

(Taking Over of Management) Bill, 1997 which has been passed by the Rajya Sabha at its sitting held on the 10th March, 1997."

- (ii) "In accordance with the 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 10th March, 1997 agreed without any amendment to the Depositories Related Laws (Amendment) Bill, 1997 which was passed by the Lok Sabha at its sitting held on the 5th March, 1997."
- (iii) "In accordance with the the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the National Highways Laws (Amendment) Bill, 1997 which has been passed by the Rajya Sabha at its sitting held on the 11th March, 1997."

Sir, I lay on the Table two Bills as passed by Rajya Sabha on 10th March, 1997 and 11th March, 1997 respectively :

1. The Lalit Kala Akademi (Taking Over of Management) Bill, 1997.
2. The National Highways Laws (Amendment) Bill, 1997.

12.04 hrs.

DEMANDS FOR SUPPLEMENTARY GRANTS — (GENERAL)-1996-97

[English]

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI M.P. VEERENDRA KUMAR) : I beg to present a statement (Hindi and English versions) showing the Supplementary Demands for Grants in respect of Budget (General) for 1996-97.

[Placed in Library. See No. LT-1547/97]

DEMANDS FOR EXCESS GRANTS — (GENERAL)-1994-95

[English]

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI M.P. VEERENDRA KUMAR) : I beg to present a statement (Hindi and English versions) showing the Demands for Excess Grants in respect of the Budget (General) for 1994-95.

[Placed in Library. See No. LT-1548/97]

12.04½ hrs.

RE: SITUATION IN UTTAR PRADESH

[Translation]

(Interruptions)

SHRI ATAL BIHARI VAJPAYEE (Lucknow) : Mr. Deputy Speaker, Sir, one more murder has taken place in Uttar Pradesh. Renowned doctor, Dr. Ved Bhushan of Muzaffarnagar was assassinated yesterday in his clinic in broad day light.

Assassins came in the guise of patients. He was attending to patients. Now doctors will refuse to attend to patients. But I would like to bring to the notice of the House an aspect related to this murder. The same doctor was kidnapped on 6th November, 1996. He was released from the kidnappers. The kidnappers were arrested and 18th March was fixed for the identification in the Court. He was determined to identify them while the people were advising him not to do so as the danger was looming large on his life. He said that he wanted to go to court he was assassinated.

Is the Uttar Pradesh Government not aware of these facts? A year back he was kidnapped and it caused a lot of tension and lead to clashes in Muzaffarnagar. District officers and the officers of the State must have been aware of the incident. No arrangements were made for his security. If he was about to be produced before the Court, adequate security must have been provided to him. The news received recently from Muzaffarnagar shows that he was left to his destiny and at the mercy of God. There is a stage of a-narchy in Uttar Pradesh. I want that the hon. Home Minister should issue directions that all the facts related to this incident be collected and the House should be taken into confidence. We cannot afford to sit silent. So far as Katheriaji's case is concerned, no statement has so far been given on behalf of the Government in this regard...(Interruptions)

MR. DEPUTY SPEAKER : Dr. Joshi.

SHRI PRABHU DAYAL KATHERIA (Ferozabad) : Mr. Deputy Speaker, Sir, I may also be allowed to say something.

MR. DEPUTY SPEAKER : Let him speak, I will also give you an opportunity.

DR. MURLI MANOHAR JOSHI (Allahabad) : It is really a matter of shame that such incidents are taking place in Muzaffarnagar, Meerut and its surrounding areas. The administration of Uttar Pradesh is in the hands of the Central Government. Hence becomes more shameful. The Ferozabad incident is being raised in the House for the last few days. No progress has been made in the Farrukhabad case. Prior to this the SDM of Ayodhya district was killed in Allahabad. Five Bhartiya Janata Party activists were shot dead in Hamirpur. A person was also killed in Bulandshahr. Is there peace

in any of the districts or cities? Today a complete bandh is being observed in Muzaffarnagar. What is this happening? We read statement of Chief Secretary and Governor daily that the number of crimes is declining in Uttar Pradesh. Is the number of crimes decreasing or increasing? Those who come forward to identify any criminal they are being killed. Crime cannot be committed without any political protection. Political bosses are behind them. Without them they cannot dare to commit crimes. I would like to know the names of influential political leaders in Uttar Pradesh who are protecting these criminals. This question is not related to Governor only. There are many political leaders in the Government who are protecting the criminals and they are being encouraged to commit crimes...*(Interruptions)*

MR. DEPUTY SPEAKER : Let me say a few words. Vajpayeeji made a mention of Muzaffarnagar incident just now.

(Interruptions)

MR. DEPUTY-SPEAKER : Two days back the hon'ble Speaker said about Shri Katheriaji's case. It is not in record and all of you know also. In Uttar Pradesh the situation has gone out of hands and crimes are being committed on a large scale. It has become a gimmicks.

(Interruptions)

MR. DEPUTY SPEAKER : You sit down, please I want the Home Minister a statement on Katheriaji's case and the case of Muzaffarnagar.

(Interruptions)

[English]

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : Sir, I also want to say something on U.P...*(Interruptions)* Murders are taking place there, which is condemnable as the Leader of the Opposition has mentioned ...*(Interruptions)*

[Translation]

MR. DEPUTY SPEAKER : I have names all of you, I will call you one by one.

(Interruptions)

[English]

SHRI NIRMAL KANTI CHATTERJEE : Many incidents are taking place which are condemnable. As the Leader of the Opposition has mentioned, a great danger is befalling on U.P. now. There has been a campaign launched by the VHP *yatra* to liberate Krishna Janmasthan, to enact 6th December again by acquiring Shahi Idgah. Now they are shouting about U.P. They say that hopefully this is the first trial of the campaign. They want to liberate Krishna Janmasthan associated with the Idgah. So let the Home Minister respond to this also because that will embroil not only U.P. but the

whole of the country as was done due to the event after 6th December 1992. Nothing can be more serious than these happenings...*(Interruptions)*

[English]

SHRI SOMNATH CHATTERJEE (Bolpur) : I condemn all acts of killings and all acts of murders as the Leader of the Opposition has rightly mentioned ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Nothing is audible.

SHRI SOMNATH CHATTERJEE : Let him condemn what is happening there also.

SHRI NIRMAL KANTI CHATTERJEE : Will the Leader of the Opposition stand up to say that he condemns those forces? Will the Leader of the Opposition or even Dr. Murli Manohar Joshi condemn these efforts as they started liberating Mathura? Why do you not condemn them? Why are you so silent? Why is he not condemning this? He is trying to play a political role...*(Interruptions)*

SHRI SOMNATH CHATTERJEE : Mr. Deputy-Speaker, Sir, I request you to make an observation about this...*(Interruptions)*

12.12 hrs.

At this stage, Shri Prabhu Dayal Katheria and some other hon. Members came and stood on the floor near the Table.

(Interruptions)

12.12 hrs.

At this stage, Shri E. Ahamed and some other hon. Members came and stood on the floor near the Table.

MR. DEPUTY-SPEAKER : Nothing will go on record.

*(Interruptions)**

MR. DEPUTY-SPEAKER : Please go to your seats.

(Interruptions)

12.14 hrs.

At this stage, Shri Prabhu Dayal Katheria and some other hon. Members went back to their seats.

(Interruptions)

MR. DEPUTY-SPEAKER : Please go back to your seats.

12.14 hrs.

At this stage, Shri E. Ahmed and some other hon. Members went back to their seats.

(Interruptions)

* Not Recorded.

SHRI NIRMAL KANTI CHATTERJEE : They are destroying the secular fabric of this country ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Please go back to your seats.

(Interruptions)

SHRI NIRMAL KANTI CHATTERJEE : What is this? *(Interruptions)* Why are they silent?...*(Interruptions)*

Sir, why are they silent?...*(Interruptions)*. Why are you not directing the Government to respond? ...*(Interruptions)* You should request the Government to respond.

MR. DEPUTY-SPEAKER : Shri Sontosh Mohan Dev.

(Interruptions)

MR. DEPUTY-SPEAKER : Joshiji, please sit down. Let Shri Sontosh Mohan Dev speak.

SHRI SONTOSH MOHAN DEV (Silchar) : Sir, from our party, we fully appreciate the concern expressed by the Leader of the Opposition regarding the incident in Muzaffarnagar. No one in this House, irrespective of any ism, has any difference of opinion on this and we also condemn it. Your direction to the Minister of Home Affairs is not objected to by us; we rather appreciate it. But we shall also, at the same time, expect it from the Chair, which is like the judgement seat of Vikramaditya, that when a person sits in the Chair, he should always look to all sides of the House. The issue that has been raised by Shri Nirmal Kanti Chatterjee is equally of great concern for the whole House...*(Interruptions)* If the situation in Uttar Pradesh is beyond the control of the State Government, which is under President's rule, as expressed by Shri Atal Bihari Vajpayee, it demands more from the party which has supported VHP, to stop that agitation which is a disputed one. I shall request and humbly appeal to you that you should also direct the Government to come forward and make a statement on this.

MR. DEPUTY-SPEAKER : Shri Prabhu Dayal Katheria.

(Interruptions)

MR. DEPUTY-SPEAKER : Please, let Shri Prabhu Dayal Katheria speak. I will allow you also. Let him speak first.

(Interruptions)

MR. DEPUTY-SPEAKER : I have allowed Shri Katheria. Please allow him to speak.

SHRI SOMNATH CHATTERJEE : Sir, an appeal has been made to you to kindly give a direction to the Home Minister to make a statement. If you are not inclined to do that, I call upon the Government to make that statement today. They should make a statement on VHP.

SHRI P.R. DASMUNSI (Howrah) : Sir, we fully support Shri Somnath Chatterjee...*(Interruptions)* Sir, nothing can go on without disposing of this matter raised by Shri Nirmal Kanti Chatterjee. It is the most important issue...*(Interruptions)*

SHRI NIRMAL KANTI CHATTERJEE : Sir, you give a direction to the Government...*(Interruptions)*

SHRI A.C. JOS (Idukki) : Sir, You gave a direction to the Government supporting what Shri Vajpayee had said. You should also give a ruling on the statement of Shri Sontosh Mohan Dev...*(Interruptions)*

SHRI P.R. DASMUNSI : Sir, you give a direction to the Government to make a statement on what Shri Nirmal Kanti Chatterjee said...*(Interruptions)* I fully endorse what Shri Somnath Chatterjee said. The Government should come out with a statement...*(Interruptions)* Nothing can be more important than this...*(Interruptions)*

DR. GIRIJA VYAS (Udaipur) : Sir, it is the most important issue. We want a response from the Government...*(Interruptions)*

SHRI NIRMAL KANTI CHATTERJEE : Sir, you have already given a direction on the earlier issue raised by the Leader of the Opposition. You should direct the Government to make a statement on this. The import of this event may be very serious...*(Interruptions)* It may embroil the whole country...*(Interruptions)*

SHRI AMAR ROY PRADHAN (Coochbehar) : Sir, the Chair should give a direction to the Government to make a statement on what Shri Nirmal Kanti Chatterjee said. If not, a *suo motu* statement should come from the Government...*(Interruptions)*

SHRI A.C. JOS : Sir, I do not question your impartiality...*(Interruptions)* Please give a direction to the Government.

SHRI BASU DEB ACHARIYA (Bankura) : Sir, what prevents you from giving a direction to the Government? ...*(Interruptions)*

SHRI P.R. DASMUNSI : Sir, the Minister of Parliamentary Affairs is here, Shri Jena, you come out with a statement...*(Interruptions)* This is a serious matter...*(Interruptions)* Sir, we cannot any more allow to see another "Sixth December" in India...*(Interruptions)* The country's interests are very much bigger.

DR. GIRIJA VYAS : Sir, this is an important issue ...*(Interruptions)*

MR. DEPUTY-SPEAKER : I cannot hear. All of you are speaking.

(Interruptions)

SHRI NIRMAL KANTI CHATTERJEE : Sir, I request you to please put on the earphone...*(Interruptions)* The whole country is bursting...*(Interruptions)* Please give a direction to the Government.

MR. DEPUTY-SPEAKER : Please take your seat.

SHRI NIRMAL KANTI CHATTERJEE : Sir, we want a direction from you. Why do you not consider our request?

SHRI E. AHAMED (Manjeri) : Sir, this is a highly sensitive issue. It affects the whole country, particularly the minorities...*(Interruptions)* You please consider the constant threat that the minorities face because of these provocative actions...*(Interruptions)*

SHRI BASU DEB ACHARIYA : Sir, they want to organise a march to Mathura. Government should make a statement on this issue also. The Chair may give a direction...*(Interruptions)*

SHRI N.N. KRISHNADAS (Palghat) : Sir, we are all requesting. Please give a direction to the Government on this.

SHRI MULLAPPALLY RAMACHANDRAN (Cannanor) : Sir, this is a serious issue...*(Interruptions)*

MR. DEPUTY-SPEAKER : Please sit down.

[Translation]

So many Members are speaking at the same time.

(Interruptions)

[English]

SHRI G.M. BANATWALLA (Ponnani) : Why is the Chair silent? Why do you not give a direction to them?

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Deputy Speaker, Sir, since my name was called, I got up. I they do not want to listen I will sit down...*(Interruptions)*

[English]

MR. DEPUTY SPEAKER : Let us listen to Shri Vajpayee. Please sit down.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Deputy Speaker, Sir, some matters relating to Uttar Pradesh were raised in the House with your kind permission. If that discussion is over and the Hon'ble Members sitting on that side want to raise some other matter, they can do so. We have no objection. If the hon. Member...*(Interruptions)*. Now they have started speaking collectively ...*(Interruptions)* We were not interrupting them. I still do not understand that...*(Interruptions)*

VAIDYA DAU DAYAL JOSHI (Kota) : The whole family of Karnataka has disappeared. What the Government is doing?

SHRI ATAL BIHARI VAJPAYEE : If the hon. Members are demanding the Government made a statement on Mathura and Kashi, the Government should make a statement. We support that...*(Interruptions)*

[English]

SHRI NIRMAL KANTI CHATTERJEE : You tell the Deputy Speaker. You request him...*(Interruptions)*

SHRI BASU DEB ACHARIYA : The Chair has given a direction on that issue.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Deputy Speaker, Sir, is Central Government ruling in Uttar Pradesh? That is why we blame the Central Government. It is the responsibility of the Central Government to maintain peace in Uttar Pradesh. Mathura, Kashi and Ayodhya come under Uttar Pradesh. If our Members are agitated, the Government should come out with a statement. There will be a discussion on it in the House, we will also offer our comments.

[English]

SHRI SOMNATH CHATTERJEE : Sir, I am very happy that the hon. Leader of the Opposition has said that the Government should make a statement on that also. But as the entire House has condemned all the killings and murders that are taking place in Uttar Pradesh, we want to know whether they are condemning the action of the VHP or not.

SHRI N.K. PREMCHANDRAN : Mr. Deputy Speaker, Sir, we want to know the ruling from you in this regard also...*(Interruptions)*

[Translation]

MR. DEPUTY SPEAKER : Satya Deo ji, please take your seat. My problem is that when 15 people speak at a time I cannot make anything who is speaking what...

(Interruptions)

[English]

SHRI SAMIK LAHIRI (Diamond Harbour) : Please tell whether BJP is condemning it or not...*(Interruptions)*

MR. DEPUTY-SPEAKER : Please listen to me. Are you sure to speak on every subject? Can you not listen to others? Behave properly.

(Interruptions)

[Translation]

MR. DEPUTY SPEAKER : Shri Somnath Chatterjee spoke personally. I understand the point. He even said that the Chair was not inclined. That is not the thing. I am fully inclined.

[Translation]

That Government should make statement on this also.

(Interruptions)

[English]

MR. DEPUTY SPEAKER : Now, Shri Prabhu Dayal Katheria will speak.

(Interruptions)

[Translation]

MR. DEPUTY SPEAKER : Fifteen people are speaking. I cannot understand anything.

[English]

MR. DEPUTY SPEAKER : I have allowed Shri Katheria. Please sit down now.

(Interruptions)

SHRI BASU DEB ACHARIA : They are not condemning it...(Interruptions)

MR. DEPUTY SPEAKER : I have allowed Shri Katheria and none else.

(Interruptions)

[Translation]

SHRI PRABHU DAYAL KATHERIA : Mr. Deputy Speaker, Sir, I am submitting this to you with great distress and irony. Rising above party politics and without accusing any party, I narrated my tale of woe that struck to my family on the 12th February. I am a member of this House and you are our protector. It was my duty to put forth before this House the tragedy which has befallen on my family. I would like to submit that I put this fact before the House on March 4 and the hon. Speaker gave his ruling that the hon. Home Minister should make a statement about my family after getting the full information within 2-4 days.

Mr. Deputy Speaker, Sir, eight days have passed from March 4 to March 12. Have the Government become so crippled that they have not provided any information so far. In my family, one son 18 years old, other son 17 years old and a man of 38-39 years have been kidnapped. I am a member of this House and this could happen to some other hon. Member of the House at any time. I am again saying with anguish that till date 25 days have passed since then but the Government have no information. Mr. Deputy Speaker, Sir, where should I go where shall I demand justice and where shall I get justice? If the Government do not find out the whereabouts of my family members within four days, I will commit suicide inside this House. I am very sad. What should I do?

MR. DEPUTY SPEAKER : All the Members of the House have sympathy with you.

[English]

SHRI P.R. DASMUNSI : Mr. Deputy Speaker, Sir, he has narrated his plight not only in this House but to a number of MPs also. Sir, the Government should inform the House. They must come out with a statement tomorrow.

[Translation]

MR. DEPUTY SPEAKER : Let Katheria ji to complete his saying.

SHRI PRABHU DAYAL KATHERIA : It is very ironical that if we talk about Uttar Pradesh, it is the matter of Maharashtra that comes in the way. We talk about Maharashtra, the issue of Rajasthan is also raised. If we talk about Rajasthan, Madhya Pradesh comes in the way. A criminal is a criminal. He has no relation with anybody, he has no caste, no kith and kin. I can say with a challenge that if the political parties and high officers stop giving protection to criminals, terrorism and crime would cease to exist in India. I am totally distressed due to this danger. I should get justice. If I do not get justice...(Interruptions) I tell everybody that it could happen to any hon. Member. I should get information about my family...(Interruptions)

MR. DEPUTY SPEAKER : I request the Minister of Parliamentary Affairs and would like to tell him that the Hon'ble Speaker has also taken an initiative in this regard.

[English]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM (SHRI SRIKANTA JENA): Sir, I have already taken note of your observation. The Government will make a statement not only on Shri Katheria's case but also on the statement made by the Leader of the Opposition regarding Muzzaffar Nagar. The Government will also make a statement on the point made by Shri Nirmal Kanti Chatterjee. The Government will make three different statements on this issue itself...(Interruptions)

SHRI RAJESH PILOT (Dausa) : Sir, the Government cannot make statement on VHP, Kashi and Mathura. The BJP must make the statement...(Interruptions)

[Translation]

Mr. Deputy Speaker, Sir, I have a request to make whatever our colleague said does not call for a statement to be made in this regard but the Government should tell as to what action they have taken. Today is the fourth day and the hon. Member has said ten times about this in the House and outside the House. No Statement is required thereon. The Government should inform the progress report of this to the House.

The second thing is that Atal ji was speaking that he was reminded of December, 1992. The picture of August 1992 came to my mind when his yatra was proceeding. No statement is required from the Government on this count. Atal ji should categorically say whether he supports the actions of the VHP or not?

[English]

MR. DEPUTY SPEAKER : The matter is already over. Shri Madhukar Sarpotdar.

(Interruptions)

SHRI RAJESH PILOT : Sir, unless they make their stand clear, we will not allow the House to function...(Interruptions)

MR. DEPUTY SPEAKER : I have allowed Shri Sarpotdar.

SHRI RAJESH PILOT : They say that they have no connection with the VHP. The BJP should make a statement here...(Interruptions)

[Translation]

SHRI LALMUNI CHAUBEY (Buxar) : A rally which is going to be organised in Bihar should be stopped...(Interruptions) The situation is worsening there in the name of rally...(Interruptions). The CAG has passed some remarks against the Bihar Government in its report...(Interruptions)

[Translation]

MR. DEPUTY SPEAKER : Shri Chaubey, please sit down.

(Interruptions)

SHRI P.C. THOMAS (Muvattupuzha) : Sir, the VHP leaders are here. Let them say before the House what they feel...(Interruptions)

SHRI NITISH KUMAR (Barh) : Sir, I am on a Constitutional point...(Interruptions)

MR. DEPUTY SPEAKER : Please sit down. I have allowed Shri Sarpotdar

[Translation]

I will allow you after that

(Interruptions)

SHRI MADHUKAR SARPOTDAR (Mumbai North-West) : Mr. Deputy Speaker, Sir, today is the 12 March. Bomb blasts took place in Mumbai on this day...(Interruptions)

[English]

SHRI NIRMAL KANTI CHATTERJEE : On this aspect of the matter, why is he not responding? Are they condemning it or not?...(Interruptions)

MR. DEPUTY SPEAKER : Please sit down. Are you Shri Rajesh Pilot's spokesman? Can he not say what he wants to say? He himself is competent enough. Please sit down.

[Translation]

SHRI MADHUKAR SARPOTDAR : I would like to make a submission in this regard. A sum of Rs. 9 crore have offered to kidnap Shri Balasaheb Thakre and hand him over to Dawood Ibrahim. Balasaheb Thakre will be blown up at the instance of ISI of Pakistan within a few days. I want to ask through you whether there is no such person in the country who can meet the challenge that has been thrown to kill a leader of the country by Pakistan by offering Rs. 9 crore to the assailant. We cannot do anything. I ask the august House and Home Minister in this regard...(Interruptions)

SHRI MOHAN RAWALE (Mumbai South-Central) : Mr. Deputy Speaker, Sir, Dawood Ibrahim is an enemy of the country. Why is he not being apprehended ... (Interruptions). What does he think of himself ... (Interruptions) Four years have elapsed since the Mumbai bomb blasts took place... (Interruptions) What do Pakistan assume. Itself... (Interruptions). Hundreds of people were killed in the Mumbai blasts and Dawood is behind that... (Interruptions). This is the CBI report. Dawood is underground, he is a coward... (Interruptions). The Pakistan Government is behind the ISI, who dares the hands Balasaheb Thakre... (Interruptions) We will sacrifice ourselves for what.

[English]

SHRI NIRMAL KANTI CHATTERJEE : Sir, the Leader of the Opposition should respond.

12.37 hrs.

At this stage Shri Mohan Rawale come and stood near the Table.

(Interruptions)

MR. DEPUTY SPEAKER : Please go to your seat.

12.38 hrs.

At this stage, Shri Mohan Rawale went back to his seat.

[Translation]

MR. DEPUTY SPEAKER : Jenaji will you say something. This matter relates to Shiv Sena. Balasaheb Thakre has been threatened.

(Interruptions)

MR. DEPUTY SPEAKER : Please let him speak. You please take your seat. He has raised this issue.

[English]

SHRI SRIKANTA JENA : I could not hear anything... (Interruptions)

MR. DEPUTY SPEAKER : You please sit down. You do not even allow him to speak.

(Interruptions)

SHRI MADHUKAR SARPOTDAR : Sir, the Government should make a statement in this House regarding Dawood Ibrahim and the ISI activities ... (Interruptions)

MR. DEPUTY SPEAKER : Will you allow anybody to speak or not? What is this attitude? Please sit down.

SHRI MADHUKAR SARPOTDAR : Sir, our demand is that the Government should make a statement regarding the ISI activities in our country and also about Dawood Ibrahim and the activities in which he is indulging. When is this Government going to take action

against Dawood Ibrahim? I demand a statement in this House...(Interruptions)

[Translation]

SHRI MOHAN RAWALE : Mr. Deputy Speaker, Sir, why those people want to protect Dawood. Why has this Government not arrested him so far...(Interruptions)

MR. DEPUTY SPEAKER : Please sit down. Let him also speak.

(Interruptions)

MR. DEPUTY SPEAKER : Why do not you allow others to speak?

(Interruptions)

SHRI HARIN PATHAK (Ahmedabad) : Hon'ble Minister of Parliamentary Affairs, you should know that conspiracy is being hatched to assassinate an leader...(Interruptions). Why has he not been arrested so far.

SHRI MOHAN RAWALE : Why Dawood has not been arrested for the last 4 years...(Interruptions). Why has he not been arrested so far.

[English]

MR. DEPUTY SPEAKER : What is this?

(Interruptions)

SHRI SRIKANTA JENA : Sir, I have noted it...(Interruptions)

MR. DEPUTY SPEAKER : He has noted the matter.

[Translation]

SHRI MOHAN RAWALE : It is a very serious matter...(Interruptions) We are not afraid of anybody...(Interruptions)

SHRI MADHUKAR SARPOTDAR : Mr. Deputy Speaker, Sir, please ask the hon. Minister to make a statement...(Interruptions)

[English]

MR. DEPUTY SPEAKER : I have allowed Shri Ramashraya Prasad Singh only.

(Interruptions)

MR. DEPUTY SPEAKER : Do not cross the limit. Take your seat, please.

[Translation]

The hon. Minister has said that he has noted it. He has taken note of it.

(Interruptions)

[English]

MR. DEPUTY SPEAKER : He has taken note of it.

[Translation]

SHRI MOHAN RAWALE : He has killed many of our people...(Interruptions)

[English]

MR. DEPUTY SPEAKER : Allow him to speak now, please. Behave properly. Go to your seat, please.

(Interruptions)

MR. DEPUTY SPEAKER : Do not compel him. Go to your seat please.

[Translation]

SHRI MOHAN RAWALE : Why this Government is protecting Dawood, instead of arresting him?...(Interruptions)

[English]

MR. DEPUTY SPEAKER : I am sorry to say that he is crossing the limit. Take your seat please.

[Translation]

SHRI MOHAN RAWALE : Mr. Deputy Speaker, Sir, please understand our sentiments...(Interruptions)

[English]

MR. DEPUTY SPEAKER : I have all the regards for your sentiment. You should have regards for the House. Maintain the decorum of the House. Take your seat, please.

(Interruptions)

[Translation]

MR. DEPUTY SPEAKER : I have regards for your sentiments but you should also have regards for the conventions of the House.

(Interruptions)

SHRI NITISH KUMAR : Mr. Deputy Speaker, Sir, I want time from you on a constitutional point, will you give me an opportunity...(Interruptions)

[English]

MR. DEPUTY SPEAKER : Will you take your seat now?

(Interruptions)

SHRI P.R. DASMUNSI : Sir, will you allow me?...(Interruptions)

MR. DEPUTY SPEAKER : Shri Mohan Rawale, do not compel me.

(Interruptions)

MR. DEPUTY SPEAKER : Shri Mohan Rawale, leave the House, please.

SHRI MOHAN RAWALE : All right, Sir.

12.43 hrs.

At this stage, Shri Mohan Rawale left the House

[Translation]

MR. DEPUTY SPEAKER : Whatever the hon. Member has said will not go on record.

[English]

SHRI NITISH KUMAR : Sir, I am on a constitutional Point...(Interruptions)

[Translation]

MR. DEPUTY SPEAKER : Nitish ji, after Ramashraya Prasadji, I will give you a chance.

(Interruptions)

[English]

MR. DEPUTY SPEAKER : Shri Nitish Kumar, I will allow you later. I have allowed him to speak. Let him speak first.

[Translation]

SHRI NITISH KUMAR : What is meant by this side or that side?...(Interruptions)

Sir, there is no this or that sides in the House but all are hon. Members of the House. If point carries weight, that would be listens. Pick and choose policy can not be applied here. All are hon. Member of the House...(Interruptions)

SHRI RAMASHRAYA PRASAD SINGH (Jahanabad): Sir, the situation prevailing in Bihar is being discussed here. These are the people who are creating anarchy there. Those people who are sitting in the House today are responsible for creating anarchy. I would like to tell you that the points, you are raising about the situation in Uttar Pradesh and Bihar...(Interruptions)

MR. DEPUTY SPEAKER : Please, sit down.

Ramashraya Prasad ji, Please speak on the subject for which you have given notice...(Interruptions)

SHRI RAMASHRAYA PRASAD SINGH : I have been given time but they are not allowing me to speak ... (Interruptions)

Mr. Deputy Speaker, Sir, My point is this that we have got political right but we are not allowed to exercise it. Due to that very reason anarchy is prevailing in the country. If you intend to contain this anarchy, the poor should be allowed to exercise their political right to elect their own Government through the elections. These people are denying political rights to the poor...(Interruptions)

MR. DEPUTY SPEAKER : Please, sit down, Ramashraya Prasad ji I would like to read your subject perhaps, you are forgetting. You have given notice for...

[English]

"Need to start identity card scheme in Bihar"
Please speak on that subject only.

[Translation]

SHRI RAMASHRAYA PRASAD SINGH : Mr. Deputy Speaker. Sir, the main question is that we are not being allowed to exercise our Political right...(Interruptions) I am speaking on my subject but these people are making noise. Therefore, first of all the chair should decide as to what is anarchy...(Interruptions) Mr. Deputy Speaker sir, this is called anarchy that you have given me time to speak but these people are not allowing me to speak. These people who talk about politics do not allow others to exercise political rights.

Mr. Deputy Speaker, Sir, all people of this country have been given right to vote and for that purpose election commission has also formulated rule to issue identity cards to the voters so that they may exercise their right properly. This work has been assigned to the State Governments but the State Government do not want to issue these cards because they want to indulge in rigging in the elections...(Interruptions) The State Government do not to implement this programme. After all what to create anarchy in the elections, they are not implementing this programme. The election commission and the Supreme Court have issued directives to issue identity cards to the voters so that the poor people may exercise their constitutional right but the State Government does not want to implement this programme. That is all I would like to submit. With these words I conclude.

SHRI NITISH KUMAR : Mr. Deputy Speaker. Sir, I would like to draw your attention and through you the attention of the House towards a constitutional matter. I would like to quote here the Article 202 of the constitution.

[English]

Article 202 of the Constitution says :

- "(1) The Governor shall in respect of every financial year cause to be laid before the House for Houses of the Legislature of the State a statement of the estimated receipts and expenditure of the State for that year, in this Part referred to as the "annual financial statement".
- (2) The estimates of expenditure embodied in the annual financial statement shall show separately -
- (a) the sums required to meet expenditure described by this Constitution as expenditure charged upon the Consolidated Fund of the State; and
 - (b) the sums required to meet the other expenditure proposed to be made from the Consolidated Fund of the State;
- and shall distinguish expenditure on revenue account from other expenditure.

[Translation]

I would like to draw your attention towards it.

[English]

Article 205 of the Constitution on Supplementary, additional or excess grants says :

(1) The Governor shall -

(a) if the amount authorised by any law made in accordance with the provisions of article 204 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year, or

(b) if any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year,

cause to be laid before the House or the Houses of the Legislature of the State another statement showing the estimated amount of that expenditure or cause to be presented to the Legislative Assembly of the State a demand for such excess, as the case may be."

[Translation]

inviting your attention towards these two articles I would like to make a point on the situation of Bihar. The report of Comptroller and Auditor General of India has been submitted in Bihar legislature during this month. I am not saying anything about the entire report of C.A.G. but I am submitting in the context of these two articles only...(Interruptions)

MR. DEPUTY SPEAKER : Let him speak.

SHRI NITISH KUMAR : In the context of article 202 whatever is stated in the report of C.A.G. is mandatory on the part of the Government. The C.A.G. has said in the report.

"that revenue and capital expenditure have not been shown separately in the demands for grants and appropriations as desired under article 202 of the Constitution".

Mr. Deputy Speaker, Sir, this is the way how the Government is functioning. Revenue account and capital have not been shown separately in the budget. Under article 202 it is mandatory. This has been stated in the report of C.A.G. Secondly, with a view to the article 205 it has been stated :

"that excess expenditure of Rs. 5383.63 crores was not regularised till December, 1996"

As per article 205 excess expenditure should be regularised by the house. Despite the violation of article 205, 202 and the report of C.A.G., it has been stated that departmental figures mentioned in the reports of Comptroller and Auditor General of India have not been reconciled with the figures shown in the ledger of Auditor General for several years...(Interruptions)

MR. DEPUTY SPEAKER : Now you please conclude.

SHRI NITISH KUMAR : I will formulate my point...(Interruptions)

MR. DEPUTY SPEAKER : It appears from your submission that it is a state subject.

(Interruptions)

MR. DEPUTY SPEAKER : It is a matter of Legislative Assembly.

(Interruptions)

MR. DEPUTY SPEAKER : I am telling you.

(Interruptions)

SHRI NITISH KUMAR : Sir, please listen to the last line. I have to submit only two sentences...(Interruptions) Please listen to it...(Interruptions)

MR. DEPUTY SPEAKER : You please conclude.

SHRI NITISH KUMAR : Mr. Deputy Speaker, Sir, There is difference between the figures shown in the ledgers of C.A.G. and the State Government. C.A.G. asked repeatedly to tally them. They should be reconciled but that was not done. As a result of which in 1995-96 the expenditure of Rs. 1659.17 crores of 2350 units remained unadjusted. Rs. 5000 crore remain unadjusted, Rs. 1600 crore remain unadjusted as a result of which a scam involving Rs. 8000 crore took place. 61 per cent of the amount involved in the scam belongs to the Union Government...(Interruptions)

MR. DEPUTY SPEAKER : Nitishji, now please sit down.

SHRI NITISH KUMAR : 61 per cent amount of it belong to the Union Government, therefore, the Parliament has full right to discuss this issue ...(Interruptions) on the other hand C.A.G. has said so many things in his report and he has also warned the State Government but inspite of that the Chief Minister of the state made a statement in the House that C.A.G. should be arrested. A Constitutional crisis has arisen there. The state is not being governed as per the provisions of the Constitution, therefore, I urge upon the Government to impose financial emergency in Bihar as per article 360 of the Constitution...(Interruptions) I would like to request the Chair to listen to the views of other members also but the Union Government should come out with a clear statement on this issue ...(Interruptions)

MR. DEPUTY SPEAKER : Shrimati Sumitra Mahajan.

(Interruptions)

MR. DEPUTY SPEAKER : Please speak, you'll have to speak in this dinful atmosphere.

(Interruptions)

MR. DEPUTY SPEAKER : I shall give my ruling after that.

(Interruptions)

SHRIMATI SUMITRA MAHAJAN (Indore) : Should I speak in such a noise? My voice will not be audible...(Interruptions)

SHRI NITISH KUMAR : Mr. Deputy Speaker, Sir, the Constitutional machinery has failed there, Articles 202 and 205 are being violated. For what purpose, the provision of article 360 has been made in the Constitution? I want to draw your attention ... (Interruptions)

MR. DEPUTY SPEAKER : The report, which you are referring to, seems to be a report of the State Assembly.

(Interruptions)

MR. DEPUTY SPEAKER : I could not hear it properly.

SHRI NITISH KUMAR : I have raised a Constitutional matter.

DR. MURLI MANOHAR JOSHI (Allahabad) : Mr. Deputy Speaker, Sir, the matter raised by Shri Nitish Kumar in the House, is very important for Constitutional point of view. Some funds are voted by this House for the expenditure of the State Governments. Bihar Government spends the fund voted by the Parliament ... (Interruptions) The Constitution provides that revenue account and capital account should be maintained separately. There is provision in the Constitution in this regard... (Interruptions)

MR. DEPUTY SPEAKER : I cannot hear a loud voice. I am listening to him.

(Interruptions)

DR. MURLI MANOHAR JOSHI : A provision has been made very clearly in the Constitution in regard to laying of annual financial statement. This annual financial statement should contain the entire amount voted by the Lok Sabha... (Interruptions)

MR. DEPUTY SPEAKER : Please sit down for a while.

DR. MURLI MANOHAR JOSHI : Sir, please, tell him to take his seat.

MR. DEPUTY SPEAKER : What I can do?

DR. MURLI MANOHAR JOSHI : There is a provision of showing all the receipts and expenditures of the State Government under different heads... (Interruptions)

MR. DEPUTY SPEAKER : I shall give you a chance after him.

(Interruptions)

DR. MURLI MANOHAR JOSHI : I am speaking on the issue raised by Shri Nitish Kumar. Sir, I am informing non about the facts. Please give me your ears and then speak whatever you want... (Interruptions)

The funds voted by the Parliament are given to the State Government. The total receipts and expenditure should be there in the estimate and in financial statement and they should be shown under different heads. It is a fact... (Interruptions)

MR. DEPUTY SPEAKER : I have a list of sixty names.

DR. MURLI MANOHAR JOSHI : The Government is incurring serious irregularities. Without regularisation or without appropriation, how they are spending money?

13.00 hrs.

How is it possible that the Government has incurred excess expenditure to the tune of Rs. 5,900 crore without regularising it?... (Interruptions)

[English]

MR. DEPUTY SPEAKER : The House stands adjourned till 2 p.m.

13.01 hrs.

The Lok Sabha then adjourned for lunch till Fourteen of the Clock.

14.06 hrs.

The Lok Sabha reassembled after Lunch at Six Minutes past Fourteen of the Clock.

[MR. DEPUTY SPEAKER in the Chair]

(Interruptions)

[Translation]

MR. DEPUTY SPEAKER : Now, it is not Zero Hour.

MATTERS UNDER RULE 377

(I) Need to expedite setting up of an Aerodrome at Ajmer, Rajasthan.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer) : Mr. Deputy Speaker, Sir, Ajmer is the most important city from historical, religious, educational, cultural and tourism point of view. Famous Dargah of Sufi Sant Khawaja Sahab is located there and famous pilgrim centre, Pushkar is also located nearby. These religious places are visited by lakhs of people from India and abroad every year. Famous military cantonment and trade centre like Nasirabad and industrial cities like Kishangarh are