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**Title:** Regarding alleged statements by MDMK Ministers in support of the LTTE.

SHRI P.H. PANDIAN : Sir, this is a matter of public importance. You know that every Member of Parliament before taking his seat in this House has to take an oath and if he/she violates that oath, then he/she is liable to be disqualified. So also is the case with the Ministers of the Union. He/she has to take an oath before entering into office. The oath says:

"I bear true faith and allegiance to the Constitution of India as by law established; that I will uphold the sovereignty and integrity of India; that I will faithfully and consciously discharge my duties as a Minister for the Union and that I will do right to all manner of people in accordance with the Constitution and the law."

Sir, if a Minister violates this oath of office, then he is liable to be disqualified to be a Union Minister. \*

...(Interruptions)

\* Expunged as ordered by the Chair.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN) : Sir, how can you allow this to be raised?...(Interruptions)

SHRI P.H. PANDIAN :Sir, I have given this to you...(Interruptions) Sir, he has said that he has supported the LTTE...(Interruptions)

SHRI PRAMOD MAHAJAN: Sir, how could you allow this? This is in gross violation of the rules...(Interruptions)

SHRI P.H. PANDIAN : When the LTTE is a banned organisationâ€¦ (Interruptions) How can a Minister support the LTTE...(Interruptions)

SHRI PRAMOD MAHAJAN: Sir, I do not mind anything being raised but the Member should give a proper notice...(Interruptions)

SHRI P.H. PANDIAN : He said that he will continue to support the LTTE...(Interruptions)

SHRI PRAMOD MAHAJAN: Sir, nothing, that has been raised without giving a notice, should be allowed to go into the records...(Interruptions)

MR. SPEAKER: You can speak without making any specific allegation.

...(Interruptions)

SHRI P.H. PANDIAN : Sir, this is a legal question...(Interruptions)

MR. SPEAKER: Shri Pandiyan, you are aware of the rules. Now, whatever he has said in an allegatory form against the Minister should be expunged from the records.

...(Interruptions)

SHRI P.H. PANDIAN : Sir, I am talking on law...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : Sir, one is very much entitled to quote from the newspapers...*(Interruptions)*  
How can that be expunged? *(Interruptions)* Sir, only because the Parliamentary Affairs Minister is objecting...*(Interruptions)*

MR. SPEAKER: No. It is not because of that.

...*(Interruptions)*

SHRI P.H. PANDIAN : Sir, in the year 1984 one Shri Balakrishna Pillai who was a Minister in Kerala uttered a word...*(Interruptions)*

MR. SPEAKER: Shri Pandian, please take your seat for a minute.

SHRI PRIYA RANJAN DASMUNSI : He is quoting from a newspaper report. How can that be expunged?  
...*(Interruptions)*

SHRI BASU DEB ACHARIA (BANKURA): He was referring to a statement made by the Minister. He was not making any allegation.

SHRI A.C. JOS (TRICHUR): It is not an allegation, Sir. He is quoting from a newspaper report.

MR. SPEAKER: The rules are clear on the issue. If a Member wants to make an allegation, he can give a notice and make allegation against a Minister also. I have not received any notice to this effect from Shri Pandian.

SHRI P.H. PANDIAN : It is not an allegation. It is a fact.

MR. SPEAKER: Therefore, he can always say that the Minister has made a wrong statement, I have no objection. He can always say that the Minister was not right in making a statement. But I would not allow him to make an allegation against a Minister.

SHRI P.H. PANDIAN : Balakrishna Pillai uttered one word that Kerala will turn into Punjab. A writ of *Quo Warranto* was filed before the Kerala High Court. Kerala High Court decreed saying that it was for the Parliament or the Legislature to decide on disqualification. ...*(Interruptions)* That is why I have come here. Shri Pramod Mahajan, you also see the statement of your Minister. ...*(Interruptions)* MDMK Ministers are a part of the NDA Government. How can they continue to be Ministers if they continue to support LTTE, which is a banned organisation?  
...*(Interruptions)* LTTE is a banned organisation under POTA. Do they invite any action from the Central Government or do they invite any action by the State Government under POTA, or is the Government going to take action? I have given a copy. You are the supreme power here. It is for the Speaker to take action.

You may know about the Broadlaw's case. In the House of Commons he violated the Oath of Office. He was disqualified. Then, he again violated the Oath of Office. He was disqualified for three terms. He was disqualified three times. So, Sir, I would ask the hon. Speaker ...*(Interruptions)*

**अध्यक्ष महोदय :** भावना जी, आप अपनी बात बोलिये।

...*(व्यवधान)*

SHRI KAMAL NATH : The Minister is ready to reply. Let him reply.

MR. SPEAKER: I have given you enough time, Shri Pandian. Please sit down. Shrimati Bhavnaben Chikhalia.

...(Interruptions)

MR. SPEAKER: She also has an important issue to raise. Let her raise her important issue.

SHRI P.H. PANDIAN : Sir, it is for you to take action. Parliament is allowed to take action according to the Constitution. ...(Interruptions)

SHRI CHANDRA SHEKHAR : Mr. Speaker, Sir, he has not made an allegation. He has informed the House about a certain statement. The Minister is present here and he wants to say something. He should be given a chance to speak whether he has made such a statement or not.

SHRI KAMAL NATH : Let the Minister speak.

SHRI P.H. PANDIAN : He is not the Minister, Sir.

SHRI CHANDRA SHEKHAR : I am sorry, Sir.

SHRI P.H. PANDIAN : I am going to complete, Sir. Please allow me. Please give me one minute.

MR. SPEAKER: You have completed already.

SHRI P.H. PANDIAN : Please allow me to complete. Give me one minute, Sir.

In this House, you occupy the Vikramaditya's Chair. According to the Prime Minister, you occupied the Vikramaditya's Chair. It is for you to take action. It is for you to initiate action on the floor to disqualify the Minister. Even from primary membership you can disqualify him. ...(Interruptions) There are precedents even in this House. Shrimati Indira Gandhi was disqualified, removed. Was it not so? Shrimati Indira Gandhi was removed. There is a precedent. Suppose there is a violation of Oath of Office, you have to initiate action. You may please initiate action.

DR. C. KRISHNAN (POLLACHI): Sir, there is no violation in this.

SHRI P.H. PANDIAN : A Member also cannot violate the Oath of Office. He is primarily a Member and secondarily a Minister. Is he qualified to be a Member when he has violated the Oath of Office under the Third Schedule of the Constitution?

DR. C. KRISHNAN : The only violation is that the Tamil Nadu Government has used POTA in a wrong way. This is unduly controlled by the Tamil Nadu Government. ...(Interruptions)

MR. SPEAKER: Shri Pandian, please sit down. भावना जी आप सदन के सामने अपनी बात रखिये। आपका प्रश्न बहुत महत्वपूर्ण है।

SHRI P.H. PANDIAN : That is why I quoted Balakrishna Pillai's case. Balakrishna Pillai resigned. I have quoted an example. In Tamil Nadu, in 1985, ten Members were disqualified.

MR. SPEAKER: Please sit down, Shri Pandian.

SHRI P.H. PANDIAN : Give me one minute, Sir.

MR. SPEAKER: I have given you two minutes when you asked for one minute.

SHRI P.H. PANDIAN : I will finish, Sir.

In Tamil Nadu, ten Members were disqualified for violating the Constitution. ...(Interruptions)

In Tamil Nadu, 10 Members had been disqualified, and it was also upheld by the Supreme Court.

So, Sir, I would urge upon the *Vikramaditya* Chair to take action, to direct the hon. Prime Minister to drop him from the Cabinet and initiate action in this House. Thank you....(Interruptions)

MR. SPEAKER: Now, Shrimati Bhavna Chikhhalia

...(Interruptions)

SHRI BASU DEB ACHARIA : Sir, what is your ruling?...(*Interruptions*)

SHRI N.N. KRISHNADAS (PALGHAT): Sir, I am on a point or order...(*Interruptions*)

MR. SPEAKER: There is no point of order during 'Zero Hour'. Please take your seat.

...(*Interruptions*)

SHRI RUPCHAND PAL (HOOGLY): Sir, let the hon. Minister respond...(*Interruptions*)

MR. SPEAKER: I have called the name of Shrimati Bhavna Chikhalia. Please let her speak.

...(*Interruptions*)