

Special Protection Group (Amendment) Bill, 1991, which was passed by the September, 1991."

- (ii) I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Tuesday, the 10th September, 1991 adopted the following motion in regard to the Joint Committee on offices of Profit:-

"That this House concurs in the recommendation of the Lok Sabha that a Joint Committee of the House to be called the Joint Committee on offices of profit be constituted for the purposes set out in the motion adopted by the Lok Sabha at its sitting held on the 26th July, 1991, and resolves that this House do join in the said Joint Committee and proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, five members from among the members of the House to serve on the said Joint Committee."

I am further to inform the Lok Sabha that in pursuance of the above motion, the following members of the Rajya Sabha have been duly elected to the said Committee:-

1. Shri E. Balanandan
2. Shrimati Kailashpati
3. Shri Som Pal
4. Shri Santosh Kumar Sahu
5. Shri Subramanian Swamy

13.12 hrs

PETITIONS

- (I) **Re need to amend the Indian Trust Act, 1882**

[English]

SHRI H. D. DEVEGOWDA (HASSAN):

Sir, I beg to present a petition signed by Shri D. T. Jayakumar, Ex M. L. A. Karnataka and Shri Chikkamadu, Zila Parishad Member, Hunasur, District Mysore, regarding need to amend the Indian Trusts Act, 1882.

- (II) **Re removal of disparity between urban and rural population in the matter of standard of living, etc.**

SHRI RAMPAL SINGH (Domariagan):
Sir, I beg to present a petition signed by Shri Bhanu Pratap Singh of village and P.O. Sohna district Sidharthnagar (Uttar Pradesh) and others regarding (i) removal of disparity between urban-rural population in the matter of standard of living, literacy and mortality; and (ii) treating 'Agriculture' as an 'Industry'.

13.11 hrs

PERSONAL EXPLANATION UNDER
RULE 357

[English]

SHRI INDERJIT (Darjeeling): Mr. Speaker, Sir, my attention has been drawn repeatedly during the past fortnight to separate but shocking statements made against me by two Members of Parliament of the Sikkim Sangram Parishad, Shri mati Dil Kumar Bhandari in the Lok Sabha on July 18 and Shri Karma Topden in the Rajya Sabha on July 19 last. Both attacked me on the basis of a statement alleged to have been made by me at public meeting at Kurseong, which is a part of my constituency of Darjeeling. I was stated to have declared that "The Nepalese have no place in India."

Friends, among some veteran members of the House advised me to ignore the two statements. But I now find that these fellow members and their partons have exploited my decision not to formally contradict their statements. Consequently, many innocent and fine people in different parts of our

country have been misled, prompting me, Mr. Speaker. Sir, to approach you and get your kind permission to make this statement today and set the record straight.

I want to make it clear once and for all that I never stated what has been attributed to me. The statement alleged to have been made by me is false and fabricated.

It is a calculated effort to malign and vilify me. I wish the Members concerned had extended to me, as a fellow Member of Parliament, the minimum courtesy of checking the veracity of the statement. At one stage, Mr. Topden said in the Rajya Sabha: "Such a statement, if true, would..." They should have checked with me before attacking me...*(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Sir, whatever that has been said in the Rajya Sabha need not be referred to here.

MR. SPEAKER: A Member of Rajya Sabha has alleged something against him. He cannot go and make a statement over there. This is why, he is making a statement here.

SHRI SOMNATH CHATTERJEE (Bolpur): Do not give personal explanation for something made outside...*(Interruptions)* Sir, he can go to the press...*(Interruptions)*

MR. SPEAKER: I will just read out the ruling. It says:

"If the allegations are made in Rajya Sabha against a Member of Lok Sabha, the latter may be permitted to make a personal explanation to clarify his position."

SHRI INDERJIT: Thank you, Sir, ...*(Interruptions)*

MR. SPEAKER: He is not alleging

anything against a Member of the Rajya Sabha. He is just giving an explanation to what has been alleged against him. He cannot go to Rajya Sabha. If he is also not allowed to make a statement here, then it does not become a part of the record of the Parliament. That is why, he is allowed.

(Interruptions)

[*Translation*]

SHRI ATAL BIHARI VAJPAYEE: What will be its result? Today, Shri Inderjit is giving a rejoinder to the Utterances inmade in Rajya Sabha, tomorrow there will be a counter reply in Rajya Sabha to the statement made by him here today ...*(Interruptions)*.

[*Translation*]

MR. SPEAKER: No, actually.....

SHRI ATAL BIHARI VAJPAYEE: When will this question-answer series end?

MR. SPEAKER: No Member of this House will be allowed to speak against the member of that House. He is giving explanation in what has gone on record. If there is any such thing on .

[*English*]

If he wants to allege anything against him, he won't be allowed to do that. There is a difference between giving explanation and making an allegation, and it is the ruling.

(Interruptions)

MR. SPEAKER: We will apply our mind. But, these are the rulings.

SHRI SOMNATH CHATTERJEE (Bolpur): Sir, it is not that we are just supporting anything said in the Rajya Sabha

[Sh. Somnath Chatterjee]

against the Member of the Lok Sabha. Not that. The question is how it is to be dealt with? (*Interruptions*).

MR. SPEAKER: This is exactly what I have read out to you. If the allegations are made in Rajya Sabha against a Member of Lok Sabha, the latter may be permitted to make a personal explanation, to clarify his position. This is a Ruling given on 30 August, 1969. There is a Ruling given also on 1 April, 1970 and there is a third Ruling given on 4 April, 1970. There are many Rulings.

SHRI INDER JIT: Thank you, Sir, for upholding justice. (*Interruptions*).

SHRI K.P. UNNIKRIISHNAN (Bagdora): What are the political compulsions? You cannot bring in a personal explanation. (*Interruptions*)

SHRI INDER JIT: It has been my pleasure, indeed to have know Mrs. Bhandari well during the past few years and so also Mr. Topden, whom I first met as the Secretary to the Sikkim Chief Minister in Gangtok. I know they have their personal and political compulsions. Both are aware of my role as a mediator in bringing about the Darjeeling Accord. They know on too well my affection for the fine people of the Darjeeling hills and my commitment to doing my best for getting them long-delayed fair play and justice. Both know equally well that it is the love and affection of the people of the Darjeeling hill areas that has enabled me to win the Lok Sabha election with a huge majority twice in two years—in 1989 and again in May Last.

The Indo-Nepal Treaty grants to the Nepalese in India and to the Indians in Nepal certain reciprocal rights in regard to residence, trade and employment, etc. The Nepalese are fully entitled to reside in India and enjoy these rights and privileges on a

reciprocal basis. I am also aware of the fact that many Nepalese have served in the Indian Army from the British times and continue to do so her locally in the Gorkha Regiments. We in India have every reason to be grateful to them for their sacrifices and services. Few in the world can equal their valour. I am glad our own Gorkhas are now coming forward in larger numbers to serve their motherland. There is no question of my ever casting any aspersion on the loyalty of these Jawans.

Finally, Mrs. Speaker, Sir, I have been accused of trying to divide more than 10-million Nepal-speaker king people. Nothing could be farther from the truth. True, I draw a clear distinction between Indians and nonbe for-Indians. We have this in India persons who are Indians and those who are Nepalese. Both have their respective places in India. One as Indian nationals and the other as Nepalese under the Indo-Nepal Treaty. There is no scope for any confusion.

I request both Shri Karma Topden and Shrimati Dil Kumari Bhandari and their supporters to stop maligning me.

SHRI CHANDRA SHEKHAR (Ballia): Mr. Speaker, Sir, I am sorry you have allowed him. But, he cannot make a statement on Indo-Nepalese relations in self-explanation. I do not know what he is talking of? (*Interruptions*). Mr. Speaker, Sir, I am speaking. I am telling that this is too delicate a matter to be dealt with by the hon. Member. He should make a statement and he should say that he has no disregard or disrespect for Nepalese. But he has quoted Indo-Nepalese Treaty and all that. Has he known the implications of what he is saying in this House? Have you considered the implication of what is contained in his statement? And how does it come under self-explanation, I do not know.

I recognise the right of self-explanation.

The Member is entitled to say about the whole Indo-Nepalese relations and the Nepalese in India. This is too delicate a matter, Mr. Speaker, Sir and I think, that this portion should not go on record. *(Interruptions)*.

SHRI K.P. UNNIKRISHNAN: He is not following the parameters of the personal explanation, as has been followed in this House.

SHRI CHANDRA SHEKHAR: He has said one sentence. He does not doubt the loyalty of Nepalese. What does it mean?

MR. SPEAKER: Nepalese in India.

SHRI CHANDRA SHEKHAR: No, he said one sentence that he 'does not doubt the loyalties of Nepalese.' You have to remove from the record.

SHRI INDER JIT: I did not say that.

SHRI CHANDRA SHEKHAR: You said it.

SHRI INDER JIT: I think my good friend, Shri Chandra Shekhar, the Former Prime Minister- I know that he has certain feelings towards Nepal and Nepali friends. My point is *(Interruptions)*

SHRI CHANDRA SHEKHAR: What does he mean, Sir? What is he talking, Mr. Speaker? I have a feeling, I know what he is talking. He does not know what he is talking. *(Interruptions)*

MR. SPEAKER: Please take your seats.

SHRI CHANDRA SHEKHAR: The only thing is, he does not know what he is talking.

MR. SPEAKER: Inderjit Ji, the only simple thing which is expected.....

(Interruptions)

SHRI CHANDRA SHEKHAR: Mr. Speaker, Sir, anything about Nepalese should not go on record.

(Interruption)

SHRI INDER JIT: Mr. Speaker, Sir, my explanation is in the context of what was said by both these members referring to the Nepalese people in the Indian Army, and the Gorkhas. They attacked me, They said that I want got the Nepalese thrown out. If Shri Chandra Shekhar is so kind as to read the full text of the statement by Shri Karma Topden in the Rajya Sabha and by Mrs. Bhandari in the Lok Sabha, he will have no objection. I have only sought to answer the points which both of them made in their statements in these two Houses.

SHRI CHANDRA SHEKHAR: Once you have said that it is fabricated, it is over. *(Interruptions)*.

MR. SPEAKER: I think what Shri Chandra Shekharji has said will be examined very carefully and if a reference is made to a Treaty and if it is complicating the matter, we will take an appropriate decision.

SHRI SOMNATH CHATTERJEE: His personal explanation is used for giving his political views on the matter. *(Interruptions)*. He is only to either accept or deny. It has been attributed to him and he said, 'I did not say this'. He has his own theory and he is giving it to the House.

MR. SPEAKER: If he has referred to an existing Treaty....

SHRI SOMNATH CHATTERJEE: What for? It does not require his acceptance to it. *(Interruptions)*.

SHRI SPEAKER: Anybody referring to a law or existing treaty cannot be treated as objectionable, but then Shri Chandra Shekharji has something, I shall have to look into it very carefully and I will look into it very carefully.

SHRI INDER JIT: Mr. Speaker, Sir....

MR. SPEAKER: Don't complicate the matter. Leave it now. You have given you

SHRI BUTA SINGH (Jalere): I am not going to further add to what has been said here. Having dealt with the Darjeeling issue, I can only say one thing without any fear of contradiction Nepalese origin and the Gurkhas of Indian origin, that if in treaty, then there is nothing wrong in it.

MR. SPEAKER: This is exactly what I have said. But then if the fear is expressed, we should look into it very carefully.

SHRI SOMANATH CHATTERJEE: This is a ruling given by Buta Singhji.

[*Translation*]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, there is no objection on referring to the treaty signed with Nepal. Objections is that so many things have been said in the name of personal explanation.

[*English*]

SHRI SOMNATH CHATTERJEE: This is my contention, Sir.

[*Translation*]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, once Madhav Rao Scindia was in trouble due to personal explanation.

[*English*]

MR. SPEAKER: That is exactly why I called for the statements. I went through it carefully, it was examined by the office also, and we deleted some matter which was in

the letter also. We have already done that. But then supposing Chandra Shekharji has said something, I would very carefully examine what he has said, but generally reference to a law or reference to a treaty which is a public document I agree, this is not an act, but then I have not gone through the treaty, I don't claim to know every clause and aspect of the treaty. But I will certainly look into it again and if anything is objectionable, it can be deleted.

[*Translation*]

SHRI CHANDRA SHEKHAR: Mr. Speaker, Sir, the question is not of treaty only or referring to the treaty. I did not want to say that a dispute is going on between Ghisingh and Nepalese is that area. There is scope of misunderstanding, what the hon. member is asserting. I do not want to say anything more.

[*English*]

SHRI INDER JIT: Sir, I may be allowed to clarify. What was stated against me was that I had said that all the Nepalese in India must leave. I have clarified in my statement that the Nepalese under the Indo-Nepal treaty have a place here in accordance with the Treaty. I would beg of you, in conclusion, Sir, that please read my statement in the context of what was stated by Mr. Karma Topdon in the Rajya Sabha and by Mrs. Bhandari here. Unfortunately, my friends Shri Chandra Shekhar and Shri Somnath Chatterjee are not fully aware of the statements made against me. I have not gone beyond what was said against me. They accused me of being anti-Nepali wanting to throw all the Nepalese out. I have only clarified what the basic situation is and I am grateful to Shri Buta Singh Ji also....(*Interruptions*).

MR. SPEAKER: O.K., We are going to the next item now. Before I take up the next item on the agenda, I must very respectfully bring to the notice of all the hon. Members who have splendidly and enormously cooperated with the Chair and with all others that two items probably should be completed

before we rise today may be two or maybe three, if one more is added. So, the time allotted for one item is one hour and for another item is one more hour.

SHRI ATAL BIHJARI VAJPAYEE: What is the third item, Sir,

MR. SPEAKER: Third item we have to decide upon. So, may I request that this matter also should be completed?

Now Matters Under Rule 377. I would not like it to be taken up at the end because four or five Members have to sit for the whole day. That is not proper. So, I am taking it up now.

13.27 hrs.

MATTERS UNDER RULE 377

- (I) **Need to provide adequate assistance to the Government of Madhya Pradesh to control Cholera and gastroenteritis in Vilaspur district**

[*Translation*]

SHRI KHELAN RAM JANGDE (Vilaspur): Cholera and gastroenteritis have broken out in epidemic form in vilaspur district (Madhya Pradesh). The State Government is unable to take appropriate steps to check these diseases due to paucity of resources. I request that Government of India should conduct a survey to assess the exact position there and make arrangements for providing grants, for medicines so that people of that district may get rid of cholera and gastroenteritis.

13.28 hrs.

[MR. DEPUTY-SPEAKER *In The Chair*]

- (II) **Need to issue a commemorative stamp in memory of Rani Chennema of Kittur**

SHRI C.P. MUDALA GIRIYAPPA (Chitradurga): Sir, in view of declaration by

SAARC to celebrate this year as 'International Women's Year', it has become imperative to throw light on the history of women of the past and instill moral courage into those who are coming up in various fields of life in the present. Woman is not weak. She never lags behind in any adventure. Besides, she has excelled men in many fields. One such example before us is the daring story of immortal Rani Channamma of Kittur, whose exhibition of valour and sacrifice for the attainment and preservation of freedom is ever praiseworthy. Rani Channamma, who sowed the seeds of freedom and subjected the British to a great humiliation by defeating them for the first time as back as in 1824 has been undoubtedly a venerable lady of the nation. She is the fountain head of inspiration behind the "Women's Dal" being celebrated every year on 23rd October.

Channamma, who has been like the star of the dawn heralding the Indian freedom, is one among a few memorable freedom fighters of India.

Though a postage stamp was issued a few years ago, it will certainly be in the fitness in the present context if a colourful postage stamp in her memory is issued for the second time.

I request the hon. Minister of Communications to issue the stamp on 2nd February, 1992, which is the 163rd anniversary of Rani Chennamma of Kittur.

- (III) **Need to exempt farmers of Rajasthan from payment of loans taken by Indira Gandhi Nahar Project Authority on their behalf**

SHRIMATI VASUNDHARA RAJE (Jhalawar): Sir, The line water courses are being constructed since 1974 by the project authority on behalf of the cultivators in the Indira Gandhi Nahar Project and Chambal areas. While in some cases the loans were directly advanced to the cultivators by the commercial banks, in majority of cases, the Rajasthan Land Development Corporation has taken loans on behalf of the cultivators. The farmers are required to repay these