the doors of the educational institutions and he has not given any reservation in the educational institutions. The Mandal Commission also recommends financial assistance to the backward classes, but he has no plans for this.

THE PRIME MINISTER (SHRI VISHWANATH PRATAP SINGH): What is your position regarding this?

SHRI B. SHANKARANAND: We support it. We have done it in Congress-ruled States. There is no agitation in Karnataka; there is no agitation in Andhra Pradesh and there is no agitation in Tamil Nadu. Wherever we have done, the same thing the Prime Minister could have done in northern States and peacefully he would have helped the Backward Classes. We have done that; we have been doing that and we intend to do that. But you have done exactly the opposite. I want to ask one question to the Prime Minister. Will you ask the Chief Minister of Orissa to fall in your line? If that is the policy of your party, will you ask your own party ruled States to help the Backward Classes as it has been done in Karnataka, Andhra Pradesh and Tamil Nadu? (*Interruptions*) The States of Himachal Pradesh and Madhya Pradesh are out of reach for him and they do not listen to him. They are the back-seat drivers. They are sitting in the back and asking him to drive according to their desire. He has no power to touch them. This is what we know. He simply asked as to what we have done and what we will be doing. You know what we have done because till yesterday you were with us. Please do not behave as if you have not known anything because you were in Congress till yesterday. (*Interruptions*) Now, everyone is asking for his resignation. I thought he would have taken it very seriously and paved the way for smoother implementation of the Mandal Commission Report on reservations for the Backward Classes.

Sir, the Mandal Commission Report does contain many mistakes. It is not that one can fully implement it. But the Backward Classes do deserve reservations and for that we have to sit together and hammer out solutions which are acceptable to all of

us and then help the Backward Classes. Otherwise, you will be further plunging the country into turmoil.

SHRI VISHWANATH PRATAP SINGH: You said we have to sit regarding the Mandal Commission recommendations. We have sat for the last 10 years. (*Interruptions*).

[*Translation*]

SHRI R. N. RAKESH (Chail): Mr. Deputy Speaker, Sir, I am on a point of order. While discussing the Mandal Commission issue, the Prime Minister had told in this House when he was the Chief Minister of Uttar Pradesh, he was made the Chairman of the backward community on the recommendation of Smt. Indira Gandhi. He has misled this House since he opposed the report of the Commission while he was the Chief Minister and when Shri Shripat Mishra was the Chief Minister...(*Interruptions*).....

[*English*]

MR. DEPUTY SPEAKER: There is no point of order.

[*Translation*]

MR. DEPUTY SPEAKER: Please take your seat because Shankaranandji is speaking.

SHRI R. N. RAKESH: Secondly when Shri Shyam Sunder became the judge of.....

[*English*]

MR. DEPUTY SPEAKER: He is not yielding.

SHRI B. SHANKARANAND: I will say the last point and then conclude. Because of the Prime Minister's dismal failure to evolve even a semblance of national consensus, his apparent contempt for his senior colleagues, and also for the friendly

parties which are supporting him, his utter disregard for his advisers openly and otherwise, his deliberate intention to gain political mileage even by harming the backward classes, he has lost the legitimacy of ruling this country. May I demand that he should resign immediately and pave the way for a new leader? *(Interruptions).*

SHRI VISHWANATH PRATAP SINGH: May I ask the hon. Member, Shri Shankaranandji, may I quote his words that this action which the Government has taken, according to his opinion, has harmed the backward classes?

SHRI B. SHANKARANAND: The way he has taken the decision, the manner in which he is proceeding has definitely harmed the backward classes. *(Interruptions)*

SHRI VASANT SATHE: Now you can appoint only Mr. Sharad Yadav as the Prime Minister. Mr. Ram Vilas Paswan has gone. *(Interruptions).*

SHRI BHABANI SHANKAR HOTA (Sambalpur): You will never be made the Prime Minister of the Congress Party.

[Translation]

SHRI VASANT SATHE: I do not want to be *(Interruptions).*

[English]

SHRI INDRAJIT GUPTA: I want a clarification from you. We are in a little bit of difficulty or confusion. Are we expected to speak on the motion which was moved here by Mr. B. Shankaranand as read out by him, are we to speak on that—is that the subject—matter—or are we to speak on his speech which has nothing to do with the motion?

AN HON. MEMBER: That is up to you.

(Interruptions)

MR. DEPUTY SPEAKER: Allow me to say something. The time allotted for this adjournment—motion is 3 hours. The Congress was given 51 minutes out of which 41 minutes were being taken by Mr. Shankaranand. Janata Dal has only 38 minutes; BJP has 22 minutes; CPM has 8 minutes; CPI 4 minutes....

SHRI SONTOSH MOHAN DEV: What is the timing at your discretion?

MR. DEPUTY SPEAKER: I will take the decision when I have to use the discretion. I am bringing this to your notice because the mover had to say something and he was allowed time to speak. But rest of the Members from the Opposition parties may use their discretion keeping in mind the time which is allotted. Other Members also may bear this in mind while taking the time and making the points. Shri Samarendra Kundu will now speak.

SHRI SAMARENDRA KUNDU (Bilaspore): Mr. Deputy Speaker, with great interest I was watching my friend Shri B. Shankaranand who is fielded naturally by Shri Rajiv Gandhi to make a massive defence of their tottering case. The case is so bad and that too, the lawyer is a briefless lawyer. So, both added together, finally...

MR. DEPUTY SPEAKER: It is a compliment to the politicians!

SHRI SAMARENDRA KUNDU: Finally, he was so confused that he had to agree with the Prime Minister's suggestion. But he perhaps unwittingly fell into the trap that this Mandal Commission will not do good to the weaker sections, to the backward classes. This is exactly what the Congress-I is exposed. However, my dear friend Shri Vasant Sathe goes on fast. For what purpose? Is it fast for only having the discussion? No. Sometimes for long 40 years my friends in the Opposition wanted to completely obliterate the concessions which the

[Sh. Samarendra Kundu]

16.00 hrs.

Constitution has given under Article 340 and which Baba Saheb Ambedkar has given but this minority government—we do not make any fuss about it—had the courage and the determination to implement that.

It would have been in the fitness of things that if they swear in the name of Gandhi, if they really swear in the name of Jawaharlal Nehru, they should come out openly and supported it.

It is sickening that I have to tell them that your leader championed it. It is sickening for me to tell them that that is our commitment in the national freedom movement. The Constitution has not given it today nor is it that we have done it yesterday. It is our commitment in the national freedom movement. It slightly twisted the agreement with Gandhi and other people and slightly twisted the whole object of self-determination. The commitment made to the oppressed people was that when we get power we will give them a fair deal and we give them justice and we give them equality. Having said that, we have been betraying them years after years. Then came a situation when we took up courage and made clear the whole thing. Article 340 said that a Commission should identify the socially backward people. What the Commission has identified now? The essence of the identification of the Commission is that some castes in India are perpetually haves, are perpetually backward and are perpetually oppressed by the haves.

I fail to understand this basic thing. The Leader of the Party, my friend in the Opposition, and here Shri Shankaranand say that "We support. We support it and we support it."

Mr. Deputy Speaker, Sir, how much they are telling: "we support it." Nobody in the world, specifically nobody in India, the poor and the oppressed people of backward classes will believe them now. What did Shri Rajiv Gandhi say during the discussion? Shri Rajiv Gandhi is not here. I was shocked to hear his two interventions. He said that this would perpetuate casteism; the Janata Dal or the Prime Minister is perpetuating a caste war. This is what he said.... (*Interruptions*). You have agreed. If you do not know, open up and do some home-work and find it out. Please read some good books. It has been said that because of casteism the poor people belonging to the backward classes had been subjected to a lot of suffering, depredation both economically, socially and politically. This has been identified by the Mandal Commission. By giving some protection to these people do you think that the Prime Minister is whipping up a caste war? You are coming and supporting it. Then, Shri Rajiv Gandhi said another thing. I was also there at that time when this suggestion was made. Shri Rajiv Gandhi said that protection of Scheduled Castes and Scheduled Tribes was conceived before he came to politics. He is something different from his mother, from his dead father. Of course, he has the surname of Gandhi. Sometimes, he thinks that he is really the Mahatma Gandhi. But he must try to understand the reality. We have deviated far from the discussion. The discussion was about the suffering, about the people who are agitating and about our young boys, students who are self-immolating themselves. We are extremely sorry for it. They are misled. They are going in a different way. What can we do in this regard? This is a national problem. When we confront this national problem, we must jointly show our concern. I have reports that such students, such youth

have been brought and kerosene put on their bodies. (*Interruptions*).

SHRI KALP NATH RAI (Ghosi): Do not talk**...(*Interruptions*).

MR. DEPUTY SPEAKER: No. That word will not go on record. (*Interruptions*)

SHRI SAMARENDRA KUNDU: I am sorry to say that in this lawless action, the open hand of the Congress (I) Party was there. (*Interruptions*). It is not only that. I have the Press clippings. I do not want to take much of your time. The point is that the monopoly houses and Shri Rajiv Gandhi are together...(*Interruptions*). Mr. Palkhivala, who is representing the Tata House, says that the Mandal Commission Report will perpetuate casteism. You will find that on the theory of casteism, Shri Palkhivala and Shri Rajiv Gandhi go together. The money bag is also helping this agitation. Our friends in the Opposition would not agree. But I will read out the relevant portion. I will read a note. What happened in Bihar?

(*Interruptions*)

PROF. P. J. KURIEN (Mavelikara): Sir, he has made baseless allegations. (*Interruptions*)

SHRI SAMARENDRA KUNDU: I quote from a press clipping. It says:

"Official sources today claimed that a person whose coal dump licence had been cancelled, a mukhia who had been forced to surrender the earthquake relief money misappropriated by him and a contractor who had been caught using substandard materials had incited violence at Jhanjharpur because they had an axe to grind against the local sub-divisional officer."

Then again it is said:

"...a person caught in a bank dacoity case was leading the agitation in Patna, while a Congress-I MLA was reported to have sent two bus loads of people to Motipur to indulge in arson."

MR. DEPUTY SPEAKER: You cannot quote like this.

SHRI SAMARENDRA KUNDU: I have a clipping of the newspaper. (*Interruptions*)

SHRI SAMARENDRA KUNDU: Let us not take it casually. Some of our people also must be doing wrong. I do not deny that. Let them enjoy by what Shri Devi Lal says. (*Interruptions*). Do we have a national perspective or not? Do we have an approach or national consensus on such issues or not? We must go towards that direction and try to achieve it. If there is arson, if there is loot, if there is killing, will they join it? (*Interruptions*).

SHRI SAMARENDRA KUNDU: Till that time, you did not know what is happening. The earth under your feet is slipping. (*Interruptions*).

MR. DEPUTY SPEAKER: Please conclude. You have taken fifteen minutes.

SHRI SAMARENDRA KUNDU: Therefore, I make an appeal to give all your suggestions about how best you want to implement the recommendations of the Mandal Commission. (*Interruptions*).

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Deputy Speaker, Sir, we are discussing this issue when

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the situation has become very serious. The situation is explosive and sensitive. It will not be an exaggeration if I say that incidents of self immolation were heard in South India but in the post independence period cases of self immolation in North India have come into focus for the first time. As regards, the elements behind such acts, I shall talk about it later. But I am not prepared to accept that any political party is inciting these acts of self immolation which have claimed the lives of children in the age group of 18, 16 and 14 years. The Government has no proof that any political party is behind these acts of self immolation. I understand that they are immolating themselves because they have developed this pessimistic view in their minds that their future is totally dark. Sir, right from the beginning we have been reiterating that there should have been a discussion on this issue. So that a consensus may be arrived at. If that was done, perhaps the things would have been different... *(Interruptions)*...Mr. Deputy Speaker, Sir, they should first think before suppressing our voice that our party is an ally of the party in power.

There is definitely some thing wrong which has hurt the psyche of the youth and that is why they are taking such drastic steps. Now it is necessary to find out the ways as to how these youths can be made understand, so that they may withdraw their agitation. It is the duty of a democratic country to provide special facilities for the backward classes. We have demanded it. Sir, like Congress this is not the first time but right from the beginning we are pursuing the same policy. After a very careful consideration, Bharatiya Janata Party has formulated the Reservation Policy and incorporated it in its manifesto. At that time, the leaders of the Congress Party has said that they had mentioned it in their manifesto. I would like to urge upon them if it is so, the Con-

gress should prove it by producing its manifesto in the House.

Mr. Deputy Speaker, Sir, I shall read it out from the manifesto of Bharatiya Janata Party:

“Reservation Policy—in the opinion of the Bharatiya Janata Party, there must be an unbiased discussion with an open mind on the reservation issue. The Party proposes the following three recommendations for this purpose:—

1. The reservation for the Scheduled Castes and the Scheduled Tribes should be continued as usual.
2. In brief, the reservation for the other backward classes also on the basis of the Mandal Commission Report should be provided but priority should be given to the most backward people among them.
3. Since poverty is an important factor for the backwardness, the reservation for the other castes also on the basis of their economic conditions should be provided.” *(Interruptions)*.

I want to make it clear that nobody will object to the economic based reservation, but if it is done on the basis of religion it would not give good result. If the Government would have consulted its ally parties, some amicable solution of this issue could have been found. For example Karpoori Thakur formula could have been adopted. Shri Karpoori Thakur was one of the greatest leaders of the backward classes. When he was Chief Minister of Bihar he prepared a formula. He was of the opinion that priority should be given to the most backward classes among the other backward classes in Bihar. He implemented this formula by giving job-reservation about 8 per cent to the backward classes, 12 per cent to the most backward classes, 14 per cent to

the Scheduled Castes, 10 per cent to the Scheduled Tribes, 3 per cent to the women and 3 per cent to the economically backward classes.

On this basis, a consensus could have been arrived at on this issue. *(Interruptions)*. My party leaders suggested that the issue should be deferred for some time. I do not want to go into the old history. *(Interruptions)*. In such a critical situation one can neither support it nor oppose it. At this moment it is very difficult to choose one way between the two. But there is a mid-way also between the aforesaid two ways. So, in the present circumstances, instead of choosing either way we will have to adopt a mid-way to defend our country from being it disintegrated and disunited over this issue.

Secondly, I would like to comment on the way the agitation was conducted. Even I may name those very persons who took liberty from this agitation. In the beginning, of course, the agitation was purely of frustrated students but afterwards the way the Congress for its political benefit.....*(Interruptions)* I and Shri Advaniji were the first to see a youth in the hospital and what happened with us. The same incident would not have taken place with Shri K. K. Tiwari or other M.Ps. of the Congress whatever happened with us there. As far as the incident of tearing our clothes by agitated youths who were present there is concerned, can be taken as their act of frustration but the incident of breaking my gold-chain from my neck clearly shows that there were some professionals behind the scene.

(Interruptions)

In Delhi the B.J.P. only is made target and we only are asked by them to withdraw our support from the Government. They do not ask the other supporting parties i.e. the C.P.I. and the C.P.M. to withdraw their

support. They gherao and demonstrate against B.J.P. only because in Delhi the Congress has real tussel with B.J.P. only, not with the C.P.I. and the C.P.M. I am not in favour of such demonstrations against one another in the offices. If it is so.....*(Interruptions)*

THE MINISTER OF FINANCE
 (PROF. MADHU DANDAVATE):
 against C.P.M. in Calcutta.

SHRI PRAKASH KOKO
 BRAHMBHATT (Baroda): And
 against us in Baroda. *(Interruptions)*

SHRI MADAN DAL KHURANA: Had there been only the innocent students behind all this, they would have demonstrated against all the supporting parties but their constant aiming at B.J.P. only clearly shows.....*(Interruptions)*. It is clearly against the ethics. I want to say that they will not be able to win us by playing such games. We have faced you earlier and we will do so further as well. If you have courage, you should come out to face elections in Delhi.

Mr. Deputy Speaker, Sir, an inquiry should be conducted in regard to inflammatory speech delivered by Shri Tikait on 2 October in Delhi.

At last I want to say two things. Firstly, all the violent incidents especially occurred on the 2nd October should be enquired into by a Supreme Court Judge. Secondly, I request the Government to use this stay-period in creating a peaceful atmosphere for calling a Round Table Conference in which the students, youths, vice-chancellors and members of different political parties may participate. I request that the Prime Minister should have direct conversation with them and I hope that the direct talks with the agitating students will certainly make some way in order to solve this problem. They are not the foreigners

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they are our own children. Taking full advantage from this golden opportunity provided by the Supreme Court's stay order, you should find some way to solve this problem. As I have already stated that the mid-way is the only alternative to solve the problem. Now I conclude my submission. (*Interruptions*)

[*English*]

SHRI SHIKIHO SEMA (Nagaland): Sir, I would like to know what is the BJP's official stand today on this? They should express it now. (*Interruptions*)

[*Translation*]

SHRI VISHWANATH PRATAP SINGH: Sir, the Government favours the suggestion given by Shri Khurana regarding holding a meeting of the youth, Vice-Chancellors, Social-workers and different parties. We shall implement it very soon. It is correct that all of us should feel our responsibility towards the youths. We cannot ignore our younger generation.

[*English*]

SHRI SOMNATH CHATTERJEE (Bolpur): Mr. Deputy Speaker, Sir, I welcome the Prime Minister's statement, made just now, that the Government is eager and will start dialogue with students, teachers, Vice-Chancellors and others concerned to find a way out of the present difficulties that have been faced by the country in the context of the Mandal Commission recommendations.

Sir, I was waiting to hear Mr. Shankaranand's observations about the subject matter of the Adjournment Motion. But he scrupulously avoided that. Probably he had no control. Naturally he had no control over his leader who had subjected us to a three-hour rigmarole the other day and Mr. Shankaranand has taken the

first opportunity of repudiating his leader and expressing his full-throated approval for the Mandal Commission's recommendations. That is why he had to avoid the subject-matter of the adjournment motion.

It is a matter of great anguish and sorrow for us and for everybody, I am sure, in view of the incidents that are taking place. Our young boys are self-immolating themselves. Incidents like that are happening. It seems now even anti-socials are taking advantage of an agitation which had been started by the students. Almost criminalisation of this so-called movement is taking place. And what happened on the 2nd of October in the capital of India should be an eye-opener to everybody. I earnestly appeal to the students and those who are connected with their movement that they should understand and realise how a movement which they had started—may be rightly or wrongly—is being high-jacked by anti-social elements and criminal elements. Today, a completely different direction is being given. We wonder how openly in the capital of this country somebody could say: "Gherao the MPs and MLAs who are supporting the Mandal Commission's recommendations. Douse them with kerosene and burn them alive." (*Interruptions*) This is how passions are being sought to be roused deliberately.

So far as my party is concerned, we have supported the recommendations of the Mandal Commission. We have supported the Prime Minister's announcement. (*Interruptions*)

SHRI VAKKOM PURUSHOTHAMAN (Alleppey): Why have you not implemented in West Bengal? (*Interruptions*)

SHRI SOMNATH CHATTERJEE: Sir, the Congress Government sat over the report for ten years although the Mandal Commission's recommendations were discussed twice on the floor of the House. No step was

taken by the then Congress Government although assurances had been given by the then Home Ministers that they are looking into it and some action would be taken, (*Interruptions*). We have also expressed some reservations that we have in this regard. We have said, we would have preferred a prior discussion and dialogue in greater detail so that a more acceptable solution could have been found out, so that the interested and designing parties would not have taken advantage of this. Today, it is very clear as to who took part on the 2nd October in these disturbances. (*Interruptions*). Did the students' wing of the Congress Party take part or not? (*Interruptions*).

SHRI SONTOSH MOHAN DEV (Tripura West): It is a white lie. (*Interruptions*).

SHRI SOMNATH CHATTERJEE: I hope, Sir, the role of these people who are indulging in double standards—the Congress Party, who are indulging in double standards—will be thoroughly exposed by a proper inquiry that should be held into the incidents of 2nd October, 1990. (*Interruptions*).

PROF. P. J. KURIEN (Mavelikara): Sir, the Congress Party have never advocated violence. (*Interruptions*). We are always against violence. (*Interruptions*). We never took to violence. (*Interruptions*). It is the Marxists who indulge in violence. (*Interruptions*).

SHRI MADAN LAL KHURANA: Who is Kartar Singh? (*Interruptions*)

[*Translation*]

SHRI HARISH RAWAT (Almora): Mr. Deputy Speaker, Sir, the one-fourth of the members of the student forum of the Mandal Commission belong to the Communist Party of India and the C.P.M.....(*Interruptions*)...

SHRI DAU DAYAL JOSHI (Kota): The members of N.S.U.I. took a decision of committing self-immolation. Would the Congress (I) men be pleased to state as to which party this N.S.U.I. belongs to? Everyone knows that the N.S.U.I. is the National Student Organisation of the Congress Party. They have tried to commit suicide through self-immolating. They made a declaration of self-immolation.....(*Interruptions*)...

[*English*]

MR. DEPUTY SPEAKER: Please sit down.

(*Interruptions*)

SHRI SOMNATH CHATTERJEE: Sir, if the inquiry finds that they are not responsible, they would be exonerated. Why are they worried? I don't know as to why are they afraid of facing an inquiry. (*Interruptions*).

SHRI SONTOSH MOHAN DEV: We are not afraid. You become the Chairman of that Inquiry Committee. (*Interruptions*).

SHRI SOMNATH CHATTERJEE: I am sure that every section of the House is deeply concerned about this matter. We are really hurt when the life of any student or anybody in this country is lost in the manner that is being done. Naturally, we are very very unhappy and these days, we are in deep anguish. But I would like to know as to whether the students for whom we have the greatest affection, have really ascertained the scope of the Mandal Commission Report and its recommendations or not. I do not know whether even the parents are aware of this or not. I cannot but observe Sir that in this case, the role would have been very usefully played by the media to inform the people of this country to give the picture of both the sides as to what

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are the recommendations and objections and thus the people could have had a more objective look at the recommendations and could have decided for themselves. I do not know how the passions of a 12 year old boy can be roused to such an extent that he is threatening to commit self-immolation. I find photographs which came out in the newspapers where little boys, school-going children of eight to ten years, deflating the tyres of the buses. What do they realise of the Mandal Commission and its implications unless they have been utilised by some people? I am very sorry to say that but I cannot help observing that. What are the parents, teachers and guardians doing? We do not find anybody trying to counsel patience and to have a talk, dialogue and discussion. We have appealed on the Floor of the House on behalf of our party and others have also done that. We have appealed to the students and the Government to hold dialogues and discussions and nothing can be achieved by confrontation alone and there is nothing that cannot be achieved proper dialogue and discussion. Therefore, Sir, we appeal to the Government and everybody, particularly the students, to be aware of the agent provocateurs. We have to consider this aspect seriously. The country is as much as yours as anybody else's. Therefore, the students, who should take an objective approach to this matter, should respond to the Prime Minister's commitment of today to hold discussions and negotiations. Now, the Supreme Court has passed the stay order and at the moment, until the Supreme Court allows it finally, nothing can be implemented except the identification of the backward classes and listing them. This is the opportune moment when proper discussion, without pre-condition and with an open mind, could be held but certain basic postulates have to be accepted. I have no doubt about that. There are disparities among the people of this country.

There are differences among the people of this country. Only a handful of the people are enjoying in this country. Thanks to the policies and programmes of the Congress Government over the last forty years, they have monopolised all the advantages in this country. That is why a handful of the people have today amassed huge wealth and a large number of people are still below the poverty line. Still seventy-five per cent of our women are illiterates in this country. Don't you feel ashamed? You have been holding power for all these years. You have had so many Plans under you. Don't you, the Congress Party, feel ashamed that after forty years of your uninterrupted rule of this country, this is the position now? Four crores of educated persons in this country are on the registers of the Employment Exchanges. This is the situation. In view of this, we have supported this.

Although the Constitution speaks of a socially and educationally backward classes, we have found that this is the hard reality of this country that certain sections of the people, may be belonging to particular castes, have been at the receiving end for all these years, nearly for forty-four years after independence. They are being discriminated. Even in Class I Central Services, their representation is only to the extent of 4.5 per cent. Why in this country are there reservations for scheduled castes and scheduled tribes? Why the Constitution makers, the founding fathers of our Constitution felt that it was necessary to provide for reservation for scheduled castes and scheduled tribes. It was because it was felt that without some help, without additional advantages and benefit, it was difficult for them to come up; they have been kept suppressed for years together, for ages together. There are other people who are suffering under serious disadvantages. What was contemplated should have been sufficient namely a period of ten years to do away with the re-

reservation of the scheduled castes and scheduled tribes, but thanks to the policies and programmes of the Congress Party, it has been continued for forty years. Why have they not been able to come up? Why are the reservations still required for scheduled castes and scheduled tribes? In our country it cannot be denied that there are differences, there are disparities, there are disadvantages for a majority of the people. There is no denying of the fact, as I said while taking part in the debate on the Mandal Commission Report, that the Congress Party believed in reservation for the monopolists, reservation for the black-marketeers, reservation for the rich section of the community and also they practised and followed it and such people had all the benefits during their regime for forty years.

I do not wish to go away from the subject of this adjournment motion. It is important that there should be peace. We should appeal unanimously from this House to everybody in this country that there should be peace and there should not be any agitation, violent agitation at least. Everybody has a right to hold agitation, but they should not indulge in violence. This type of heart-rending things should not happen. Our guardians, teachers and everybody have a special responsibility and the social welfare organizations have a special responsibility. They should advise counsel on everybody, specially when the matter cannot be implemented because of the Supreme Court order. This is a period which should be utilized for well-meaning dialogue and discussions. I am sure with goodwill on the side of all, and specially the Prime Minister's announcement today, a solution can be found out of this, which should be acceptable to the largest number of people in spite of the provocation given by the Congress Party.

SHRI INDRAJIT GUPTA (Midnapore): Mr. Deputy Speaker, Sir, you

have allotted my party four minutes time. I am still not clear as to what I am to speak on, whether it is Mr. Shankaranand's motion, or the speech that he made here, or the speech which his leader made here for three hours not so long ago.....(*Interruptions*). Naturally, I will decide. You are not going to decide what I will speak.

Mr. Shankaranand's motion, Sir, is concerned with the events of the last few weeks. Now, here once again I find him digressing into the merits and de-merits of the Mandal Commission Reservation recommendation which we have already debated more than once in this House and I do not propose to get digressed into that subject again. If you want to have another fullfledged discussion on the Mandal Commission, let us have it by ourselves. But that is not the purpose, I took it, of Mr. Shankaranand's motion which I totally oppose because in that motion he has referred to certain incidents, certain disturbances and certain what he called break down of law and order and break down of administration and all that. Though he spoke very little about that. His motion does not say what was responsible for that and now in his speech he says that caste has been set against caste by the Government's announcement and that is responsible for all this trouble that has taken place. As though before this declaration of the Government we were living in a caste free society. No caste prejudices were there; no caste discrimination was there; no oppression of one caste or injustice to one caste by other was there and it all started with this historical decision of the Government. This we are expected to swallow living in the society in this country where for the last three thousand years we have known nothing but the caste system.

I don't want to repeat as to what has happened which has led to this unfortunate state of affairs. But, it is

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really agonising to find these young boys and girls going to the limit of taking their own lives for what I don't know. I am quite sure that the overwhelming majority of these young boys and girls do not know what is actually contained either in the Mandal Commission recommendation or in the Government's decision or for that matter in certain articles of the Constitution. If we could sit and talk to them in a peaceful atmosphere we would know how much they have actually been able to understand; what are the implications of this decision and declaration. Nobody has tried to educate them. My main criticism against the Government is that during this period—after they took the decision, the decision which my party whole-heartedly welcomed—they should have used all the means at their disposal, the media, the Press, the Radio, the T.V. Every day they should have tried to explain in detail to the people of the country what exactly is meant by this decision; how much is in it and how much is not in it; what is really there and what is being imagined. It was not done, and that has helped I think in a way to play into the hands of those people who wanted to mislead, instigate and incite these young people. These young people started agitating thinking that something has happened which was actually not there.

Mr. Shankaranand says that actually the Prime Minister has given nothing to the backward classes. Then, if nothing has been given to them, why all this hullabaloo and why all this pandemonium by the upper class people? If nothing has been given then why all this commotion has taken place? Crores and crores of public property has been destroyed. Whole rakes of railway trains have been destroyed. Whole rakes not one or two carriages—have been burnt. I don't think that these young boys and girls have done it. Somebody else has done it.

So, Sir, I also feel that principally only one item of Mandal Commission recommendation has been accepted and announced by the Government, and that has led to so much loss of life; so much loss of property. It has created so much frenzy. He says that because of this decision, the backward classes have lost the sympathy of the people. Was there much sympathy before that? Who had sympathy for them? The upper class people who were enjoying all the unspoken, unwritten, undeclared reservation in their own favours all these years had any sympathy for them that I want to know. What sympathy did they have? But one thing only has been accepted and that is that in the Central Government jobs, Central Government services, including the Central Public Sector, there this 27 per cent reservation for the backward classes has been ensured. It is not as though, the whole world has suddenly collapsed, as though all the boys and girls are only to get jobs in the Central Government services. Is it possible in our country? Is it feasible? How many Central Government jobs are vacant every year? I want to know this. Let some data be collected. Let some responsible agency collect the proper data, figures and everything and educate people on that basis. People are behaving as though everybody would have got a Central Government job but for this thing that this wicked Government has done. How many people get jobs in the Central Services now-a-days where recruitment is also stopped for the last four or five years? In Class I and Class II jobs, how many people get jobs every year or can get jobs? But the whole dimension of the thing has been blown out of proportion. The State Government administrative services are not covered. They have got their own formula for reservation and it has been going on for years together. Even from the British days in some cases it is going on. In the case of Kerala and all these places, this reservation policy is going on for long be-

fore even independence. So, they are not affected. The educational institutions have been left out. All the boys who are thinking of engineering colleges and medical colleges, probably still think that now they won't be able to get admissions to these colleges because of the policy declared by the Government. But it is not a fact. They have been excluded. The armed forces have been excluded. All science, technology, nuclear energy, atomic energy institutions have all been excluded. Promotions have been excluded. In that sense, if Mr. Shankaranand wants to say that the Mandal Commission's recommendations should have been accepted and implemented in toto then only he will feel that the backward classes have got justice...

AN HON. MEMBER: We want that.

SHRI INDRAJIT GUPTA. You want that. With this little thing, you have burnt so many trains and buses.....

SHRI SONTOSH MOHAN DEV: Who have done that? You have done that. What is this? How can he say that we have burnt them? He has to prove that. A senior Member like him is saying that "We have burnt them". Let him prove it. This is very bad. You are making a mockery of Parliament. Sir, they are killing people in West Bengal. How can he say that we are party to it? (*Interruptions*)

SHRI INDRAJIT GUPTA: There is a way of talking. When you say that you have done it, it does not mean 'him'. (*Interruptions*)

SHRI SONTOSH MOHAN DEV: He meant our party. These are the parties which kill people. (*Interruptions*)

PROF. P. J. KURIEN: Mr. Indrajit Gupta, our party has not done it.

SHRI SONTOSH MOHAN DEV: They wanted to kill Ms. Mamata

Banerjee. Their goondas have beaten Ms. Mamata Banerjee. At that time, he did not say anything. It all happened in public. They have no right to say so.

(*Interruptions*)

MR. DEPUTY SPEAKER: Let us understand that the Members have been expressing their views on the floor of the House. If other Members do not agree or if other Members do not feel that what they are saying is not correct, then in their speeches, they can certainly oppose it.

(*Interruptions*)

SHRI SONTOSH MOHAN DEV: There is a limit for sycophancy by that party. (*Interruptions*)

SHRI INDRAJIT GUPTA: I have got only four minutes. Please sit down. (*Interruptions*) I am not yielding. (*Interruptions*)

PRF. P. J. KURIEN: Allegations should not be made without prior permission. (*Interruptions*)

SHRI SONTOSH MOHAN DEV: Not a single speaker here has condemned the Delhi Police. (*Interruptions*)

MR. DEPUTY SPEAKER: Some of you can do that now.

(*Interruptions*)

SHRI INDRAJIT GUPTA: We are not discussing Tripura here. I can assure you that I am not going to get provoked by Mr. Sontosh Mohan Dev. (*Interruptions*). There is a time-honoured convention in this House that names—Sir, I want you to hear this—that people who are not present in the House should not be named, or should not be accused...(*Interruptions*) Therefore, I am not mentioning names. I could mention names. There are lists of names with us, of

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people who were seen actively on the streets instigating these boys and girls...

SHRI SONTOSH MOHAN DEV: What is your Police doing? Why not arrest them?

SHRI INDRAJIT GUPTA: I mean people who were distributing money, who were distributing food, who were sending lunch packets, preparing lunch packets—shall I name those people—I do not want to break that convention—people who have printed posters, who have printed stickers for putting on the windshields of the motor car saying: 'Don't blame me; I did not vote for V.P. Singh'. Were all these things being printed by these poor students, boys and girls? (*Interruptions*) We know who did all this. I can mention those names, but I will not mention them. (*Interruptions*)

SHRI ANBARASU ERA: It is BJP; your own people.

SHRI INDRAJIT GUPTA: I am not mentioning any party. It may be BJP; it may be you. (*Interruptions*) All I am saying is that all this rumpus that took place, as we said, was unfortunate. Buses can be replaced, and trains can also be replaced, though at a very big cost to the economy. But those lives cannot be replaced, lives of these young boys and girls, youngsters who have committed suicide in one form or the other. I am reminded only of that time in Tamil Nadu some years ago when there was a big agitation against Hindi (*Interruptions*) and a number of people burnt themselves, immolated themselves. In some other countries, we learn of Buddhist monks pouring petrol on themselves and burning themselves for some protest that they wanted to raise. It is for the first time in our country that we have seen this phenomenon, and I understand very well that any boy who cold-bloodedly can pour petrol on himself and set on fire, must

be suffering from some tremendous emotional provocation. Otherwise he cannot do it, he cannot do a thing like that. It means that actually, they have not understood, or they have deliberately been misled, what is actually meant by the decision the Government has taken, which Mr. Shankaranand has summed up very beautifully, by saying that he has given nothing; nothing has been given to the backward classes. Then why all this pandemonium? (*Interruptions*) Why did you not go and explain that actually, nothing has been given; that they should not get agitated and excited because V.P. Singh is a big fraud, and he has given nothing to them? (*Interruptions*)

So, actually the thing is not that. After so many years, these backward classes people—although it is a small step forward—feel that at last some justice is going to be done to them, and they are going to have some share, however small, in the Administration.

And that is why the other side is so angry because they do not want this to happen. Let me tell my friends that the people of backward classes have begun to ask: are we not Indians? Do we not belong to this country? Are we not part of the Indian people that some concessions are made for us after so many years and immediately this violence is created by burning of buses, burning of trains, looting of shops, shooting and all kinds of things. Why? Are we not part of this country? Are we not entitled also to get some concessions? Are we not entitled to feel that our own people will have a share in the administration? Is it such a big crime we have committed that everybody should come down on us like this? Please be patient; please be reasonable.

Even on the 3rd of September when the first all-party meeting was called and held upstairs here in this building, on that day, everybody said, and

the Prime Minister said and all the leaders of all the parties advised that a dialogue should be started with the students. But whom to talk to? Who is the leader? It is a leaderless movement; a movement which has no identifiable leader, a disorganised movement. Who should be called? Who should be talked to? And then they took a stand through a statement issued in the Press that they were not going to talk at all until this Mandal Commission's decision was withdrawn. It means that the Prime Minister must resign; it means that the Prime Minister should go; it means that the policy decision which he has taken must also go. I know that was the game. So, we can never accept that position. (*Interruptions*) But that does not mean that he must resign and this policy must be withdrawn. Unnecessarily, futilely so much damage has been done. And the climax of the whole thing is, as others have said, that it was going to be a bit longer. Suppose the Supreme Court stay order had not come. They say that it has saved the Prime Minister. Suppose it had not come. We saw on the 2nd October what was going to happen to this movement. It would have been continued for a few days more. Suppose no stay order had come. The agitation would have gone on.

AN HON. MEMBER: It is still going on.

SHRI INDRAJIT GUPTA: But now it cannot go on in the old way. You saw what had happened on the 2nd October. A movement like this which has no clear idea what they were fighting for, who do not understand what has actually been done, who have no leadership, would have gone into the hands of these people. I do not know who were they. There may be anybody. I do not know who came to Delhi, looted the shops of small shopkeepers who were selling eatables, broke so many windowpanes, panes of houses and vehicles and all

that and set fire even to the water tanker which was sent to the Boat Club to provide them with water; they also extorted money from people. If this movement had gone on for a few days more, I do not know where it would have taken us. It is utter vandalism and criminal behaviour and nothing else. I want that the students should demarcate themselves from this kind of hooliganism. We do not want the students and the youths to fall into the hands of these types of people. Therefore, we appeal to them—we are extremely sorry for what has happened; really we are anguished by these acts of self-immolation—we appeal to the young boys and girls to give up this path. This is not going to solve any problem. Ultimately, if you want to solve this problem, how reservations are to be done and all that, you have to sit down across the table and talk to each other in a civilized way. You cannot go on like this. Therefore, I do hope that the whole atmosphere will now calm down and everybody will cooperate in contributing to that, exerting all their efforts to see that passions are cooled down. The real situation should be explained patiently to everybody. We sit down and talk. There is a plenty of scope for talking, of course, about the modalities. What is that we are complaining: that we have not been consulted; about what? About the policy? About the principle? Not that at all. We said I still feel, that we should have been consulted about the detailed modalities and the procedure with regard to its implementation. But, anyway, the Prime Minister has his own reasons. He said, there is no need for consultation because this is the same thing which has been announced several times. I would have preferred if he had made this announcement after the 30th of October, 1990. You cannot take so many things on to your plate and try to digest all of the simultaneously. There is something going on there. Every day news of new communal outbreaks is coming.

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It has happened in Ghazipur, it happened in Gonda, it happened in Udaipur, it happened in Pali, it happened in Baroda in Gujarat and it was going to take place in Mahem in Bombay. Somehow it was prevented. Now, every day this will go on, leading up to some climax on the 30th of October. It is a major crisis for the whole country. And at the same time we have to handle that and we handle this also.

I would have preferred it—with all due respect to the Prime Minister—if it has been possible to deal with these problems one at a time, not try to deal with all of them together, specially in a country like ours. I am leaving out of this Kashmir and Punjab and all these things. They are always there.

So, Sir, I would request Mr. Shankaranand to ponder over his Motion and not to insist or press it or anything. It will be defeated in any case, but it is better that he realises that it is a mis-directed Motion altogether. He tries to chide the real point. He says only the superficial things, how many buses were burnt, how many lives were lost, how many bullets were fired—all deplorable things, I agree. But these are the only outward symptoms of something that was happening inside the minds of the people. And those things were misguided, uninformed, ill-informed, out of ignorance people doing things which they imagined, with no reality at all. And it is the duty of all of us. We call ourselves Members of Parliament, we are Members of Parliament; surely it is our job to explain to the people what is the real position and not to do things which only lead them on to more higher levels of frenzy and which is not going to solve any problem.

Therefore, Sir, I do not think that there is any place here at all for Mr. Shankaranand's Motion. It is a totally misdirected thing and either he

should withdraw it or the House will reject it. There is no other way out.

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

SHRI KAMAL NATH (Chhindwara): Mr. Deputy Speaker, Sir, I have heard with rapt attention Mr. Khurana's speech, Mr. Kundu's speech, honourable Mr. Somnath Chatterjee's speech and Shri Indrajit Gupta's speech.

What is the spectacle we are seeing in the whole country? Sir, what is the spectacle we are seeing in the country across our national landscape? In the last three weeks we have seen immolations, we have seen deaths by police firing, we have seen schools, colleges and roads closed, we have seen Punjab and Kashmir burning, we have seen the North-East in turmoil and now we are seeing communal flare-up as just mentioned by Shri Indrajit Gupta in Gonda, and in Udaipur. This is the spectacle we are seeing in the country.

SHRI INDRAJIT GUPTA: We have seen it earlier also.

SHRI KAMAL NATH: This Motion which has been brought about by Shri Shankaranand, reflects and echoes the voice of the people and their anguish. There is a volcano which is going to burst and if we do not realise this, this volcano will burst and smash to smithereens the policies of this Government.

We must remember—and at the onset I would like to make it very clear—that we are supporting the reservations for the backward classes. There should be no confusion on this. It appears that there is some misgiving in the minds of the ruling party on this.

SHRI VISHWANATH PRATAP SINGH: Yes, yes, there is.

SHRI KAMAL NATH: It is beyond their comprehension of what has been said. We do not blame them because many things are beyond their comprehension. What we are opposed to is the manner in which this was brought about. Ever since the Prime Minister announced this on the 7th of August, there has been stammering, frothing, jumbling and juggling whenever he meets different cross-sections of the people. This has been his problem and the Prime Minister did this as a populist measure. For us it is the concern of the backward classes. It is a genuine concern, it is not a populist measure. It has been the policy of the Congress Party for the last forty years and I will remind the Prime Minister just now what he himself has said.

17.00 hrs.

Sir, the reservation for backward classes has been the policy of the Congress Government, of the Congress Party for the last forty years. There is nothing new in it. In Southern States, it was brought about by the Congress Party. But we are opposed to the method and the manner in which it was done on 7th of August. This has caused, as Shri Shankaranand has said, a caste-war in the country. We have to look back on the events that took place which led to the 7th August. What was the need and necessity of such haste. When this Prime Minister's Government is surviving with BJP, CPI and CPI-M yet there was no consultation with them. Forget the Congress Party, there was no consultations with them. The Prime Minister is now trying to be the champion of the backward classes. For many years, he tried to be the champion of the Congress Party also. I will just draw the attention of this House to what he had said, not very long ago. The Prime Minister, when he was in the Congress Party, said: "I am proud of my Party. Is there any other Party in the whole world

which has such a glorious history?" These remarks were made by him when he was the champion of the Congress Party, Sir. Now, he is trying to be the champion of the backward classes. It is the Congress Party which has been the champion of the backward classes. And now no matter which hat Mr. V. P. Singh tries to wear, be it the Janata Dal, he cannot be the champion of the backward classes.

Sir, this motion talks about the inaptitude of the Prime Minister, really in essence it talks about that. The events which led to the sad state of affairs of the country are because of his inaptitude. Can we really expect anything from him?..... (Interruptions). Can we really expect anything from the leader of the House, the leader of the Ruling Party, who has on various occasions made various statements? When he resigned as Defence Minister, he said: "I will never contest any elections." Then he said, "I will never contest for an elected post." Then he said, "I will not be Prime Minister and I shall be a disaster." In his first Press conference, when he was asked this question, he said: "That is a danger or a risk this country has got to take." Now we are being subjected to that danger and to that risk. He had prophesied that he will be a disaster. He has already been a disaster.....(Interruptions).

We have to ask ourselves as to why this situation has come about in the country. Mr. Samarendra Kundu, who spoke first on this, did not mention anything about Orissa. What is the stand of his own party, which is the ruling party there, on reservation for backward classes in Orissa? He has the guts to say that immolation is instigated and somebody came and poured petrol or kerosene on the students. This is an insult, I think, to the sentiments of those who tried to immolate themselves out of misguided emotional direction. Mr. Samarendra

[Sh. Kamal Nath]

Kundu, Mr. Khurana and Mr. Somnath Chatterjee talked about the Congress hand on the 2nd of October incident. Sir, the Delhi Police has said that armed people were brought in from Haryana. Which is the ruling party in Haryana? There are photographs in the newspapers..... (Interruptions). Which is the ruling party in Haryana? And the Congress is charged with this. Wherever anything is going wrong in the country it is the Congress hand that they can only see. That is true because they will see the Congress hand only in the next election.

Mr. Khurana-- unfortunately he is not here--has talked of Congress instigation in his own constituency. Let us not forget that there are only two Congress MPs from Delhi. The rest are MPs from BJP. He is aspiring to be the Chief Minister of Delhi. But that is a different story. But when he goes to his own constituency, a constituency which he claims to be the champion of and where he proclaims all the people are with him, then he talks of a contest in the maidan. We will see him in the maidan and see what he is doing in the maidan. This time his shirt was pulled out. Next time, his pant will be pulled down.

This charge which is made consistently on the Congress is minimising the current situation. It is an attempt to deflect us from the situation which is prevailing outside.

We talk of the manner in which it was implemented. We also talk that the students can be misguided. But the Government had the media with them. But first the Prime Minister took the stand that he would not talk to anybody. Immediately on announcement, it could have been anticipated that there would be some misgivings and people would be misguided. The media could have played a very constructive role on it. The

Prime Minister could have immediately opened a dialogue on the 9th of August itself or a week later. It was only when the situation went out of hand, when emotions were surcharged, when the people were on the streets, when self-immolations were taking place, that he decided to invite the students for talks and they refused. After firing, what role did the Government media play in this? For the first fortnight there was no role. The Government media has a major role to play in this over the radio and television by telling the students that they are being misguided and that their apprehensions are incorrect. So this was total failure of the Government. Now when the situation has gone out of hand, the Prime Minister has chosen to talk to the students. Rather he deputed the President of his Party. He devised a nice buffer and everything is referred to the President of the Party. So this unfortunate trend has come about and now the country is faced in a very major and serious problem concerning the youth of the country.

I would not like to take much of your time. But I would just like to draw the attention to what Mr. Somnath Chatterjee and Mr. Indrajit Gupta have said. Both of them are very senior parliamentarians. I myself have seen them here for the last 11 years. But ever since, I think, the Prime Minister has been inviting them for dinner, they have been losing their sense of perception and their sense of judgment. I am sorry about it that just because they are invited by the Prime Minister for dinner, their support is coming when even not asked for. The CPM is jumping sometimes even when the ruling party is not objecting. This motion reflects the voice, echoes and sentiments of the people. I know the Prime Minister will not vote for the adjournment motion. But he must remember that his own wife when he was the Finance Minister, had criticised him for the rise in prices. I am

sure that if she had to vote on the state of affairs in the country, she would vote for this motion. She would not vote against him. I am not saying that she would vote against her husband, but she would certainly vote against this Government. So I appeal to this House to use their conscience to understand what is going on in the country, to see how this volcano is going to erupt and support this motion of adjournment.

SHRI CHITTA BASU (Barasat): I rise to oppose the Adjournment Motion moved by Shri B. Shankaranand. Before entering this subject, I also like to express my deep sorrow, anguish and grave concern over the tragic events which have led to the loss of several valuable lives. We also deplore the tragic events which have led to self-immolation by several young men and women from our country. I think the entire House will join me while I express our great sorrow and anguish for them.

Coming to the issue of the Adjournment Motion, I think the issue is not justification or otherwise of the Mandal Commission's Report. We have expressed our views clearly that we are in agreement with the Mandal Commission's Report, and the reservations if any, relates only to the question of the modalities in the implementation of that.

I do also take this opportunity to remind some people outside and some people here also that the Constitution enjoins upon us to render justice to the socially and educationally backward classes. It is the constitutional provision and we cannot just ignore that. My charge against the Congress (I) is that they did not give effect to the Constitution obligation during the last twelve years. What is the explanation? Some people feel that this reservation of twenty-seven per cent for the backward classes is some kind of a concession. I want to make

my position clear that this reservation is merely a step towards the minimisation of injustice which had been heaped upon a large segment of our society for ages together. This reservation—to speak the truth—is to ensure that no community in our country and in our society is deprived of its rightful place in the participative democracy and administration. It is not concession. It is not concession because it is a compensatory device to negate the disability imposed by the caste system in our country. Why should a section of the people unnecessarily take a view as if this will lead to a caste war, as Mr. Vansant Sathe in this House was pleased to express. Castes were there. Castes are there. Castes hated is there. But, because of these decisions the caste hated has automatically or instantly born. This means the opposition for a particular section of society exclusively prove the caste hated and it is also the duty of all of us to remove and eradicate it.

I am grateful to Shri B. Shankaranand that he has sought to make the Congress (I)'s position clear. He says, as far as I could understand it, that the Congress Party is in favour of implementation of the Mandal Commission's Report. Is it so? They are not even clear. I only want to quote a letter written by Mr. Hanumanthappa, a Member of the Congress (I) in the other House. He writes a letter to the Congress President, the leader of the Opposition. I quote from the letter. I quote from the letter Mr. Hanumanthappa wrote:

“Common man's understanding is that the National Front Government wants the reservation for the backward classes but Congress and Mr. Rajiv Gandhi are opposed to it.”

This is what has been written by Mr. K. Hanumanthappa. So, this confusion you have created. It is one of your

[Sh. Chitta Basu]

Members who has written to the Leader of the party that the Congress Party does not want the reservation for the backward classes whereas the National Front Government wants it. And he holds Mr. Rajiv Gandhi responsible, and we are all witness that he was filibustering for more than three hours. Some good sense should prevail on you now. I thank Mr. Shankaranand that he has candidly said that he and his party—I do not know about his party but he has said it—are for the implementation of Mandal Commission's Report. I hope that your party will be persuaded by him for the proper implementation of the Mandal Commission's Report.

I have got one point by way of criticism of the Government and that is about the role of the media. You will be astonished to learn that some time back I received an invitation from the Television to give my views about the Mandal Commission's Report. They came and told me that I must finish my words within two minutes. As a matter of fact, I said that this was an issue on which I should give my views to the people. It was two minutes twenty-five seconds and they said I had to be recorded again because I had exceeded the time by twenty-five seconds. Is it the way to utilise the most important media of our country which should educate our people? Therefore, I think the Prime Minister should take a note of it. What was the harm if various points of view were telecast for a longer period of time through T.V.? Then the people might have understood what is there in the Government's notification, what is there in the Mandal Commission's Report, what ought to be done and what has not yet been done. Instead of that, that kind of attitude was shown to a person like me, to a Member of Parliament belonging to a party. And it is expected that the party should give its views in a proper form, in a proper way, in an educative manner.

Lastly, I also want to say to the Government that in a fit of frenzy, the students in our country—I do not know who they are, who their leaders are—might have said that they are not prepared to discuss with the Government, with the Prime Minister, unless some conditions are fulfilled. I think they might have said so in a fit of frenzy. But as I told earlier in the All-party meeting, it is the responsibility of all of us to persuade, to convince, to educate the younger generation of our country. Therefore, I think there should be a fresh attempt for commencing the dialogue.

We should also make it clear to those who are opposing the reservation that it is necessary for us to remove the injustice. We cannot afford to see that the social injustice continues for any more time. And to remove the social injustice, there should be a change of social attitude. I am sorry that many of those who are instigating the anti-reservation movement, have not changed their social attitude. By the phrase 'social attitude' I mean that this age-old injustice cannot be removed by having a *status quoist* attitude. This reservation should not be taken as a concession. It should be rather accepted as a preferential discrimination, in order to enable a larger segment of our society to take part in the administration, to take part in the decision-making process, to take part in the governance of the country. It is not merely the question of 27,000 out of a lakh Central Government jobs to be given to a certain segment of society. It is a question of belonging to the Government, it is a sense of belonging through the participative democracy, it is a sense of belonging to Administration. From that point of view, we should say that time has come when we should do justice to those who have been neglected for ages together and I hope that Mr. Shankaranand will understand and

will be persuaded by the wise counsel in the House and will be pleased to withdraw this adjournment motion which means censuring of the Government. The Government does not deserve any censure on this issue. The Government deserves the support of the entire House, not only of the entire House, but the entire people outside and I would appeal to the National Front Government that it is the number which counts here, it is the countless people outside on whose faith and support you may be in power or you may not be in power. Therefore, you may rely on the countless people outside rather than on the number of Members here.

[Translation]

*SHRI KADAMBUR M. R. JANARDHANAN (Tirunelveli): Hon. Chairman, Sir, I rise to the adjournment motion moved by the Hon. Member Shri B. Shankaranand on behalf of the All India Anna DMK party.

This reservation issue which the whole country is seized of today has been long back known to the people of Tamil Nadu during the times of Periyar, Perarignar (The Enlightened) Anna and Puratchi Thalaivar (Leader Revolutionary) MGR.

It was as old as the year 1927, even 2 years before I was born. Now I am 61.

Tamil Nadu where Periyar, and Perarignar (The Enlightened) Anna who endeavoured along with Mahatma Gandhi to uplift the oppressed and the suppressed of the society has seen 50% of reservation for backward classes during the time of Dr. MGR. This issue of reservation is, therefore, not a new one to us. Kerala, Karnataka, Andhra and Tamil Nadu are aware of reservations since 1927.

Therefore, this provision for reservation is further encouraging to us. With this kind of historical background, of reservations dating back to 1927, we are proud that we are the forerunners of this concept of reservations.

Sir, this motion brought by the Hon. Member Shri Shankaranand is not against any political party. It is not against the Janata Dal, or against the BJP or the CPI(M).

Sir, look at the gory happenings around. 13 lives (Atmas) have gone, died. Who is responsible for this? A few Ministers in the Cabinet have by their speeches sought to divide the society into 'Anti-Mandal' and 'Pro-Mandal'. Was it correct? Such speeches have not only divided the society but have also poisoned the youth. It is poisoning the minds of youngsters. The minds of the youngsters have been poisoned.

Hon. Member who just spoke before me rightly pointed out that such self-immolation deaths were very common in Tamil Nadu during the days of Hindi agitation. For defending the honour of the Tamil language, several party workers, not commonmen, sacrificed their lives by self-immolation. That was for a cause. When Shri Anna was pained at this, he gave a call that 'I withdraw the agitation'. The agitation and self-immolation deaths stopped immediately. We come from such a tradition.

Sir, on September 14, I think, on the birth anniversary of Perarignar Anna, Hon. Prime Minister Shri V. P. Singh came to Madras and participated in the so called 'Pentafest'. That function was to commemorate the birth anniversary day of Bharatidasan, Ambedkar, Perarignar Anna, Periyar and also to celebrate the victory of the implementation of the Mandal

[Sh. M. R. Janardhanan]

Commission recommendations. This was arranged by the Chief Minister to reap political dividends.

I submit to the Prime Minister, when Northern India is burning against the Mandal Commission report, you are coming there to celebrate it. It may be proper for the Chief Minister of Tamil Nadu, but it will not be proper for the Prime Minister of India. That is my humble submission.

Why I say this? During the President's Address this year, a member rose to intervene his address and shouted that there was no mention in the Address of the Government's intention to implement the Mandal Commission's recommendations. It is customary that the President is heard without interruption. That time the Government was not concerned about the implementation of the Mandal Commission recommendations. But today, when Kashmir, Punjab and Assam are burning, you have brought it now. Is it the right time? You have not prepared the country, the ground. You have not educated the people through the media.

For example, let me tell you. I come from a backward constituency. Who represented this constituency in 1967? A harijan christian by name Xavier. In 1971, a communist by name Muruganandhan, a Hindu, was returned. During 1976-77, a Nadar by name Aruna was there. Since 1984, I am here. This proves that Tamil Nadu is above castes, above religions. This is due to hardwork by Periyar and Anna.

The purpose of this debate is not to accuse each other. When Shri Indrajit Gupta spoke he was indirectly hitting at you. He said that you have not prepared the country. You have not prepared the people to take it. You have not educated the masses through the media. That was his contention. He, thus, blamed the Government.

Two responsible persons occupy high offices in your Government and they gave a call for a caste war which has gradually led to this kind of situation. They have hurt the psyche of the youth by their provocative speeches. People especially the parents of the poor children have started asked to whom they have voted. They have been pushed to this condition of conducting the post mortem of their voting pattern. Who created this kind of situation?

I would like to ask the Hon. Prime Minister a question. Why this agitation at all? You started the agitation and you must attempt to stop it. In such a situation, you have started telecasting appeals to the students. Your appeals are really melting the minds. But by this time you must have understood the minds of the students. If you had understood the minds of the students, there is no other go except to give way. You must abdicate the leadership in favour of somebody. That is the first task before the Prime Minister. That would only resolve the present crisis the country is faced with.

Let me lastly reiterate the commitment of my party, the All India Anna Dravida Munnetra Kazhagam, to the recommendations of the Mandal Commission and other steps towards the upliftment of the poor and the down-trodden.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI HARI KISHORE SINGH): Mr. Chairman, Sir, I thank you for giving me an opportunity to speak on this serious issue. I also thank Shri Shankaranand for raising this serious issue before the House and urging the House to listen to him attentively.

So far as other hon. Members are concerned, all are sitting here to listen to him carefully and the Hon. Prime

Minister and most of the senior Cabinet Ministers are also present here, but I am surprised that the leader of his own party is not present here to listen to his speech. It clearly shows how much importance his own party and his party leader attach to his speech on this issue. I was also thinking as to why the Congress-I has selected Shri Shankaranand to undertake this job? I was surprised, because if one is supporting the idea of providing social justice to the backward classes and providing encouragement and special opportunities to them, Shri Shankaranand was not the appropriate person to convey the views of his party leader, who is creating a lot of confusion in the entire country. I know his views and I respect him. I was also thinking as to why Shri Shankaranand is selected everytime.....(Interruptions)... Sometime ago, the Serials Mahabharat and Ramayana were telecast on the Doordarshan. I saw that a king always remembered Lord Shankara, whenever he found himself in trouble perhaps same is the case with the leader of Congress-(I) party. The leader of that party always remembers Shri Shankaranand whenever he had to face some trouble like the Bofors or the Mandal Commission Report. They remembered him to take the Chairmanship of Joint Select Committee or for any other work in which they have committed something wrong. A process has been started in the country to provide social justice to the backward classes. There can be difference of opinion about its modus operandi but everyone agrees that the backward classes should be provided social justice and should get special opportunities. The party leader of Shri Shankaranand may not agree with the views of Shri Shankaranand but he should not use him as a tool as it was done with a character of Mahabharata, whose name I will not like to take, as I respect Shri Shankaranand. But he should not be made to play the part of Shikhandi. I was thinking why everytime, in the context of Mandal Commission Re-

port, the issue is being raised to ask resignation of the Hon. Prime Minister. May I know whether the common man cannot aspire to become the Prime Minister of this country? Why violence is erupting again and again in the country in the name of Mandal Commission, who is instigating all this violence? Had you forgotten happenings of 1984? All sorts of things happened when Shri Rajiv Gandhi came to power. I remember that time, when the then Home Minister Shri Narasimha Rao, for whom I have great regard, announced on the doordarshan after 3 days that enough has been done. Was the riots in this city for 3 days were not enough? Thousands of people were killed and people were burnt alive, but even then Shri Gandhi, who was some how installed as the Prime Minister no such thing had occurred at that time. Today, the process of social justice has just been started and now they are demanding the resignation of Hon. Prime Minister. As Shri Indirajit said that again the same people are instrumental behind all this violence. I would also like to abide by the convention and therefore, I will not mention the name. Let a Supreme Court judge or the Solicitor General or a Member of Parliament enquire into this matter—no one can even think that the residents of Shakarpur Basti will agitate against the recommendations of Mandal Commission. Only those people can think of such a thing, who always indulge in undesirable activities. I would like to know whether people living in resettlement colonies can be against the Mandal Commission Report, will they go and take part in the incidents of arson? Do they not want to implement the recommendations of Mandal Commission? They want them to be implemented more than us. It should be very clear as to why such things are happening.

Why such situation arises, whenever the process of social justice gains momentum?

[Sh. Hari Kishore Singh]

Today, on the suggestion of Shri Khurana, the Hon. Prime Minister has agreed to discuss the Mandal Commission Report. This is not for the first time, but earlier also, he had given call to discuss this issue, What will be left in the democracy, if the process of discussion is stopped? There are lot of people, who only give or take orders but discussions are invited to keep the democratic process alive. How the democracy can work, if on the invitation for discussion, the other party says that it will not take part in the discussion. Today, we are discussing the issue, it provides us support and some way would be found out to solve the problem and this process of social justice will take a concrete shape. The tension created in this respect would also be removed.

I am sorry that some of our children and brothers had to bear sufferings owing to some wrong and right conclusions. They have resorted to self immolation. We sympathize with them and it is the foremost duty of this House to give a unanimous call to the country that no tension or agitation should be launched in regard to the Mandal Commission and a decision will be taken through discussion. With these words, I urge my hon. friend Shri Shankaranand to respect the small step taken by the Hon. Prime Minister in regard to the process of social justice in the country through Mandal Commission and to withdraw his motion.

[English]

MR. CHAIRMAN: May I request the hon. Members to be very brief because already we decided that this debate should conclude at 6 O'Clock? I, therefore, request the hon. Members to cooperate and to take only a few minutes to make their points.

PROF. MADHU DANDAVATE: Voting will be at 6 O'Clock sharp.

MR. CHAIRMAN: That is why I request the hon. Members to be very brief and I want to take the sense of the House.

PROF. P. J. KURIEN: Many hon. Members want to speak. So, I would like the time to be extended so that all those who want to speak can be allowed to speak.

SOME HON. MEMBERS: No.

MR. CHAIRMAN: If you are all not agreeing, I request the hon. Members to take one or two minutes to put forth your points because the Prime Minister has also to reply and after his intervention, Shri B. Shankaranand has also to finally reply. Therefore, I humbly request all the hon. Members to be brief and to cooperate.

PROF. MADHU DANDAVATE: Why do you want to spoil the case by more speeches?

(Interruptions)

[Translation]

SHRI DAU DAYAL JOSHI (Kota): All the Members of the House have expressed their views. Please listen to the hon. Minister, now. ... (Interruptions)...

[English]

PROF. P. J. KURIEN: We want to speak. That is the point. I appeal to the Leader of the House. ... (Interruptions)...

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF TOURISM (SHRI SATYA PAL MALIK): Mr. Chairman, Sir, this issue had been discussed earlier also. Except for the Prime Minister, no one

else would speak from this side. The time can be extended for half-an-hour, if some more Members of the Opposition want to say something.

[English]

MR. CHAIRMAN: Shall we extend for Half-an-Hour?..... All right, we will extend the time for half-an-hour. The House will go on upto 6.30 p.m. today.

.....(Interruptions).....

SEVERAL HON. MEMBERS: No.

.....(Interruptions).....

[Translation]

SHRI DAU DAYAL JOSHI: All the hon. Members of this House have spoken on this issue. Everything would become clear after the speech of the Hon. Prime Minister. I think that there is no justification now to extend the time. All the hon. Members of the Congress have expressed their views.....(Interruptions)...

SHRI SATYA PAL MALIK: Mr. Chairman, Sir, three-line whip has been issued and the Members are sitting since morning, so the time should not be extended by more than half-an-hour.

.....(Interruptions).....

SHRI RAM LAL RAHI (Misrikh): Mr. Chairman, Sir, I am on point of order. My name was also there in the list. Although, the resolution was moved by Shri Shankaranand, we should also be given an opportunity to express our views. So, I request that the time of the House should be extended by one hour.....(Interruptions).....

AN HON. MEMBER: The time should not be extended and voting should be done at 6 O'clock.(Interruptions).....

[English]

MR. CHAIRMAN: Please listen to me. Please take your seats. What I am telling is, as the Parliamentary Affairs Minister has suggested, we will extend the time by half-an-hour.

(Interruptions)

SHRI MANDHATA SINGH (Lucknow): Mr. Chairman, Sir, I am on a point of order. When the Deputy-Speaker has already announced minute-wise time allocation for all the political groups represented here and when that time has been profitably used, the extension of the time for a debate can only be made with the general consensus of the House. So, my point of order is: Where is the need for wasting every single minute now? We, therefore, request you to call on the Prime Minister to reply to the debate. (Interruptions).

[Translation]

SHRI BHAJAN LAL (Faridabad): Mr. Chairman, Sir, earlier it was announced by the Deputy Speaker in the House that discussion on this issue will be held from 2 P.M. to 6 P.M. and the voting will be done at 6 O'clock. So a total of 4 hours were given for the discussion. But the total time of 4 hours has not been completed yet. Therefore, the time of the House should be extended for one hour.(Interruptions).....

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

[English]

SHRI VISHWANATH PRATAP SINGH: Sir, you remember, when the time allocation for this subject was being considered, the proposal initially was for three to five hours. (Interruptions). Then the demand was

[Sh. Vishwanath Pratap Singh]

made from the benches opposite that more time was needed. Then the Chair was pleased to extend the time from 2 O' clock to 6 O' clock. Now on one side, there is a demand for extension by one hour or more. On the other side, the demand is that there should be no more extension. The Chair has said about half an hour's extension. I think, we can agree to half an hour's extension. *(Interruptions)*.

SHRI P. R. KUMARAMANGALAM (Salem): May I have the attention of the Prime Minister? From 2 O' clock to 6 O' clock in the very words of the Prime Minister is four hours. At least give us four hours promise. Otherwise, what is the purpose of moving the Adjournment Motion. If we are not even going to be heard in this House, how will we be heard outside this House? *(Interruptions)*.

MR. DEPUTY SPEAKER: I have heard the feelings expressed on both sides. We will try to respect both sides as far as possible.

(Interruptions)

MR. DEPUTY SPEAKER: I am not giving any ruling.

Now Shri Jagpal Singh to speak

[*Translation*]

SHRI JAG PAL SINGH (Hardwar): Mr. Deputy Speaker, Sir, in the post-independence period, the caste rivalry has never been so intense as it is during the tenure of this Government. *(Interruptions)*

SHRI UDAY PRATAP SINGH (Mainpuri): Mr. Deputy Speaker, Sir, I am on a point of order.

[*English*]

MR. DEPUTY SPEAKER: What procedure has been violated? Already time is very short.

[*Translation*]

SHRI UDAY PRATAP SINGH: Mr. Deputy Speaker, Sir, my point of order is that when time has been allotted party-wise and the sitting of the House has been extended by 30 minutes, this extended time of 30 minutes should also be divided party-wise. It will not be proper if they continue to speak. *(Interruptions)*.

SHRI JAG PAL SINGH: Mr. Deputy Speaker, Sir, the administration of entire Northern India came to a standstill after 7th September. Railway, bus and other services were disrupted, educational institutions were closed so much so that even the administration of one All India Radio Stations was brought to a grinding halt by the anti-reservation students. The Government became the mute spectator of the activities of the anti-reservationists.

I want to say that my party leader Shri Rajiv Gandhi and myself are not against reservation. We are in favour of the recommendations of the Mandal Commission. It is the history of the Congress Party for the last 32 years that it has neither opposed reservations nor it will do so in future, whether it is the case of the Harijans or the backward classes. But I oppose the way in which the Government placed in the House the recommendations of the Mandal Commission for implementation.

After sacking Shri Devi Lal from the post of Deputy Prime Minister, the hon. Prime Minister ran into problems as majority of the existing M.Ps of his party belonged to backward classes. Two of his cabinet Ministers suggested that if he wanted to save his chair... *(Interruptions)* and wants to isolate Shri Devi Lal, he should implement the recommendations of the Mandal Commission. This will deter the M.Ps belonging to the backward classes from supporting Shri Devi Lal. Therefore, the recommendations of the Mandal

Commission were placed before the House on the 7th because Shri Devi Lal had given a call for the farmer's rally at Boat Club on the 9th. The Prime Minister also thought that after the implementation of Mandal Commission recommendations, the rally organised by Shri Devi Lal at Boat Club would flop. So, without consulting the report with his allied parties and the Congress, the hon. Prime Minister placed it before the House. The Government says that it is based on consensus, but it implemented the recommendations of the Mandal Commission without any consensus. As a result, after 9th the allied parties started inciting the students against the recommendations of the Mandal Commission.

In the rally that was held on 2nd the members of Bajrang Dal and Shiv Sena. (*Interruptions*)... marched in Delhi holding saffron flags and created a tense situation by shouting slogans. Was the Government not aware that these agitators were armed with sticks, lances and spears when they boarded the tempos, trucks and buses? Where from these agitators came ...(*Interruptions*) I allege that Shri Devi Lal sent a large number of antisocial elements from Haryana against this Government. I would like to tell the hon. Prime Minister that whether it is the issue of New Industrial Policy, Ram Janmabhoomi or the Budget, his allied parties do not support his policy. Why is he taking support of such parties? Just to save his own post, he is putting the country on flames by taking such support. These anti-reservationists constitute only 15 per cent of the total population and since 1947, they are occupying 85 per cent jobs in the country. The rest 85 per cent population gets only 4.7 per cent of jobs. If a question is raised tomorrow that those 15 per cent people should be given reservation according to their population. Where will these anti-reservationists go? (*Interruptions*)... It is like depriving a sleeping man of his house

by a person who is awake. The agitationists are doing the same thing. Mr. Deputy Speaker, Sir, I want to draw your attention to what I am going to say. A person, who called himself a saint, incited such fanaticism and communalism, in the name of Khalistan in Punjab to such an extent that we are still facing its consequences. In the same way, the leader of the Bharatiya Janata Party, Shri L.K. Advani is touring Maharashtra and Gujarat and the Hindu youths are putting 'tilak' on their foreheads with their blood. (*Interruptions*).

Shri Advani has repeatedly said that come what may, they will construct a temple after demolishing the mosque ...(*Interruptions*) I would also like to ask that if this country is converted into a Hindu rashtra, where the people belonging to other religions will go? He is playing with the sentiments of the people and thus trying to disintegrate the country.....(*Interruptions*).

I am concluding. Slogans of Hinduism and Hindu rashtra were raised right from Maharashtra to Gujarat. This is dangerous for our country. Tridents, axes, spears, lances and different types of arms are being presented there to Shri Advani. I would like to submit to the hon. Prime Minister that he should not associate with such a party, which do not respect his suggestion that the Babri Masjid issue should be solved through discussion or which does not accept the decision of the Court. Under the leadership of Shri Rajiv Gandhi, we, the Members of the Congress Party promise to fight terrorism, communalism and Parocialism wherever it spreads.

KUMARI MAYAWATI (Bijnor): Mr. Deputy Speaker, Sir, I oppose the adjournment motion moved by the Congress party in regard to the Mandal Commission. I would like to tell this House through you that on behalf of the Bahujan Samaj Party, we

[Kum. Mayawati]

went through a long struggle from 10th of August, 1985 to 31st of May, 1990 to complete the reservation quota meant for Scheduled Castes and Scheduled Tribes and to implement the Mandal Commission Report. It is a matter of pleasure that on 7th August, 1990, the National Front Government decided to implement some of the recommendations of the Mandal Commission for the welfare of the backward classes. The Bahujan Samaj Party thanks the Government for this. Besides, I would also like to submit that some narrow-minded people oppose the recommendations of Mandal Commission on the ground that the reservation should be given on economic basis instead of caste basis. Some narrow-minded people are opposing it by saying that casteism is being encouraged on the basis of reservation in the country. I would like to tell such people that casteism has not been created in the country today, but it was encouraged by those people a long time ago, who encouraged Brahminism in the country. Had casteism not been encouraged in our country, Baba Saheb Ambedkar would not have to support reservation for the welfare of down-trodden. I would like to say that reservation has not given birth to casteism, but casteism has given birth to reservation. I would also like to pin-point as to who is behind this anti-reservation stir that has been launched all over the country. I am very straight forward in my approach. I do not want to criticise or condemn anyone. It is a fact that the agitations launched by the youths and students against the implementation of the Mandal Commission recommendations were not initiated by them. In fact the students were incited by the Congress and the Bharatiya

18.00 hrs.

Janata Party. Why am I saying such a thing? You should listen to me patiently because B.J.P.'s attempts

have reminded me of the speech delivered by Baba Saheb Ambedkar. When Baba Saheb framed the Constitution of India and submitted it to the first President of this country, he had said that howsoever excellently drafted a country's constitution may be and whatsoever care the constitution makers may take to watch the interest of the poor and oppressed, it cannot prove to be beneficial for the poor and oppressed unless the intention of the people who would implement them is clear.

Mr. Deputy Speaker, Sir, while highlighting the manifesto of his party a senior leader of the Bharatiya Janata Party Shri Madan Lal Khurana, who spoke before me, said that his party's manifesto spoke at length about the implementation of Mandal Commission's recommendations. But the question is that of implementation of the recommendations and not simply mentioning them in the manifesto. I also want to say that even if a manifesto contains all ideal points, the poor and the oppressed cannot be benefited by it unless the ideology of Brahminism is changed. The country is facing two serious problems at present. The Punjab and Jammu-Kashmir problems are already there but another serious problem is being created by the narrow ideology of the people who are inciting the anti-social elements against reservation issue and are thus, damaging the public property. Secondly 30th October is fast approaching. On one hand, we want to curb communal violence which has erupted owing to the Ram Janmabhoomi Babri Masjid issue but on the other hand, the narrow-minded people of secular India are not prepared to wait for the decision of the court. It is a matter of great regret that they are not waiting for the verdict of the court. As such the move of the senior leader of Bharatiya Janata Party, Shri Advani to march towards Ayodhya for the construction of Ram temple without waiting for the verdict of the Supreme Court.....

(*Interruptions*) The Muslims are also the citizens of this country and they too want justice. (*Interruptions*) If you cannot wait for the court's verdict then I say with authority that the Bharatiya Janata Party's attitude towards the Muslims... (*Interruptions*) If you are bent upon ignoring the court's verdict and want to go ahead with the construction of the temple, then the Muslims are also keen to get justice and we are with the Muslims. (*Interruptions*) I can say with a challenge that the Muslims will also construct mosque. (*Interruptions*)

MR. DEPUTY SPEAKER: Please conclude quickly.

KUMARI MAYAWATI: If the Bharatiya Janata Party does not wait for the court's verdict, I would like to tell the hon. Prime Minister....

MR. DEPUTY SPEAKER: You please conclude.

KUMARI MAYAWATI: The hon. Prime Minister is worried about it and he is in a dilemma as to how this problem should be solved. The Uttar Pradesh Chief Minister is also worried about it but the number of elected members of the Bharatiya Janata Party is so large that they are dominating the Janata Dal

MR. DEPUTY SPEAKER: You please conclude now.

KUMARI MAYAWATI: You are depriving the oppressed people of justice but I want to tell you that the total number of oppressed, backward and minorities in the country is 85 per cent. If a handful of people who subscribe to ideology of Brahminism and whose number is only 15 per cent, claim to be the followers of the principles of Mahatma Gandhi and talk about making the country strong.....(*Interruptions*)

MR. DEPUTY SPEAKER: Mayawati you please take your seat and conclude.

KUMARI MAYAWATI: If 85 per cent of the people who are the followers of Baba Saheb Ambedkar, Ramaswamy Naicker, Sahuji Maharaj and Mahatma Jyoti Phule stand for their rights, the handful of people cannot thrust their will on them. Therefore, I request you, Sir to let my points go on record because if you expunge them from the proceedings, it will not be in your own interest. (*Interruptions*)

MR. DEPUTY SPEAKER: Mayawati you please take your seat and you shall not speak after this.

KUMARI MAYAWATI: You expunge them from the proceedings, you stop it from being shown on T.V. (*Interruptions*)

MR. DEPUTY SPEAKER: You are moving towards an entirely different subject. You please stop here.

KUMARI MAYAWATI: I request the members of the House not to suppress the voice of the poor. You should not be cowed down by the pressurising tactics of the people opposed to the recommendations. Whatever you have done for the cause of the poor and oppressed by giving reservation to the people belonging to the backward communities is a step in the right direction. With this I thank you.

MR. DEPUTY SPEAKER: Uday Pratap Singhji, you take only 2 to 3 minutes to make your submission.

SHRI UDAY PRATAP SINGH (Mainpuri): Hon. Deputy Speaker, Sir, I would like to draw the attention of the entire House, through you to the subject under discussion. During the freedom struggle some people told Mahatma Gandhi that they would try

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to extend their cooperation in freedom struggle if he denounced emancipation of Harijans. I would like to tell the entire country through this House what Gandhiji had said in very clear terms. He had said that we would not even touch that freedom which deters the emancipation of Harijans. Sir, if we go through the old issues of "Harijans" and "Young India" we find that these people who get votes in Gandhiji's name and come to this House, are the bogus followers of Gandhiji. I would like to tell you in very clear terms that in "Harijan" and "Young India" Gandhiji wrote about Independence that:

[English]

"It is not an end in itself. It is a means to a greater end." What was that greater end? That greater end was social justice

[Translation]

The social injustice like inequalities and disparities should be removed. Sir, it is a matter of regret that even after 40 years of independence, we have not paid any attention towards the objective of our independence. No effort was made to remove the inequalities and no agitation was launched in protest against social injustice. For the first time after independence, when an attempt was made in this direction, it was foiled at the very outset by inciting violence by the people who claim to be the followers of Gandhiji. Let me explain it through an Urdu couplet: "Kuch Gard Urti Hi Hai Jab Karwan Chalta Hai." When a move to eradicate the inequalities and social injustice existing in the society is initiated, it affects the people who have become habitual to these comforts. I was taken aback to find that people themselves did not dare to come to the forefront. Instead, they misled their children and

prompted them for agitation. Thus I want to say that those who move such motions do so with the sole intention of inciting violence and disrupting peace. You please look into it. As such I would request the House not to be misled by the words of such people, because they do not have any other aim than to incite violence. With these words I thank you very much.

MR. DEPUTY SPEAKER: After this speech, the hon. Prime Minister will speak and with that the discussion will come to a close. Shri D. D. Khanoria.. ..

(Interruptions)

SHRI BHAJAN LAL (Faridabad): Mr. Deputy Speaker, Sir, I may also be given time to express my views, as I have many points on this issue... (Interruptions).

SHRI D. D. KHANORIA (Kangra): Mr. Deputy Speaker, Sir, many hon. Members have expressed their views on the reservation issue in this House. I think, none of the hon. Members belonging to any party except the Congress Party has opposed this reservation. As far as our party, the Bharatiya Janata Party's opinion about reservation is concerned, we are not against it, rather we favour it. But there are some points which need serious consideration. We are of the view that reservation in the jobs should be given to the poor only and not to the rich, whatever caste they may belong to. There is no justification giving reservation to the big land-lords, industrialists, I.A.S. or I.P.S. officers etc. as it goes against the welfare of the poor of the country. I want to quote the example of Himachal Pradesh where our Government has started Antyodaya programme. Through this programme we have come to know about the number of families which are living below the poverty line in the state. In the

same way, we can find out the number of families in the country living below the poverty line, if we adopt the same norms for our reservation policy. The planning in the country should be directed at removing poverty and that should be our first and foremost goal also. Therefore, reservation should be given on the basis of poverty. The Chief Minister of Himachal Pradesh has shown his firm determination in implementing the Antodaya programme in the State. Each family covered under this scheme in the State is getting essential commodities such as wheat, rice, salt etc. at subsidised rates w.e.f. the 15th August. This was the promise we made to the people of Himachal Pradesh during the election. The poor people in that state are being benefited under this scheme, without any discrimination of caste and creed. There is no question of caste in it because it is our conviction that reservation should not be caste-based, it should be based on 'Karma'. The poor, irrespective of caste should be helped through reservation in this country. In our view, giving reservation on the basis of caste will serve the interest of none...*(Interruptions)*

MR. DEPUTY SPEAKER: This being the maiden speech of the hon. Member, he should not be disturbed. Please be quiet... *(Interruptions)*...

SHRI D. D. KHANORIA: By citing the example of Himachal Pradesh, I would say that reservation should be based on poverty and not on caste. Poverty eradication programme for the upliftment of the poor should be formulated. Besides, the family which avails of the benefits of reservation once should not be given this benefit again. The persons belonging to the high income group should be excluded from the purview of reservation irrespective of caste they belong to. We are not against reservation. The Bharatiya Janata

Party has extended its full cooperation to the Janata Dal Government. But I must say that we should centre our attention on the poverty eradication programmes and take steps in that direction. For this purpose, reservation may be given to the poor. With these words, I thank you for giving me an opportunity to express my views. . . .*(Interruptions)*.....

[*English*]

THE PRIME MINISTER (SHRI VISHWANATH PRATAP SINGH): Sir, we all share the deep anguish...

SEV. HON. MEMBERS: Hindi, Hindi.

MR. DEPUTY SPEAKER: Well, he can speak in both the languages.

SHRI VISHWANATH PRATAP SINGH: Yes, I can but not simultaneously half sentence in Hindi and half in English.

MR. DEPUTY SPEAKER: There may be a demand for speech in English also.

SHRI VISHWANATH PRATAP SINGH: Sir, it is certainly a matter of deep anguish that so many young lives have been lost. We all share this agony and I also want to put on record my personal anguish.

18.16 hrs. [MR. SPEAKER *in the Chair*]

We can imagine the grief of the parents who have lost their children. I don't want to go into any argument. Arguments and debates go on and it has been well put here by hon. Members. But I do want to make an appeal and I feel that on this point I do reflect the feeling of the House. I would like to appeal to the younger generation that they should not resort to the ultimate sacrifice of giving up their lives. Even if they have to fight or if they are just to carry on the struggle, they should live to

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carry on that struggle rather than give up their lives. In a democratic system there are agreements and there are disagreements and the way to carry on a debate is not by giving up ones life. This is something for which I want to appeal to the younger generation.

We owe to the next generation that they have a sense of fulfilment, a sense of achievement, a sense of sharing and not of despondency and despair. Whoever, he may be, there should be a hope in the life of the younger generation.

May I also say at the same time that we had given stricter instructions to the police. The Home Minister had given instructions not to exercise any excessive force. Only when their lives are threatened they should take action, otherwise if there is a loss of property, we may accept the loss of property. As Shri Indrajit Gupta said, property can be replaced but lives cannot be replaced. I would also like to give my appreciation that they observed restraint as much as possible—as was seen on the 2nd of October.

In this House one thing was quite encouraging. Whatever the Government may be criticised for, the first sentence does come even from the hon. Members of the Opposition...

AN HON. MEMBER: What do you mean by that?

SHRI VISHWANATH PRATAP SINGH: If you listen to me, you will know what I mean.

They do endorse reservation for backward sections of the society. It is a matter of great encouragement that so far as the direction is concerned, there is a general consensus seen in this House in spite of all these things that the backward sections of the society must be given a place and even the specific endorsement of reservation to jobs.

Various points have been made, how it has been done, what has been done, but at least on this point, there is no difference of opinion. And this is no small thing. Because when we have to try to change the mould of the social or economic or political structure, it is much more gigantic job than making any legislation regarding the government or even change of Government. The system accepts change of governments but does not accept change of itself. When you try to change the system, the system stands upto fight.

And in so far as there is a perception by the whole House that something has to be done for the deprived sections of the society, it is a matter of great hope for the oppressed and those who have not had a share in the affairs of the country. So, that is one thing which is very encouraging in today's debate on this issue. I quite agree with the suggestions made by the friendly parties, the BJP, the CPM, the CPI that a dialogue should be initiated. Sir, when the all-Party meeting first time took place, even at that time, an appeal was made to the students and I had repeated it several times later. But though it has not taken place, I have not lost hope. We cannot lose hope with the younger generation. We cannot afford to lose hope with them whatever it may be. We will pursue to open a dialogue and very rightly it has been suggested that the Vice-Chancellors, the teachers, other people who are in close contact with the students and the youth should be involved and we would make sincere efforts in this direction as has been suggested by the friendly parties.

Really so, we have given thought, the Government has already given thought as to what should be our approach to the youth. Certainly one of the problems that does come and face the young generation is of employment. But it is not only employment, if we see to the whole

youth, merely as job seekers, we are not recognising the full potential of the youth, their capacity to sacrifice for the nation, their emotional force that can transform the nation. This is something which we have not tapped yet. There is need to tap it. When the integrity of the country is challenged, when the security of the country is challenged, there is on one side youth which crosses the snow-bound mountains, comes across to lay down his life for whatever he believes in. May be, a misguided youth does lay down his life for Khalistan, there is need to tap the national patriotic chord in the youth and they do not lack it. If there is any lack, the lack is in us—to give them the leadership in the required direction. It is not in the youth that something is lacking. I have the fullest faith when it comes to the integrity and security of the country they will come upto it. It is for us to show them the path. The Government has decided that it will be initiating steps in this direction, involving the youth, not by Government officers declaring a scheme but through the National Youth Council—to involve them into the debate. They will come up with proposals and we will take those initiatives.

Regarding employment, it is one of the main problems. Certainly, we have said that for those who have qualified in medicine or engineering or various professions, we have come up with a scheme to provide loans to the extent of Rs. 120 crores in this very year, so that they are on their own feet. Similarly, for the economically weaker sections of the youth, another package has been given, wherein they will be given loan for higher education, so that they can benefit from higher education, even if they are poor.

The other point that has arisen out of this debate is: what will happen to merit, and to those who are economically poor? We have given thought

to it in one aspect, viz. we have many largesses which are given by the Government—petrol pumps, gas agencies, fertilizer agencies—a hundred and one things. They are by and large cornered by people who have influence, or those who have some other means to influence decisions. We have decided that these benefits will flow to the talented youth who are economically weak; and with this, there will be objective criteria also—talent which is based on marks or otherwise, and the economic criterion wherein income tax etc. can be seen; and on these criteria, in fact, regional distribution will take place. Even a boy from Assam, Kashmir, Punjab, Rajasthan or Gujarat from all over the country can partake in this vast largesse that is given by the Government. And it will be supplemented by a bank loan. After all, how many IAS recruitments do we make in one year? About 150 in the IAS. If we take Class I posts in the Central Government, it will be a thousand—plus or minus 200 i.e. this way or that. By this method, we will be making the boys self-reliant, stand on their own legs, not under the orders of others, but on their own feet, in their own right. Along with this, we are also discussing the modes and practical ways of how to enforce the right to work. Certainly, it has to be within the constraints of our resources, because there is no point having anything that way, if it is not going to be backed with resources. And a much deeper action would be necessary, which we are doing; but certainly, that is the direction that we are going to take.

There are some points that I wanted to raise at this time, about which we have to think much deeper. In the matter of our intake from our education into the administrative services, there is a certain concept of merit. But what we have in education is merit, or scholastic merit in certain subjects. And that pertains to the individual—individual merit.

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But the basic lacuna, as I see it, in the education system which gets reflected in the administrative system, is: what about the social merit of a person? Not how much knowledgeable he is, but how he relates to the other human beings. That is the social merit of our administration, because what is the criticism about the administration or bureaucracy today? Not that it is not knowledgeable or that it is mediocre. The criticism against the present administration is that it does not care. A mother is a mother, not because she is an intellectual. A mother is a mother because she cares; and that is what people look for, in the administration. And if that be so, we will have to re-define what is administrative merit. We will have to put a social content into it, social connection into it. And, therefore, those who have gone through suffering, those who know the pinch, if they are in the administration, they will be more responsive--when the oppressed and the weaker sections are in the bureaucracy.

So, it is not against anyone; it is relating to the power structure, the bureaucracy, to the reality, Indian reality, and relating it to people who are the oppressed and deprived.

Now, a point has been made that this is divisive, and it will divide the country and its integrity, emotional integrity. Perhaps by the Press and the media we are looking to one aspect of it; may be it is valid; I do not challenge it or question it. I am not today in a mood of argumentation. But I want to relate to you a story of young boys of the backward classes who had come to me. It touched my heart. They said: "Sir, we are not agitating or taking recourse to all this, because we know the Government is standing by us; but when it is mentioned about youth, about students, it seems as if we are not the youth, we are not the students, we

are not sons of this soil, as if we do not exist, and as if our inspirations have no place on the agenda." And they said that even what little that this Government has given, it seems that it has given it to some one who is a foreigner. Is this all not given to the children of this very soil? Is there not somewhere a heart to recognise this. So, these boys and these sections who feel hurt by the implementation of the Mandal Commission or given something to the backward classes of the society, should not take it that it has been carved out of their share; certainly it is sometimes carved out, but more so in the sense that they have their brethren, they have their sisters; and we owe something to them. So, let it be in the spirit of understanding and love, our sacrifice to enrich our less deprived brothers and sisters, rather than of trying to pull at each other's share. I think that is the spirit that will go to greater unity and greater security of the country so that the injustice is corrected. It will not lead to disintegration of the country; it will lead to greater integration because a family runs not by counting how much share of wealth has gone to each--when you start counting, it starts getting divided--but it runs by a sense of affection and fairness; and it is the element of fairness that unites the country; and this is the element of fairness that we want to bring.

A point is made: "well, you will be reminded of caste, and you will have to remember caste and this is what will hurt the psyche of the whole country. Well, in our homes, we have never forgotten caste, whenever it comes to marriage. Anybody who goes outside his caste to marry, if a family member, a young boy who goes outside his caste to marry, even those boys who are agitating, if they were to marry outside their caste, they will face greater oppression in their own homes. But that is beside the point. I will not say that.

The present social order by making a correction in it, the way the whole power or other things are shared by the present social order by making a corrective measure, we are trying to make it more socially equitable. So, this may be a weapon; the Mandal Commission can be a weapon to break the caste system; and if that system is broken, the weapon can be broken; because no one can, I assure you, say that it is going to be there for ever.

Because, no one, and I assure you, no one says that it is going to be for ever. That is not the case. If it is going to be for ever, that means the injustice, is to be perpetrated. That is what we want to look to. But if the caste system is weakened, if there is more equitable social and economic order, there will be no need of it. And I said it is the last time. Let housing, and clothing and food be equitable; there is no need for reservations. So, as these sections come up, and we have said after ten years we will review it, there can be a mechanism and we can think of it how we can get out of it and a more equitable social order comes. But today even before giving anything, if you say, "Well, you are going to consume this much", I think there is no intention of giving anything. Let them have something. After that we can look into it if we have overserved or they have eaten too much. But today this justice is required.

Basically, one thing, the focal solution, what I want to make is, the present Government, the National Front Government wants to bring the debate of equity back in the focus of national debate. It has gone into the background. We talk only of development. But equity which was once in national debate has gone into the background and no system can be stable, if you put this under the carpet: it will explode one day and hit

us, and we will not be aware where it has hit and how it has hit. It is hitting us. The various manifestations that we see, if we trace them, there is somewhere some inequity which we have refused to recognise, which we have refused to correct. That is showing up into various forms that we are seeing today.

Therefore, if I can say, if there is one word to describe the present Government and its goal, if I was asked, I will say 'equity'—and from this our whole programme can be linked up: Equity political, equity social, equity economic; and political equity is our decentralisation, Inter-State Councils, the federal structure, reforms like the judicial reforms, availability of autonomy for TV and Radio, these are all measures of our political equity. At the same time, our measures of economic equity are fifty per cent of the resources to the rural side, labour participation in management, our commitment to agro-industries, small scale industries—these are various measures of our economic equity that we have in mind.

Of social equity, urban ceiling, the various reforms, I am not elaborating. I am just telling you examples of thrust from one word, one philosophy. These are all not disjointed programmes. With social equity certainly we have extended the reservations to SC, ST. Then, the SC ST Commission, the Women's Commission and for the backward classes and backward sections. Implementation, I admit, it is a small fraction of the implementation of the Mandal Commission.

I would be very happy, Shankarandji, and from your Party if you had criticised me, that it is a very little portion of Mandal Commission and we should go ahead, you have not the courage to say it. Sometimes it is forward, sometimes it is backward and you did not know in which direction your Motion was going. It

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seemed to be a very loose one. (*Interruptions*).

We are for social equity and to commemorate the memory of Babasaheb Bhimrao Ambedkar, we have sincerely taken these measures. It has fulfilled the dreams of the great Periyar, Dr. Lohia, Chowdhary Charan Singhji. (*Interruptions*)

Yes, he did stand for it.....(*Interruptions*)

(*Interruptions*)

SHRI VISHWANATH PRATAP SINGH: He stood for the Mandal Commission. (*Interruptions*) Now repeatedly from the benches opposite my resignation has been demanded. I think, that has become the first sentence of every debate. May I say, you cannot make me resign from the commitments of the National Front ... (*Interruptions*)

SHRI B. SHANKARANAND: Your people are demanding it.

SHRI VISHWANATH PRATAP SINGH: It is not personal. I know it is not personal. (*Interruptions*)

All right, it is personal. You keep that aside. (*Interruptions*) I know these forces very well. I tried to touch the system a little in the Finance Ministry. I know what these forces did. I know what will happen when anybody tries to touch the system and those who are entrenched in it will react. This is nothing new. When we try to take some bold action in this direction, we should be ready to accept any consequences in that direction and we are ready to accept it. At the same time, I thank the hon. Members for the suggestions made and the point that they made that the backward sections must get a place on the reservation.

SHRI B. SHANKARANAND: We know that MPs from each Party and

Ministers have made representations to include certain castes as backward class. Is he going to admit them?... (*Interruptions*)

PROF. P. J. KURIEN: I have only to make a submission.

(*Interruptions*)

MR. SPEAKER: Order please. I am not allowing him to speak. He wants to make a submission.

(*Interruptions*)

PROF. P. J. KURIEN: I do not think that anybody in this House will dispute the importance of the subject that we are discussing.....(*Interruptions*) Many of our young lives have been lost. It is a serious issue. You have a long list with you. I request to the good sense of the friends on the other side, through you, Sir, to extend the time of the sitting of the House.

SEVERAL HON. MEMBERS: No.

PROF. P. J. KURIEN: We sat in this House upto 10.30 p.m. to pass the Prasar Bharati Bill. Why cannot we sit late today?.....(*Interruptions*)

(*Interruptions*)

MR. SPEAKER: I take your point Mr. Kurien. You please take your seat.....

(*Interruptions*)

PROF. P. J. KURIEN: They wanted our co-operation today, for passing the Punjab Bill. We have extended our co-operation.

(*Interruptions*)

Will you not allow Members to speak on this important issue? (*Interruption*)

MR. SPEAKER: You will recall that in the morning hours. I myself fixed 6 p.m. as the time. But the

Deputy Speaker extended for half-an-hour and he did a good thing. The point is that after the Prime Minister's intervention, I think, it will be proper to call the mover of the Motion to reply.....

(Interruptions)

PROF. P. J. KURIEN: What is your ruling? *(Interruption)*

MR. SPEAKER: There is no question of ruling on this.

(Interruptions)

MR. SPEAKER: Let me hear your Chief Whip. Please take your seats ..

(Interruptions)

PROF. P. J. KURIEN: There are a number of precedents where we sat beyond 7.30 and upto 10.30 and even late in the night. *(Interruptions)* It is a very important issue. Many of our Members want to speak. I request you that time may be extended so that all our Members who want to speak, can be accommodated. *(Interruptions)*

MR. SPEAKER: There should be consensus in the House.

PROF. P. J. KURIEN: I request that the time of the House may be extended.

MR. SPEAKER: I would like that there should be consensus for extension of the time. Without extending the time how can I do it?

[Translation]

SHRI BHAJAN LAL: Mr. Speaker, Sir, this item was scheduled to be taken up at 2 O' Clock and the discussion was to conclude by 6 O' Clock. But since it was taken up at 3.00 p.m. and the hon. Deputy Speaker had extended the time by 30 minutes, this discussion should be wound up by 7.30 p.m*(Interruptions)*.....

[English]

MR. SPEAKER: Shri Somnath Chatterjee.

PROF. P. J. KURIEN: What is your ruling?

MR. SPEAKER: There is no question of ruling.

SHRI SOMNATH CHATTERJEE: Sir, we can understand their anxiety.*(Interruptions)*. The time may be extended by half an hour.

PROF. P. J. KURIEN: No, Sir, if you are not extending the time, we are walking out.

At this stage, Prof. P. J. Kurien and some other hon. Members left the House

[Translation]

MR. SPEAKER: Hon. Members, why are you standing? Please be seated.

[English]

Please take your seat. I am interested to ask Mr. B. Shankaranand to reply to the Debate. But, he is not here.

SHRI G. M. BANATWALLA (Ponnani): One question I want to ask. We have not walked out. We are here. We are co-operating.

[Translation]

MR. SPEAKER: Yes, what is your point?

[English]

I am prepared to allow you if the hon. Prime Minister wants to reply to your question. I do not know what the question is.

(Interruptions)

MR. SPEAKER: Let me follow the correct procedure. Before that if

you want to put a question, yes; put a question.

(Interruptions)

MR. SPEAKER: Order please...

(Interruptions)

[*Translation*]

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, you have given the ruling that voting would take place at 6.00 p.m. *(Interruptions)*

MR. SPEAKER: The House was adjourned for lunch at 1.45 p.m. instead of 1.00 p.m.

(Interruptions)

[*English*]

SHRI G. M. BANATWALLA: Sir, while there is deep anguish at the loss of lives, we all express our grief and our anguish. But I have to draw the attention of the Prime Minister that in all this controversy, the poor Muslims have been forgotten, the minority has been forgotten. It is necessary*(Interruptions)*.

MR. SPEAKER: Order please. What is this? He is putting a question.....

(Interruptions)

[*Translation*]

MR. SPEAKER: I have allowed him to ask the question, please be seated.

[*English*]

SHRI G. M. BANATWALLA: I, therefore, say that I will not take the time of the House in giving all the detailed statistics, but if there is at present any section that deserves reservation the most, it is the Muslims of India.....*(Interruptions)*. But then, Sir, the Muslims as Muslims and the

minorities as minorities have not been granted any reservation...*(Interruptions)*. We have umpteen times brought this matter to the attention of the Government and we have again and again reiterated the demand for a separate reservation for Muslims. Again and again we have reiterated this and brought it. But, unfortunately, the injustice continues. You talk of equity. Why are we being denied that equity?

MR. SPEAKER: Banatwallaji, please conclude.

SHRI G. M. BANATWALLA: I will not abuse the time of the House, Sir. I did not even speak in the debate. That must also be realised. So co-operative I was. Nor have I walked out. I am here for the purpose of proper and fruitful discussion. Sir, the Prime Minister talks of equity. Why we, the poor Muslims, be denied this equity? That is what I ask. Now we are told that among the so-called castes that are in the Backward Classes, Muslims also fall. But that is a fraud that has been played on the Muslims*(Interruptions)*. There was such inclusion in the States all these years but it did not lead to the improvement of the position of the Muslims. Therefore, I say that you at least do not say that when all the parties agree, then you will give the necessary reservation. You have had the courage to come forward with the reservation for backward classes without waiting for the support of all parties, why don't you have the same courage in order to do justice to the Muslims? Sir, I want a categorical assurance to the Muslim Community through the Prime Minister. If there is no response from his side, I will have to walk out of the House.

MR. SPEAKER: The mover of the Resolution, Shri Shankaranand is not here. Yes, Mr. Prime Minister.

SHRI VISHWANATH PRATAP SINGH: Sir, the Mandal Commission

itself has identified people who are socially, educationally and economically backward. One misnomer about the Mandal Commission is that it has not taken economic factor. It has taken four factors: those whose assets are 25 per cent below the State average, those who live in *kucha* houses, mud houses 25 per cent above the State average, those who are dependent on manual labour. About all these economic factors a heading has been given in the Mandal Commission Report which has been taken into consideration.

19.00 hrs.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Those have not been given to the M.Ps. even!

SHRI VISHWANATH PRATAP SINGH: And they are going this way in every State. Out of the Muslims, the Mandal Commission has identified those who, under the criteria, qualify for reservation.

SHRI G. M. BANATWALLA: But still the position remains the same. That is not the solution. (*Interruptions*)

SHRI VISHWANATH PRATAP SINGH: In fact, through the Mandal Commission the various sections of the Muslim community have derived benefits. It is for the first time that the benefit is being derived and the Mandal Commission has given that benefit. Now, to the wider question that you have put, it is something which cannot be off-the-cuff said and certainly a consensus will have to be evolved regarding the wider question that you have raised here.

SHRI G. M. BANATWALLA: But here you are proceeding on consensus, and on other matters you have thrown the consensus to the winds.

Sir, I walk out. It is an unsatisfactory reply that is being given.

Shri G. M. Banatwalla then left the House.

MR. SPEAKER: Since the mover of the Resolution, Shri Shankaranandaji, is not here to reply.....

(*Interruptions*)

SHRI SOMNATH CHATTERJEE: Sir, this is another irresponsible conduct on the part of the Opposition—the way they bring an adjournment motion on a very important issue, they do not stay here for the purpose of giving a reply. (*Interruptions*). Sir, I know the reason. They had to walk out, they could not afford Shankaranandaji to give a reply to the debate. (*Interruptions*).

[*Translation*]

SHRI MADAN LAL KHURANA: You called his name after the hon. Prime Minister. He stood up, spoke only one sentence and resumed his seat. That way, he has replied to the debate and hence voting will take place.....(*Interruptions*).....

(*Interruptions*)

[*English*]

SHRI SOMNATH CHATTERJEE:This is the *tamasha* by the Opposition.

MR. SPEAKER: I am going to put the motion to the vote of the House.

The question is:

“That the House do now adjourn.”

The motion was negatived.

19.04 hrs.

MESSAGE FROM RAJYA SABHA

[*English*]

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

“In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 4th October, 1990, passed, in accordance with the provisions of article 368 of the Constitution of India, without any amendment, the Constitution (Seventy-sixth Amendment) Bill, 1990, which was passed by the Lok Sabha at its sitting held on the 4th October, 1990.”

MR. SPEAKER: We will now take up Matters under Rule 377.

MATTERS UNDER RULE 377
19.05 hrs. [MR. DEPUTY SPEAKER
in the Chair]

(i) Need to instruct State Governments to ensure minimum civic amenities in villages

[*English*]

SHRI MANDHATA SINGH (Lucknow): Sir, the proposed sanction of more than 200 crores of rupees as loan granted by the World Bank for improving the civic facilities in big cities in the country makes it necessary to draw the attention of the Government towards the pitiable plight of a large number of villages. Such villages were included in the extended areas of the Municipal Cor-

poration of all cities almost two decades ago which have been denied even the minimum facilities both by the urban and rural development agencies. In Lucknow, Uttar Pradesh, alone more than one hundred villages were included in the Municipal Corporation area in 1967 and since then even the minimum civic amenities like drinking water, primary schools, hospitals and repair of roads has not been taken up because of lack of resources of the rural development agencies. Hence the burden on the urban agencies. This is a piquant situation and lakhs of people are suffering because of lack of any clear-cut guidelines. I, therefore, urge upon the Union Government to issue immediate instructions to the concerned authorities in the various States to undo the wrong being perpetuated on the innocent citizens.

(ii) Need to supply more raw material to small scale units like Zenith Carbon, Maniyer Metals, etc.

SHRIMATI VASUNDHARA RAJE (Jhalawar): Sir, it is a matter of great concern that some Calcined Petroleum Coke (CPC) Units set up in the small scale sector in Assam, Bihar and Uttar Pradesh are facing serious crisis. In the public sector there are large scale units at Bongaigaon and Barauni owned by Indian Oil Corporation and in the private sector there is only one such unit which is called Petroleum and Chemicals Ltd. These large scale units do not have any problem since they are getting adequate quantum of raw materials. Haldia has got enhanced allocation from 50,000 to 75,000 tonnes of raw material per month. But it is regrettable that equal attention is not being paid by Ministry of Petroleum and Chemicals to promote small scale units though the Central Government has announced that priority would be given to boost to small scale units. Prominent among the affected small scale units are Zenith Carbon, Maniyer Metals, New Carbon, Bihar Carbons and Petri-carbon

(Varanasi). These small scale units need 2000-2500 tonnes of raw material per month, whereas they are hardly given 40 to 45 tonnes of their allocated quota. As such, these units are facing serious crisis and most of them are on the verge of closure. In that event, a large number of people could be rendered unemployed.

In view of this, I demand that the small scale units mentioned above be suitably considered for higher allocation of raw material so that they may function smoothly and save large number of employees as well as the workers, most of whom are SC & ST, from retrenchment.

(iii) Need to take necessary steps for the overall development of Sunderbans area in West Bengal

SHRI SANAT KUMAR MANDAL (Joynagar): Mr. Deputy Speaker, Sir, while nature has been bountiful to Sunderbans in West Bengal for its rich flora and fauna, scenic beauty and ambience, the renowned 'Bengal Tigers', its people are deep rooted in poverty. They are not only ill-clad and ill-fed but a sizeable number of them do not even have two square meals a day. Their main avocation is wood-cutting and fish breeding. While going to the forest for wood cutting, a good number of them are mauled by the ferocious tigers and there is hardly any hamlet in the area where there is not a 'tiger widow'. I would urge the Government to put up infrastructure in cooperation with the State Government to start small scale village industries and ask the Khadi and Village Industries Commission to take a lead in this sphere. The Government should also ask the NABARD or some of the Regional Rural Banks to open one of its Branches in this area to give loans to the poor for starting some cottage industries.

Further there is great scope for increasing production of fisheries, which can play an important role in the

economy of the region. The Government of India should take urgent steps to extend the Bay of Bengal Programme (BOBP) 'Small Scale Fisherfolk Communities in Bay of Bengal' to the Sunderbans Area also.

(iv) Need to remove discontent among the Sikhs in Punjab

[Translation]

S. ATINDER PAL SINGH (Patiala): Mr. Deputy Speaker, Sir, I want to submit the following matter under rule 377:—

The innumerable Sikh youth in Punjab are detained unconstitutionally for months without producing them before the Magistrates according to the constitutional provisions and they are inhumanly tortured by the Punjab Police and the Central Para-Military Forces. If these youth die in custody due to the torture, the police show them as killed in encounter. As a result, a feeling of discontent and secession is growing among the Sikh community there.

Therefore, I request the Government to take firm and practical steps and take action against the officers who are guilty of such cruel acts. Further, the Government should pay compensation to all affected youths and should release all those who are under unconstitutional detention of the Punjab Police.

(v) Need to provide more funds for SC/ST students living in hostels of educational institutions, particularly in Orissa

[English]

SHRI K. PRADHANI (Nowrangpur): Sir, there are a large number of hostels for the high schools for Scheduled Caste and Tribal boys in the country specially in Orissa where the stipend given to a student per month is Rs. 100/- for food,

[Sh. K. Pradhani]

clothing, oil and soap etc. The stipend per day comes to Rs. 3/- i.e. Rs. 1.50 per diet. Due to poor diet and bad condition of the hostels, the students go back to their homes as they cannot adjust with the food served to them in hostels, and as such the drop out percentage, particularly in Orissa is very high. The Government of Orissa, although are aware of the facts, yet cannot afford to give more money for these SC and ST students.

As 'education' is in the concurrent list of the Constitution, both the State and the Central Governments are responsible for the development of

education particularly among the backward classes.

I, therefore, request the Ministry of Welfare to release matching grants to these institutions which are not able to function properly due to constraint of resources.

MR. DEPUTY SPEAKER: The House stands adjourned to re-assemble tomorrow at 11.00 a.m.

19.15 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, October 5, 1990/Asvina 13, 1912 (Saka).