

In order to ensure a free and fair poll through inter alia proper deployment of central forces in the poll related areas, the ECI vide another order dated March 13, 1995 rescheduled the remaining part of the poll to March 15, 21 and 25, 1995. This rescheduling was done on the basis of incidents of poll vitiation on the first day of polling (11th March) in the State.

According to ECI's aforesaid order dated March 13, 1995, the election process in the State had to be completed by March 29, 1995. However, by his order dated March 22, 1995, CEC had rescheduled the last phase of polling and has ordered that the modified dates of Poll shall be March 25 and 28, 1995 and the date by which the process of election in the state shall be completed will be March 31, 1995. Counting has been ordered to commence on March 29, 1995 except in case of Assembly Constituencies which will go to Poll on March 28, 1995 where it can be commenced on March 30, 1995.

In the light of this the CEC's order of March 22, 1995 the Governor of Bihar sent a report to the President stating that in view of the rescheduling of the elections it does not now seem possible to constitute an elected Government before the end of the financial year (March 31, 1995) so as to enable a duly constituted Government to secure passage of the Budget or Vote-On-Account for the financial year beginning on April 1, 1995. The Governor had further expressed the view that a situation has arisen wherein the Government of the State of Bihar cannot be carried on in accordance with the provisions of the Constitution and the only alternative is to invoke Article 356 of the Constitution and to impose the President's Rule.

It may be mentioned that the Governor of Bihar, vide his letter dated March 24, 1995, had sought advice of the Central Government about a draft Ordinance submitted to him for Promulgation by the Caretaker Chief Minister. This draft Ordinance seeks to sanction an expenditure of Rs. 1700 crores from the Consolidated Fund of Bihar by way of a Vote-On-Account. The advice of the Ministry of Law, Justice and Company Affairs (Department of Legal Affairs) has been obtained about the Constitutionality of the Promulgation of such an Ordinance under Article 213 by the Governor. The advice received is that such a Legislation will be bad in Law.

In view of the foregoing, the House would appreciate that the President's Rule has been imposed in Bihar only to ensure conformity to the spirit of the Constitution and to ensure due financial arrangements for the period after March 31, 1995. The Government is committed to uphold democratic traditions as well as the Constitution at all costs.

[English]

MR. SPEAKER : Shri Pranab Mukherjee to make a statement. You can lay it on the Table of the House.

STATEMENT BY MINISTER Contd....

- (ii) Visit of H.E. Mrs. Chandrika Bhandarnaike Kumartunga, President of Sri Lanka.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI PRANAB MUKHERJEE) : Sir, I beg to lay on the Table a Statement regarding visit of H.E. Mrs. Chandrika Bhandarnaike Kumartunga, President of Sri Lanka.

STATEMENT

The President of the Democratic Socialist Republic of Sri Lanka Mrs. Chandrika Bhandarnaike Kumartunga paid a State visit to India from March 25-28, 1995. She was accompanied by the Foreign Minister Mr. Lakshman Kadirgamar, the Trade Minister Mr. Kingsley Wickramaratne and senior Advisors and officials. During her visit, the President of Sri Lanka called on the President of India and the Vice-President of India also held discussions with her. The Sri Lankan President had talks with the Prime Minister on March 25 followed by discussions between delegations of the two countries. I had a wide-ranging exchange of views with the Sri Lankan President and members of her delegation. The Finance Minister Dr. Manmohan Singh also called on the visiting dignitary. Discussions between the leaders of the two countries were held in an atmosphere of cordiality and reflected the mutual desire to further strengthen understanding between our two countries.

In pursuance of the discussions, it has been decided that India would extend tariff concessions to Sri Lanka on certain items of specific export interest to that country. India has also agreed to extend a credit equivalent to US \$30 million to Sri Lanka to facilitate trade and commercial exchanges with India. Hon. Members may be aware that India's exports to Sri Lanka have increased manifold over the last 5 years; both sides agree that there is still vast potential for expansion of trade to mutual benefit, and for increased Indian investments in Sri Lanka.

During my meeting with the Sri Lanka President and members of her delegation, there was a fruitful discussion on our bilateral relations as well as on international issues. It has been agreed that consultations would be held between officials of the two countries as soon as possible to resolve the problems being faced by Indian fishermen. During the discussions, the two sides also stressed the continuing cooperation to ensure the smooth repatriation of Sri Lankan refugees from India.

Sri Lanka and India, both accord high priority to the development of effective regional cooperation. Our two countries are agreed on the need for early operationalisation of SAPTA. During the discussions, it was noted that the Sri Lanka President would be visiting India again soon for the meeting of Heads of State/Government of the SAARC countries.

In her discussions with the Prime Minister, the Sri Lanka President conveyed an assessment of the situation in that country with particular reference to the efforts made by the Government of Sri Lanka to restore peace and normalcy and reach a settlement on the ethnic issue. It was reiterated that India has always stood for a peaceful, negotiated settlement to this issue. Restoration of peace and stability in Sri Lanka would have a positive impact in this region.

The Sri Lanka Government has noted the actions already taken by the Government of India over the past few years to comply with the requirements of Indian law relating to the arrest of Prabhakaran. Hon. Members may recall that the designated Court in Madras, where the trial of the Rajiv Gandhi assassination case is in progress, had issued warrants of arrest and proclamations against V. Prabhakaran under Section 8(3)(A) of TADA. With the approval of the Government of Sri Lanka, these were got published in leading Tamil and English newspapers of Sri Lanka in 1992. According to the proclamations, V. Prabhakaran was directed to appear before the designated Court on or before 28.2.1992. This deadline having passed without the accused appearing before the Court, further legal action into the case has been under progress. On 20 May 1992, the Special Investigation Team (SIT) filed the charge sheet against V. Prabhakaran, prime accused, in the designated Court in Madras. In April 1994, a Red Corner notice requesting the arrest of V. Prabhakaran was circulated through Interpol.

The exchange of views with the Sri Lanka President, who was on her first official bilateral visit abroad has been extremely useful. Hon. Members will recall that immediately after Mrs. Kumaratunga assumed Presidency of Sri Lanka, the Foreign Minister, Mr. Lakshman Kadirgamar had visited India last December for discussions with Indian leaders. These close and regular contacts reflect the priority accorded by both to the maintenance of friendly, bilateral relations and better understanding between our Governments and peoples.

[English]

16.06 hrs.

COUNTING OF VOTES IN BIHAR - Contd.

MR. SPEAKER : Shri S.B. Chavan to give information about elections.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): Sir, the counting of votes in Bihar has begun. As per the latest information; counting votes is going on in 251 constituencies...(Interruptions)

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK) : Mr. Speaker, Sir, there is pressing business on the List of Business. The financial business which the House has to transact is pending. The Opposition is trying to stall it. The Members, specially those from the Janata Dal, are trying to stall the proceedings of the House. They want to create problems. They want to create a crisis situation. We would like to appeal to you to kindly allow the House to take up the work and kindly direct the House to transact its business which is very essential and which we have to take up very urgently... (Interruptions) Sir, they are trying to create problems. They are only trying to find excuses. They may be thinking that they are doing very badly in Bihar. They may be afraid that they will be losing power in Bihar. Therefore, they are trying to resort to such tactics in the House. They are talking about murdering the democracy. But they are trying to murder democracy by coming to the well of the House here. The activities of the Janata Dal and the Left Parties are sheer murdering of democracy and this House and we are not going to allow such type of activities...(Interruptions)

[Translation]

SHRI MUKUL WASNIK : Mr. Speaker, Sir, we will not let them get away with their dictatorship in this House. These people have been resorting to dictatorship in this House...(Interruptions)

Sir, this way they want to show how have they contested elections in Bihar. They want to show that they have not only got away with their hegemonistic behaviour in Bihar only but now they are trying to do the same in this House also...(Interruptions)

[English]

MR. SPEAKER : I am giving one more opportunity to the Members to behave properly in the House. If they do not behave properly in the House, then necessary action will be taken tomorrow.

I am adjourning the House to meet tomorrow morning at 11 AM.

16.09 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, March 30, 1995/Chaitra 9, 1917 (Saka).