

LOK SABHA DEBATES (English Version)

**First Session
(Ninth Lok Sabha)**



सत्यमेव जयते

(Vol. I contains Nos. 1 to 9)

**LOK SABHA SECRETARIAT
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LOK SABHA DEBATES

LOK SABHA

Friday, December 29, 1989/Pausa 8, 1911
(Saka)

The Lok Sabha met at Eleven or the Clock

[MR. SPEAKER *in the Chair*]

[*English*]

OBITUARY REFERENCE

MR. SPEAKER: Honourable Members, I have to inform the House of the sad demise of Shri K. Ramakrishna Reddy who was a member of the Fifth Lok Sabha during 1971-77 representing Nalgonda constituency of Andhra Pradesh.

An agriculturist by profession, he worked untiringly for the development of rural areas and promotion of education. A social and political worker, he was associated with various organisations in different capacities.

A philanthropist, Shri Reddy actively participated in the Bhoodan movement and donated 1/4th of his property to the movement.

Shri Reddy passed away on 26th November, 1989, at Hyderabad at the age of 71.

We deeply mourn the loss of this friend and I am sure the House will join me in conveying our condolences to the bereaved family.

The House may now stand in silence for

a short while to express its sorrow

The Members then stood in silence for a short while

11.02 hrs.

ORAL ANSWERS TO QUESTIONS

[*English*]

Opening of Bank Branches in Rural Areas

*83. SHRI ANADI CHARAN DAS: Will the Minister of FINANCE be pleased to state:

(a) the guidelines of the Reserve Bank of India for opening bank branches in rural areas under the Branch Expansion Programme;

(b) the district-wise number of bank branches in rural areas recommended for opening by the Government of Orissa, number in respect of which licences have been issued, the branches actually opened alongwith its break-up into commercial banks and regional rural banks during the last two years ending on November, 1989; and

(c) whether Government are contemplating to review the policy of opening of bank branches in rural areas so as to cover more and more rural areas?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) to (c). A Statement is given below.

STATEMENT

(a) The aim of the current Branch Licensing Policy for 1985-90 is to achieve a coverage of 17,000 population (as per 1981

census) per bank office in rural and semi-urban areas of each development block and make available at least one bank office within a distance of 10 kms. from every village. Hilly tracts/tribal areas and sparsely populated regions have been given special consideration by relaxing the population norms from 17,000 to 10,000.

(b) Districtwise number of bank branches in rural areas recommended by the State Government of Orissa, number of licences issued and branches actually opened by commercial banks and Regional Rural Banks during the current Plan period ending November, 1989 are indicated in the *Annexure*

(c) On the basis of list of identified centres received from the State Government, Reserve Bank of India has allotted a total number of 366 rural and semi-urban centres in the State of Orissa under the current Branch Licensing Policy period. The banks have opened branches at 146 centres upto 30th November, 1989. The banks are required to open the remaining branches at 220 centres. Besides, 20 urban/port town centres have been allotted to the banks and they have opened branches at 17 centres. No more identification of any additional centres is contemplated. As such, there is no proposal to allot further centres to banks during the remaining period of the Seventh Five Year Plan.

ANNEXURE

Statement showing number of bank branches in rural areas recommended by the State Government of Orissa, number of licences issued by Reserve Bank of India, number of branches opened by commercial banks and Regional Rural Banks during the current Plan Period upto November, 1989

District	Centres recommended by State Government of Orissa	Licences issued by RBI	Branches opened by	
			Commercial Banks	Regional Rural Banks
1	2	3	4	5
1. Balasore	42	30	7	1
2. Ganjam	45	33	12	7
3. Bolangir	24	16	7	4
4. Koraput	45	25	2	3
5. Cuttack	83	45	13	—
6. Kalahandi	17	16	1	6
7. Mayurbhanj	33	28	9	2
8. Keonjhar	18	18	7	2
9. Dhenkanal	15	9	1	—

District	Centres recommended by State Government of Orissa	Licences issued by RBI	Branches opened by	
			Commercial Banks	Regional Rural Banks
1	2	3	4	5
10. Puri	77	49	20	—
11. Sundargarh	23	14	3	5
12. Sambalpur	87	59	19	4
13. Phulbani	24	24	5	6
	533	366	106	40

SHRI ANADI CHARAN DAS: Mr. Speaker, Sir, I have gone through the Statement laid on the Table of the House and I am glad that the hon. Union Minister for Finance has been pleased to furnish the information as I required.

Nationalisation of banks and opening of branches in suburban and rural areas aims at liberalisation and protecting the common people from the exploitation of the private moneylenders and facilitate infrastructural initiatives in agriculture and business etc. Keeping in view the real objective of this policy, the Government of Orissa have recommended 53 branches to be opened in all the 36 districts out of which the Reserve Bank of India has issued licences to 366 and the concerned commercial banks have so far opened only 146 branches. May I know from the hon. Finance Minister whether he will direct the concerned commercial banks to open the rest of the branches to whom licences were issued by the Reserve Bank of India during the financial year, that is, up to March 1990?

PROF. MADHU DANAVATE: Sir, it is a fact that the Orissa State Government had recommended opening of 533 banking centres and the Reserve Bank of India had issued licences only for 366. Though there is a gap between the two, it is an accepted fact—even the State Governments realise that if they want to achieve a certain target, it is better to make a larger demand. Therefore 533 were demanded. The Reserve Bank of India carefully scrutinised the demand and decided that 366 could be considered. As the hon. Member has rightly pointed out, actually 106 commercial banks and 40 regional rural banks have been opened which comes to 146. There is again a gap between the 366 licences and the number of banks actually opened which is 146. In spite of the fact that 366 licences were issued, the gap is there because of inadequate infrastructural facilities like the availability of buildings and other facilities. But, I can assure the hon. Member it will be our constant endeavour to see that whatever the number of licences that are issued, we will try our best in coop-

eration with the State Government of Orissa to improve the infrastructural facilities and try to complete the 366 centres as far as possible.

SHRI ANADI CHARAN DAS: Sir, I am glad that previously it was decided that within the population area of 17,000 one branch should be there. But in the tribal areas, it was considered to give some relaxation, that is, within the population area of 10,000 one branch should be opened. As you are aware, Orissa is a very backward State and particularly our population that is Adivasis and Harijans are there about 40 per cent. We are being exploited by the private sahumars and money-lenders. It is still continuing in the hilly areas and rural areas. Keeping this fact in view, I would like to know whether the Government proposes to direct the Reserve Bank of India to issue the remaining 167 licences to the concerned commercial banks to open their branches in the rural areas. I also request the hon. Finance Minister that more branches should be opened in the tribal areas.

PROF. MADHU DANAVATE: Sir, we would like to take a special note of the backward areas. The recent elections in Orissa have proved that though Orissa is politically advanced, it is financially and economically backward. We will take note of the fact that there are large sectors of tribal areas in Orissa. Therefore, we have decided to relax the population limit of 17,000 to 10,000 in the case of tribal areas. In tune with this new relaxed criteria, I can assure the hon. Member that we will expeditiously try to complete the quota of those centres which are given licences by the Reserve Bank of India.

SHRI HANNAN MOLLAH: Sir, regarding these regional rural banks one high-powered committee was appointed headed by the Additional Secretary to the Government of India, Ministry of Finance and that committee opined that there is no substitute for regional rural bank for the rural areas. Is it not a fact that All India Regional Rural Bank Employees Association has demanded

"Rural India for Rural Bank" to serve the rural poor people under the new concept of Service Area Approach? The new Government has also declared that 50 per cent of their budget will go to the rural people. Now, 80 per cent of the people are living in rural areas. In spite of all this, the Reserve Bank of India, without changing their branch licencing policy, have stopped giving new licences. I would like to know whether the Government will direct the Reserve Bank that they should leave the urban areas and open new branches in the rural India; or

(b) whether the Government will consider a proposal to form a national rural bank or rural banking corporation so that a separate banking system like IDBI, Housing Bank, Exports Bank, Small Scale Industries Bank, rural bank will serve the rural India.

PROF. MADHU DANDAVATE: Mr. Speaker, Sir, keeping in mind the banking interests of the rural sector, it has already been decided to adopt the service area approach under which each bank will be requested to adopt certain number of villages, about 15 in number. They will be supplied the necessary facilities. If the banks are able to get attached about 15 to 20 villages, in that case, special consideration will be given as far as credit facilities and other assistance are concerned. Now this will be a more effective step rather than forming some Corporation at the national level which will be only top heavy and as a result of that, advantages will not accrue to the villages. Our service area approach will be more beneficial and I can assure the hon. Member, keeping in mind the rural areas, we will try to implement it effectively.

SHRI N. TOMBI SINGH: As the Government is aware, Northeastern areas are difficult areas in many respects, particularly in the banking field. The Lead Banks are there in different small States of the North-eastern Area and with particular reference to the State of Manipur, its Lead Bank is the United Bank of India. But the licences issued by the Reserve Bank of India have not been utilised and they are on the verge of being

surrendered, although there is so much need for the opening of these branches in different district headquarters and town committee areas of the North-eastern States particularly in foot hill areas of the State of Manipur.

May I know from the hon. Minister whether the Government will make an assessment of the total situation in the small State where the requirement of branches and the number of licences issued by the Reserve Bank of India and the utilisation of these licences so far. Will the Government make an assessment and pursue that at least, the licences issued should be fully utilised instead of surrendering.

PROF. MADHU DANDAVATE: Mr. Speaker, we will take a special note of the requirements of the hill States and smaller States many of which are also incidentally backward.

I agree with the hon. Member that in such hill areas and hill regions, the Lead Bank will play a very crucial and important role. We accept that particular role of the Lead Banks and particularly in such hill areas, we will request the Lead Bank to take up the role of coordinating the credit activities of various banks. There will be special Lead Bank committee which will be the coordination committee on which different interests will be represented. The Collector of that particular area will be the president of that committee and the Lead Bank will be the convenor of the coordination committee. We shall see to it that not only the difficulties regarding licences will be removed but we will also ask the Lead Bank to play an effective role in rural areas to bring about coordination of the credit institutions.

DR. BIPLAB DASGUPTA: One of the problems with the functioning of the rural banks is that their style of functioning is not much different from the style of functioning of the ordinary banks. Although all these banks have been set up to serve the rural people, actually the rural population has not benefited much from these because the style of functioning has not changed. That is why,

my first questions is, whether there would be any sort of action taken to reorient the whole method of functioning of the bank or the attitude of the personnel working in the rural regional banks. Without changing this, simply giving money would not serve the purpose of the rural population. There is also another thing, to ensure that a certain percentage of saving mobilised through the banking institutions is actually spent in the rural areas. The previous government has already fallen short of the targets which it had set for itself. Would you be able to actually improve the amount allocated to the rural areas? The credit deposit ratio should improve as far as the rural areas are concerned. Can you do something about it?

PROF. MADHU DANDAVATE: I fully share the perspective of the hon. Member that the style of functioning in the rural sector is to be basically different from the style of functioning of the bank which is in the urban areas. For instance, in rural areas, it is necessary that their specific conditions are to be understood while granting them credit facilities. It is exactly because of this reason that the lead banks had been set up as a coordinating agency and on that various interests in the rural areas are represented. I do concede that the style has not sufficiently changed but it will be our constant endeavour to see that in keeping with the habits and the perspective of the rural population, authorities connected with the lead bank will be required to change their style of functioning so that they will be more in tune and in consonance with the habits and the perspective of the rural population.

New Steel Plants during Eighth Plan Period

*85. **SHRI SRIKANTA DATTA
NARASIMHARAJA
WADIYAR:**
SHRI P.C. THOMAS:

Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have a proposal to set up more steel plants in the country during the Eighth Plan Period; and

(b) if so, the details thereof including their number, locations and the estimated cost?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) and (b). Yes, Sir. There are proposals to set up two steel plants, one near Bellary in Karnataka and other near Daitari in Orissa. These proposals would be considered for finalisation along with other investments in the VIII Plan.

SHRI SRIKANTA DATTA NARASIMHARAJA WADIYAR: I am glad to learn from the reply of the hon. Minister that two steel plants, one near Bellary in Karnataka and another near Daitari in Orissa are proposed to be set up during the 8th Plan. In this connection, I would like to know from the hon. Minister what are the estimated cost of these two steel plants and whether investment decision has been taken.

As far as I know the previous Congress Government had set up Vijayanagar Steel Ltd. and Nilachal Ispat Nigam for expediting the establishment of steel plants near Bellary and Daitari respectively. I would like to know what progress has been made by these two public limited companies with regard to land acquisition, construction of township, staff quarters and other related matters and how long the Government would take to complete these projects.

SHRI DINESH GOSWAMI: I want to make one thing clear. I have never said that these steel plants are being set up. What I am saying is that these are proposals for setting up these two steel mills. The hon. Member knows that so far as the two steel plants near Vijayanagar in Karnataka and Daitari in Orissa are concerned, these have chequered carriers. In fact, Vijayanagar plant was conceived as early as in 1970 and in 1971, even before the techno-economic

feasibility report was prepared, foundation-stone was laid and after the foundation was laid, land was acquired, but when the original report was prepared, it was found that there was no resource available in the country to carry these projects through. In 1982 some alternative strategies or alternative technology was thought of and an allocation of Rs. 400 crores were asked for the Seventh Plan. But in the entire Seventh Plan Period, the Planning Commission provided for only Rs. 10 crores new Steel Plants with the result that the projects remained a dream for the people. I do not want to raise the expectations of the people. But the projection of our Ministry is that by the terminal year of the Ninth Plan, we will have a deficit of 2 million tonnes of steel unless we produce steel through these new mills. Therefore we will be sending the proposals before the Planning Commission to set up these two mills. The hon. friend has asked what may be the investment required. According to our projection for the investment, if we can have an investment of about Rs. 1000 crores for each of the mills during the next Plan period then probably we can go ahead. We are not in favour of making an investment of Rs. 10 crores or so and make some nominal exercises. We will not be in favour of that. If we can persuade the Planning Commission and of course my friend Dandavate-ji, for an investment of Rs. 1000 crore for cash then only we go ahead with these projects.

SHRI SRIKANTA DATTA NARASIMHARAJA WADIYAR: My second supplementary is that the Government of Karnataka have offered water and necessary power connections that are required for setting up of the steel plant. Almost about 60,000-70,000 acres of land has been acquired. In view of this, does the Government propose to go ahead with the completion of this project as soon as possible?

SHRI DINESH GOSWAMI: It is not a question of land that has been acquired but the question is whether we would be having sufficient resources to have an additional investment of about Rs. 2000 crores for new steel mills in the coming plan i.e. in the Eighth

Plan. We have already committed in the process of modernisation a few thousand crores of rupees. In the background of the allocation of Rs. 10 crores in the entire Seventh Plan Period for two new steel mills, obviously we would have to do a lot of persuasion with the Planning Commission and the Finance Ministry. Steel is one of the most major items of infrastructure for economic development. It will be unfortunate that in the terminal year or the end of the Ninth Plan period we will not have sufficiency in the matter of demand and supply. Therefore, we will put our projections through. But it will all depend on as to how the ultimate resource position is for the Eighth and the Ninth Plan periods.

SHRI P.C. THOMAS: Sir, Kerala is industrially a backward State. Can the Government take efforts to start a steel industry or some allied industries there?

SHRI DINESH GOSWAMI: Well, as I said earlier, there are two projects—one conceived in 1970 in Karnataka and the other one conceived in 1980 in Orissa. Foundation has been laid in the case of one. In both establishments same staffs are working. We do not have the resources to carry it through. Our survey shows that there are only two green fields i.e. in Karnataka and in Orissa where steel mills can be set up. Therefore, I do not think I am in a position to satisfy my hon. friend.

SHRI BHABANI SHANKAR HOTA: Sir, I want to put a pointed question to the hon. Minister whether the Steel Ministry has considered any Steel plant in Orissa. I am very happy that he has categorically announced about a steel mill in Orissa. I would like to know whether it will be in the place which he has just now given or it will be a shore-based plant. I would also like to know whether he has any time-bound programme because the people of Orissa have been cheated twice by the two former Prime Ministers. Now the people are totally restive and the people of Orissa are not prepared to be cheated again. There must be a time-bound programme that has to be announced by the

hon. Minister. I want an answer whether it can be shore-based plant or in the place in which he has announced.

SHRI DINESH GOSWAMI: I will have to clarify again that I am not assuring the people of Orissa a Steel mill. If they have been cheated by the two previous regimes, I do not like to cheat them for the third time. Therefore, I am very clear. I have furnished some reply. It is a fact that near Daitari in Orissa a steel mill was conceived. I have also pointed out that there are two green fields sites today in which steel mills can be set up and one is near Daitari in Orissa. According to the estimates of the demand and production of iron and steel in the country, there will be a deficit of two million tonnes by the terminal year of the Ninth Plan. We will try to persuade the Planning Commission to give us sufficient investment to set up a steel mill at Orissa. But we will not like to go ahead if only Rs 10 crores or so is given, as was given during the 7th Plan period because we do not want to cheat the people. Therefore if we can persuade them—our effort will be to persuade the Planning Commission—obviously so far as my Ministry is concerned, we are keen that in these two green field sites steel mills should be set up. But that is not dependent on my Ministry alone, that will be dependent on many other factors and an overall assessment by the Planning Commission about the resource position of the country.

SHRI A.N. SINGH DEO: The hon. Minister does not want to give an assurance to the House that there will be a second steel plant in Orissa in the 8th Plan period. But taking into consideration the backwardness of Orissa State of which our Finance Minister has just mentioned and taking into consideration that as far back as 1980 the then Prime Minister not only promised the people of Orissa in big banners during the Pooja holidays, she also wrote that this is the Durga Pooja gift to the people of Orissa, he should do something. For ten years we have waited for the second steel plant. Mr. Speaker, Sir, you are also from Orissa and you must be concerned with Orissa. Therefore for two

consecutive elections the people of Orissa voted for the Congress Party on the assurance of the then two Prime Ministers. Now I want a categorical answer from either the Steel Minister or the Finance Minister that in the 8th Five Year Plan, Orissa shall have a second steel plant.

SHRI DINESH GOSWAMI: The hon. Minister is unhappy that I have not been able to give a straight assurance that a steel mill will be set up in Orissa. If the hon. Prime Minister, the powerful Prime Minister of the country, after giving Pooja gift has not been able to carry it out, how do you expect a poor Steel Minister to give that assurance to the Hon. Member? I have made it very clear that so far as our Ministry is concerned we will try to persuade the Planning Commission and the Finance Ministry to revive this project. But that is all dependent as to how ultimately the next Plan is drawn up. At this stage it is too premature for me to make an assurance. The only assurance that I can give is, so far as my Ministry is concerned, we will try to persuade the Planning Commission to give us sufficient allocation to revive this project.

SHRI R. GUNDURAO: As far as I know this project, Vijayanagar Plant, has been pending for about one and a half decades. The foundation stone for this was laid by the then Prime Minister and many assurances were given by so many Finance Ministers and the Steel Ministry; but so far nothing has been done. Even when I was the Chief Minister in Karnataka I persuaded with all my ability, but I could not get anything from the Steel Ministry or from the Finance Ministry.

I would like to know whether the hon. Steel Minister would categorically say—don't say that you consider—whether it is possible or not possible. If it is not possible, you find out the other means of getting finance. I know very well, the hon. Finance Minister is not in a position to say categorically that he is going to finance this project—I am confident about it. So, my query to the hon. Steel Minister is that if the Planning Commission and the Finance Ministry are not in a position to come to your help, is there any other

source and whether you feel like handing it over to private parties, if they come forward to take up this project. Then, afterwards other modalities can be worked out in consultation with the State Government as well as the Finance Ministry. Otherwise, I am sure this answer will not help and the project will never be taken up for another five years. So, I request the hon. Steel and Mines Minister to say whether he is thinking of handing over the project to any private concern. I want a categorical answer from the Minister.

MR. SPEAKER: Yes, Mr. Minister.

SHRI DINESH GOSWAMI: The hon. Member has asked, "Are you prepared to give it to the private sector?" That is a major policy decision, on which, I do not think, I am in a position to give you the answer right now, because, we have to look into the Industrial Policy Resolution, the policy to be pursued by our Ministry. Therefore, you don't expect me to give an answer right now. (*Interruptions*) It is a major policy decision. (*Interruptions*)

MR. SPEAKER. I have not permitted anyone.

(*Interruptions*)

MR. SPEAKER. Mr. Minister, do you want to say anything more?

SHRI DINESH GOSWAMI: I appreciate what my hon. friend has said. But, that is a major policy decision. It is a shift in the policy itself. I am not in a position immediately, to respond to it. (*Interruptions*)

SHRI R. GUNDU RAO: I only request you to pursue that matter.

[*Translation*]

Promotion of Tea Industry In U.P.

*87. SHRI HARISH RAWAT: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether any special scheme has been formulated by Government to promote tea industry in Uttar Pradesh; and

(b) if so, the details of assistance provided to the State under this scheme so far?

[*English*]

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) and (b). A statement is given below.

STATEMENT

The following steps have been taken for promotion of Tea industry in Uttar Pradesh.

(i) A Study was conducted by officials from Tea Board of tea areas in Kumaon hills and Doon Valley of Uttar Pradesh in September, 1987.

(ii) Based on the Study Report and the interaction with the State Government, a two-prolonged strategy is being evolved for the development of the Tea industry in Uttar Pradesh in two phases. This includes:—

(a) rejuvenation of existing tea gardens after ascertaining the cause of their delay; and

(b) identification of new areas in the hilly districts of Uttar Pradesh, including the Terai region, which have the potential for growing tea. With this end in view and based on the suggestion of the State Government. Tea Board has sanctioned the cost of funding and an feasibility-cum-pre-investment study for growing tea in the State, and preparation of a rehabilitation Scheme for six sick tea units for submission of financial institutions.

(iii) Tea Board has included the hilly areas of Uttar Pradesh in the schedule of non-traditional areas for the purpose of extending benefit under Tea Board's

"New Tea Unit Financing Scheme".

- (iv) Existing tea growing areas of Uttar Pradesh have been declared as "Hilly" areas for the purpose of availing higher rates of subsidy under the Replantation/Rejuvenation Subsidy Schemes.
- (v) Tea Board has set up two nurseries in Dehradun and Pithoragarh during 1988-89, with a capacity of 1 lakh and 0.50 lakh plants respectively.
- (vi) 4000 ready tea plants and some quantities of Assam Tea Seeds have been provided by Tea Board to the Soil Conservation Departments, Almora.
- (vii) Sanction for establishment of a tea nursery at Matela, at a cost of Rs. 4.35 lakhs by the Soil Conservation Department, Almora.

[*Translation*]

SHRI HARISH RAWAT: Mr. Speaker, Sir, I would like to know from the hon. Minister whether any study or survey has been conducted to rejuvenate the decaying tea gardens in the hilly areas of Uttar Pradesh as well as to tap the potential of the existing tea gardens there. Moreover is the Government going to take any special steps in order to increase the potential of the existing gardens?

How long will it take to rejuvenate the sick tea units and tap their full potential?

[*English*]

SHRI ARUN KUMAR NEHRU: Sir, the position is, in 51, in Uttar Pradesh, there were a total of 71 tea gardens and the total area under cultivation was 2,600 hectares. But, now, the position is that, there are only eight tea gardens left and there is only 884 hectares of area under cultivation. As far as the hill areas are concerned, the Tea Board has instituted a study in 1987 in Kumaon hills and Doon Valley. As a result of the study, they have initiated two processes. One is to

look after the tea garden. Now for that a Committee has been formed in the Centre and also in Uttar Pradesh. A massive survey is being done and the report is expected by March 1990. We have also instituted a new scheme for new tea gardens, because in Uttar Pradesh, the consumption is about 61 million kg. and this would require a total area of 31,000 hectares. So, to encourage the tea growing in the hill areas, we have started a 'New Tea Unit Financing Scheme'. So, in this a loan of Rs. 25,000 per hectare is being given at a concessional interest of 7 1/2 per cent and they are also giving a subsidy of Rs. 15,000 per hectare. In hon. Member's Constituency itself—in Pethoragarh—tea nurseries have been set up. One is in Dehra Dun, with a capacity of one lakh plants and one at Pethoragarh, with a capacity of 50,000 plants. Now, the gestation period is about 18 months and I think a lot of action has been initiated in April-May 1988 and we have to see the results. In addition to this, we have also got a tea nursery at Matela, at a cost of Rs. 4.35 lakhs. All this information, I have given in the Statement, in reply to the main question.

[*Translation*]

SHRI HARISH RAWAT: Mr. Speaker, Sir, I would like to congratulate the Tea Board and the hon. Minister for the steps that have been mentioned here. It is necessary to identify tea growing areas, particularly in the hill areas of Kumaon and Garhwal because it will help in checking soil erosion. Besides there is no proper coordination between the steps taken by the Tea Board and the State Government because there is no unit of the Tea Board. I would like to know from the hon. Minister whether there is a proposal to open a small branch or an office of the Tea Board in the hilly areas of Uttar Pradesh so that there is proper coordination between the State Government and the Tea Board and between the old and new tea gardens?

[*English*]

SHRI ARUN KUMAR NEHRU: Sir, Tea Board has already opened an additional office in Lucknow in 1988. As far as the hill

districts are concerned the District Magistrate in Dehradun and Joint Director in U.P. Government have formed a committee. I think the most important thing is that tea must be grown. Opening an office is not necessarily going to result in additional areas coming under tea cultivation. A lot of assistance has been given in this area. We are already giving loan of Rs. 25,000/- at a concessional rate of 7 1/2 and a subsidy of Rs. 2000/-. I do not think priority at this moment is to open an office in the hill areas. The necessity is to increase production of tea and for that we have already given lot of incentive and we will watch the progress as it comes through.

Appointment of Directors in Nationalised Banks

*90. SHRI INDRAJIT GUPTA: Will the Minister of FINANCE be pleased to state:

(a) the names of Directors newly appointed in the Nationalised Banks after July 1989, together with their knowledge and experience of banking industry;

(b) the criteria followed in appointing these Directors; and

(c) whether any of them belonged to any Banking Union prior to their induction into the Board of Directors and if so, the details thereof?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) to (c). A Statement is given below.

STATEMENT

(a) to (c). The composition of the board of directors of the Nationalised Banks is provided in the Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Schemes, 1970 and 1980. The said Schemes provide for appointment of not more than two whole-time directors (designated as Chairman and Managing Director and Executive Director), one director from the workman employees of the

bank, one director from the officer employees of the bank and 9 non-official directors representing the interest of depositors, farmers, workers and artisans and from among persons having special knowledge or practical experience in respect of matters likely to be useful for the working of the bank besides RBI and Government Directors. The names of the directors other than RBI and Government Directors. The names of the directors other than RBI and Government Directors but including the whole-time director who have been appointed in the nationalised banks after 31st July, 1989 are indicated in the Annexure. Appointment of these directors have been made in accordance with the provisions in the above statutory Schemes.

Presumably the information sought in part (c) of the question relates to appointment of workman employee director on the boards of the Nationalised Banks. The statutory Schemes have laid down detailed procedure for appointment of workman employee director. In terms of the provisions contained in these Schemes, the workman employee director is to be appointed from the workmen employees of the bank from out of the panel of 3 such employees furnished to the Government by the representative union. The details of appointment of the workman employee directors made after 31st July, 1989 have also been furnished in the statement at Annexure.

Annexure

Details of non-official Directors appointed on the Boards of Nationalised Banks after 31.7.1989

Note: Extracts of Clauses referred to in Column 4 as appearing in the Nationalisation Schemes 1970 and 1980 are given below:—

Clause 3 (d) : one Director, who in the opinion of the Central Government is competent to represent the interests of depositors, to be appointed by the Central Government after consultation

with the Reserve Bank from among the depositors of the bank.

Clause 3 (e): three Directors, who, in the opinion of the Central Government, are competent to represent respectively the interests of farmers, workers and artisans, to be appointed by the Central Government after consultation with the

Reserve Bank.

Clause 3 (f) : not more than five Directors, to be appointed by the Central Government after consultation with the Reserve Bank, from among persons having special knowledge or practical experience in respect of one or more matters which are likely to be useful for the working of the nationalised bank.

<i>Sl. No.</i>	<i>Name of the Bank</i>	<i>Name of the non-official Director appointed</i>	<i>Clause of Nationalised Banks (Management and Miscellaneous Provisions) Scheme under which appointed</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
1.	Allahabad Bank	i) Smt. Suman Lata	3 (d)
		ii) Shri A.N Jaggi	3 (e)
		iii) Shri Pradeep Kumar Sharma	3 (f)
		iv) Shri Pradyumana Natvarlal Shah	3 (f)
		v) Prof. Mohammad Shabbir Khan	3 (f)
		vi) Shri M. Narayanappa	3 (f)
		vii) Smt. Rehana Begum	3 (e)
2.	Andhra Bank	i) Smt. Pushpa Vijayrao Bonde	3 (d)
		ii) Prof. Ram Pal Kaushik	3 (f)
		iii) Shri Raj Kumar Nagrath	3 (f)
		iv) Shri Prti Pal Singh	3 (f)
		v) Shri P. Rajagopal Naidu	3 (e)
3.	UCO Bank	i) Shri Subhas Datta	3 (f)
		ii) Shri Mohanjit Singh	3 (f)

1	2	3	4
		iii) Shri R.T. Rymbai	3 (f)
		iv) Smt. Tara Gupta	3 (e)
		v) Shri Manoj Joshi	3 (d)
		vi) Shri Vikram Valjibhai Desai	3 (f)
4.	Punjab National Bank	i) Shri Irshad Hussain	3 (e)
		ii) Shri Bansi Lal Dogra	3 (f)
		iii) Dr. Surinder P.S. Pruthi	3 (f)
		iv) Shri Salamat Ullah	3 (d)
		v) Smt. Krishna Koul	3 (f)
5.	Central Bank of India	i) Shri Ram Lal Thakar	3 (f)
		ii) Dr. Bhupendra Chandra Jain	3 (f)
		iii) Shri T.T. Vasu	3 (f)
		iv) Shri Aziz Gulamhussein Lalani	3 (f)
6.	Bank of India	i) Shri Sohan Lal Passey	3 (f)
		ii) Shri Swatantra Singh Kothari	3 (f)
		iii) Shri Girish Ramanugrah Shastri	3 (f)
		iv) Mrs. Monika Das	3 (f)
		v) Shri Bali Ram Rai	3 (d)
		vi) Shri Samsher Singh Dullo	3 (e)
7.	Canara Bank	i) Shri Umesh Chandra	3 (f)
		ii) Shri Vipin Malik	3 (f)
		iii) Smt. Shagufta Khan	3 (f)
		iv) Shri Omprakash Shankaranand Kanagali	3 (d)
		v) Shri Sujan Singh Pathania	3 (e)
		vi) Smt. Sharayu Daftary	3 (f)

1	2	3	4
8.	Bank of Baroda	i) Smt. Indira Mayaram	3 (d)
		ii) Shri Rabindra Prasad Joshi	3 (e)
		iii) Shri Bahura Ekka	3 (f)
		iv) Shri Asfaque Ahmed Waziri	3 (e)
		v) Shri Ravi Shankar	3 (f)
		vi) Shri Srinath Chaturvedi	3 (f)
9.	Vijaya Bank	i) Smt. Chandraprabha Urs	3 (d)
		ii) Shri Lakkavalli Rangappa Ananth	3 (e)
		iii) Shri M.G. Sasidharan	3 (e)
		iv) Shri Bhandari Kamalakar Rao	3 (f)
		v) Shri Jagmohan Singh Kochar	3 (f)
10	Punjab and Sind Bank	i) Smt. Santosh Chowdhary	3 (d)
		ii) Shri Chandrakant Annasaheb Thobde	3 (f)
		iii) Shri Acharya Bhagwan Dev	3 (f)
11.	Oriental Bank of Commerce	i) Smt. Kartar Devi	3 (d)
		ii) Shri Habibur Rehman Nomani	3 (e)
		iii) Shri Balwant Rai Kapoor	3 (f)
		iv) Shri Ashok Vij	3 (f)
		v) Prof. Madhu Gargav	3 (f)
		vi) Shri Gajanand Deroliya	3 (f)
		vii) Shri Rattan Lal Dewan	3 (e)
12.	New Bank of India	i) Shri Bhupinder Singh Hooda	3 (e)
		ii) Shri Prabhu Narayan Jha	3 (f)
		iii) Shri Brij Mohan Sarin	3 (f)
		iv) Miss Selja Kumari	3 (f)

1	2	3	4
		v) Shri Jagpat Dube	3 (d)
13.	Corporation Bank	i) Shri Rajguru Dayaram Tulsiram	3 (d)
		ii) Shri S.T. Padmanabha	3 (e)
		iii) Shri Yugraj Bhadauria	3 (f)
		iv) Shri Prabhakar Damodar Dalal	3 (f)
		v) Col. Bhartendra Singh	3 (f)
		vi) Shri Venkataramana Setty	3 (e)
14.	Indian Overseas Bank	i) Shri Budur A. Venugopal	3 (e)
		ii) Shri B. Sitaram Achari	3 (e)
		iii) Dr. Miss S. Vijayalakshmi	3 (f)
		iv) Shri C.B. Mouli	3 (f)
		v) Dr. Iftekhar Ahmad Khan	3 (f)
15.	United Bank of India	i) Shri Chandra Prakash Mehra	3 (d)
		ii) Shri Jagannath Sinha	3 (f)
16.	Dena Bank	i) Shri Dipankar Chatterji	3 (f)
		ii) Shri Karshanbhai Nanjibhai Patel (Chaudhary)	3 (f)
		iii) Shri Vijaya Goverdhandas Kalantri	3 (f)
		iv) Dr. Dharmendra Bhandari	3 (f)
17.	Syndicate Bank	i) Ms. Jaya Arunachalam	3 (d)
		ii) Shri Peerzada Wajih-Ur-Rehman Safwi (Wajih)	3 (e)
		iii) Shri Prafulla Kumar Pradhan	3 (f)
		iv) Shri Dinesh Mehta	3 (f)
18.	Union Bank of India	i) Shri M. Kalyanasundram	3 (f)
		ii) Shri Vivek Mehra	3 (f)

1	2	3	4
		iii) Shri Shalabh Sharma	3 (f)
		iv) Shri Dinakarrao Govindrao Patil	3 (f)
		v) Shri Shripal Singh	3 (e)
		vi) Smt. Mallajamma	3 (e)
19.	Indian Bank	i) Shri Subhakaran Loharuka	3 (e)
		ii) Shri P.L. Subbiah	3 (f)
		iii) Smt. Motamma	3 (f)
		iv) Shri Karuna Kant Dutt	3 (f)
		v) Shri Sanjiv Kapoor	3 (f)
20.	Bank of Maharashtra	i) Smt. Vinita Goswami	3 (d)
		ii) Shri Rajkumar Nandlal Dhoot	3 (f)
		iii) Shri Nirmal Ghosh	3 (f)
		iv) Shri Madan Varma	3 (f)
		v) Smt. Mukul Jha	3 (e)

Details of whole-time Directors appointed on the Boards of Nationalised Banks after 31.7.1989

Note : Extracts of Clause 3 (a) referred to in column 4 as appearing in the Nationalisation Schemes 1970 and 1980 are given below:—

Clause 3 (a) : not more than two whole-time Directors, of whom one shall be the Managing Director to be appointed by Central Government after consultation with the Reserve Bank:

Sl. No.	Name of the Bank	Name of the Whole-time Director appointed	Clause of the Nationalised Banks (Management and Miscellaneous Provisions) Schemes under which appointed
1	2	3	4
1.	Bank of Maharashtra	Shri T.K.K. Bhagavat, Chairman & Managing Director	3 (a)
2.	Punjab and Sind Bank	Shri S.D. Nayar Executive Director	3 (a)

Details of workman employee directors appointed on the Boards of Nationalised Banks after 31.7.1989

Note: Extracts of Clause 3 (b) referred to in column 4 as appearing in the Nationalisation Schemes 1970 and 1980 are given below:—

Clause 3 (b) (i): one Director, from among the employees of the nationalised bank who are workmen, to be appointed by the Central Government from out of a panel of three such employees furnished to it by the representative Union:

<i>Sl. No.</i>	<i>Name of the Bank</i>	<i>Name of the workmen employee director appointed</i>	<i>Clause of the Nationalised Banks (Management and Miscellaneous Provisions) Schemes under which appointed</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
1.	Allahabad Bank	Shri Dhananjay Tiwari	3 (b)
2.	Oriental Bank of Commerce	Shri Yog Raj Gupta	3 (b)

SHRI INDRAJIT GUPTA: The statement which has been supplied gives the names of non-official directors of 20 nationalised banks who have been appointed after July, 1989. I would like to know whether these non official directors whose names are given in this statement include or exclude some 60 persons who it is reported were chosen by the previous government to become directors of various nationalised banks but whose letters of appointment have been held up by the present Government?

Secondly I would like to know whether in the case of these 60 persons whose appointment letters have not been issued by the present government it is because these appointment were found to be or reported or alleged to have been on political grounds or it included people who are even involved in certain mal-practices and frauds connected with these very banks.

PROF. MADHU DANAVATE: I would like to inform the hon. Member that the list which has been mentioned in this reply in-

cludes all those whose have been appointed by the previous government. They also include those members about whom publicly some controversy has taken place. I would like to assure the hon. Member that we are going to have a thorough review of the entire list. And after fixing up well-defined norms and criteria, we will try to have the reappointments of all those. That will be the consideration before the Government.

SHRI INDRAJIT GUPTA: I welcome this assurance given by the hon. Minister. I presume that it will include the definition and what special qualifications are required for a non-official director to be appointed apart from the very vague type of criteria which were in existence up to now.

I would like to know whether it is a fact that according to a notification issued on the 30th of December, 1988, the right of the Central Government to sack any director of a bank, who is found to be unsuitable or working against the interests of the banking system, has been taken away. If so, will that

position be rectified?

PROF. MADHU DANDAVATE: I have already indicated that whatever mistakes and blunders were committed, they will be rectified and this will be one among them.

I would also like to point out to the hon. Member, since he has referred to the experience, actually according to the nationalisation schemes, 1970 and 1980, the following criteria are fixed up: (i) As far as Board is concerned, there will be one director, who in the opinion of the Central Government—that means, our Government now—is competent to represent the interests of depositors; (ii) three directors, who will represent respectively the interests of farmers, workers and artisans; and (iii) from among them, there will also be five persons or five directors from among the persons having special knowledge or practical experience in respect of one or more matters which are likely to be useful for the working of the nationalised banks.

SHRI INDRAJIT GUPTA: Will it include those who have taken loans from that bank and defaulted in the matter of repayment? If such people are found to be directors of those banks, what action will you take?

PROF. MADHU DANDAVATE: I have made it very clear that as far as wilful defaulters are concerned, they will neither get credit nor will they get the directorship. (*Interruptions*)

SHRI K. S. RAO: I wish to know from the hon. Minister whether there are several vacancies in regard to the employee directors lying vacant for the last several years. The earlier Government as well as this Government have committed very clearly for the participative management.

I wish to know categorically from the Minister by what date or month, whatever it is, the vacancies connected with the employees and the officers of the various banks will be filled and how they will circumvent the litigation that was going on in regard to the

procedure of representing these employees. Should it be as directed by the official or majority union or any union irrespective of whether it is majority or non-majority union?

PROF. MADHU DANDAVATE: Sir, there was a controversy about this point and the matter had gone to the court of law. There were only two options. One option was to pick up workers' representatives from the majority union and the second method was—irrespective of whether it was a majority union or the minority union—to pick up the representatives and in that case, the authority should make the choice.

Now, we are in favour of picking up the representatives from the majority union. For that, we will ask for a panel of three names. From among that panel, according to the competence, we will select the candidates.

[*Translation*]

SHRI RAM NAIK: I would like to know the names of the workers' representatives? How many of such representatives have been appointed as directors so far? Will the hon. Minister say something in this regard?

[*English*]

PROF. MADHU DANDAVATE: I must say that their representation was not adequate. One of the reasons was that controversy was going on. As hon. Member pointed out, that litigation dragged on for a very long time. As a result of that, the choice could not be made but I assure the hon. Member that we will scrupulously follow the procedure which I have mentioned in this House

SHRI V. SREENIVASA PRASAD: Sir, since it is a constitutional obligation, I want to know as to whether the hon. Minister is going to consider the people belonging to the Scheduled Castes and Scheduled Tribes at the time of appointing the Directors in the various nationalised banks

PROF. MADHU DANDAVATE: Mr. Speaker, Sir, when there is a provision for

the people of various interests like farmers, workers and artisans, we will ensure that a proper representation is given to the weaker sections and minorities while picking up these representatives.

[*Translation*]

Outstanding Taxes against big Business Houses

*91. SHRI HUKUMDEO NARAYAN YADAV: Will the Minister of FINANCE be pleased to state:

(a) the names of 20 business houses topping in the list of income-tax and other central tax arrears alongwith the amount outstanding under each head against each business house and since when the said amount is outstanding; and

(b) the reasons for delay in not recovering the outstanding amount?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) and (b). A statement is given below.

STATEMENT

CENTRAL EXCISE

(a) The names of 20 business houses topping in the list of Central Excise arrears, amounts due and dates since when the amounts are pending.

*As on 30.9.89
Amounts in Crores*

<i>Sl. No.</i>	<i>Name of the business house</i>	<i>Approximate amounts due</i>	<i>Dates since when the amounts are pending</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
1.	ITC	121.77	Different amounts pending from different dates since 1985 onwards.
2.	Modi	33.79	
3.	TATA	15.82	
4.	BIRLA	12.94	
5.	Mafatlal	7.83	
6.	J.K. Singhania	6.46	Demands for payments for Central Excise duty are raised on the basis of production and clearances. Total amounts indicated against each business house thus relate to various demands against their companies raised on different dates.
7.	Lohia Machines	6.33	
8.	Hindustan Lever	5.92	
9.	Sri Ram	5.90	
10.	Mahindra & Mahindra	5.52	
11.	Bajaj	5.30	

1	2	3	4
12.	MRF	4.54	
13.	Godrej	4.22	
14.	Sarabhai	3.76	
15.	Kasturbhai Lalbhai	3.34	
16.	Garware	3.22	
17.	Kirloskar	2.83	
18.	Ashok Leyland	2.55	
19.	ACC	1.16	
20.	Madura Coats	1.14	

(b) In most of the cases, the amounts outstanding are linked with Court cases where the recoveries have been stayed by the Courts or other Appellate authorities. Administrative, legal and other measures, as are considered necessary continue to be taken. Special counsels are engaged in important cases to defend the Government's stand. The Courts have been approached for early hearings.

INCOME-TAX

List of top 30 undertakings registered as on June 30, 1987, under MRTP Act, 1969 (ranked in order of Income-tax arrears due from them)

<i>Sl. No.</i>	<i>Name of address</i>	<i>Amount of Income tax arrears as on 30.9.89 (Rs. in crore)</i>
1	2	3
1.	GTC Industries Ltd., Bombay (GOLDEN TOBACCO)	104.35
2.	J.K. Synthetics Ltd, Bombay (J.K. SINGHANIA)	50.66
3.	Modi Rubber Ltd., Modinagar (MODI)	41.86
4.	Escorts Ltd., Delhi (ESCORTS)	33.30
5.	Modi Pon Ltd., Modinagar (MODI)	20.96
6.	TELCO Ltd., Bombay (TATA)	19.32
7.	Godrej & Boyce Mfg. Ltd., Bombay (GODREJ)	12.61

1	2	3
8.	National Organic Chemicals Industries Ltd., Bombay (MAFATLAL)	18.64
9.	Southern Petro-chemical Ind. Corpn. Ltd., Madras (M.A. CHIDAMBARAM)	17.12
10.	Orkey Silk Mills Ltd., Bombay (ORKEY SILK MILL)	15.28
11.	India Hotels Co. Ltd., Bombay (TATA)	13.58
12.	Mysore Wine products Ltd., Bangalore (UNITED BREWERIES)	11.69
13.	Hindustan Levers Ltd., Bombay (HINDUSTAN LEVER)	11.41
14.	Escorts Tractors Ltd., Delhi (ESCORTS)	11.14
15.	Duncon Tobacco Ltd., Hyderabad (K.P. GOENKA)	11.12
16.	Dalmia Cement (Bharat) Ltd., Delhi (J. DALMIA)	10.95
17.	Modi Industries Ltd., Modi Nagar (MODI)	10.04
18.	Nirlon Synthetics Fibres & Chemicals Ltd., Bombay (NIRLON SYNTHETICS)	10.01
19.	V.M. Salgaocar & Brothers Pvt. Ltd., Bangalore (SALGAOCAR)	9.76
20.	Brooke Bond India Ltd., Calcutta (BROOKE BOND)	7.33

(b) The income-tax demands are outstanding primarily because a major portion thereof (80.3%) is disputed in appeals and either recovery of demand had been stayed or the stay petitions are under consideration. In some cases payment of tax in suitable instalments has been allowed. In a few cases, adjustments of taxes paid, rectifications and giving effect to appellate orders are pending.

SHRIHUKUMDEONARAYANYADAV:
Mr. Speaker, Sir, I wanted to know from the Government the amount outstanding against top 20 business houses under various heads. I am a simple villager and not an expert in calculations. But I think it is about Rs. 500 crore. I had also "since when the said amount is outstanding". The Government has furnished in the reply information as on 30.9.1989. On the one hand such big

amounts are outstanding against these business houses while on the other the Government is saying that in many cases, the recoveries of the amounts outstanding are stayed by the courts and the court cases are going on. Why has the Government not thought of any measures to suitably change those laws which are creating hinderance in the recovery of these outstanding amounts? Does the Government intend to bring a change in those laws? If so, when is it proposed?

PROF. MADHU DANDAVATE: Sir, it is my firm opinion that the existing provision in the law is not creating any hinderance. If we have will to work, nothing can forbid us. The question is that in some cases people have complained that the amounts outstanding against them are not correct. When any

business house or an individual makes such a complaint, it is a convention—not a legal obligation—that we should investigate the matter and then take a decision. I would like to assure the hon. Member that the Government will not delay the matter any further and there will be no loss of Government revenue.

SHRI HUKUMDEO NARAYAN YADAV: Mr. Speaker, Sir, all citizens have been provided equal rights under the Constitution. I would like to submit to the hon. Minister of Finance and the socialist leader Shri Madhu Dandavate, who has been jailed a number of times for leading agitations against these big business houses and tax evaders that we have always demanded early recovery of outstanding amounts. These big business houses have evaded taxes by appealing in different courts. On the other hand, if an amount of Rs. 500, 200 or 400 remains outstanding against a farmer, a warrant is immediately issued against him and he is arrested and handcuffed. His land is auctioned, I dare say that these courts and appellates authorities have been set up to give protection to these business houses and Government appoints only those officials to recover the direct taxes and other taxes who are favorites terrorists. As there is a nexus between them they don't take any strong action against these business houses. The Government should review the whole system. Everybody is equal before the law. A farmer is punished under the Indian Penal Code while a capitalist goes scot-free. Why? It is not good if capitalists get more protection under the law. Why is it so, that the Indian Penal Code is implemented on us and not on them?

PROF. MADHU DANDAVATE: I assure the hon. Member that as Minister of Finance, I will not compromise my socialistic ideas and a farmer will be treated at par with a business house in so far as justice is concerned. There will be no discrimination between the two. If any provision of law creates hinderance in this work, we will change that provision, but not our attitude. *[English]*

DR. DEBI PROSAD PAL: I would re-

quest the hon. Minister to inform the House about the arrears of income tax and excise duties pending against the big Houses. The important question is at what stage the arrears are. It has been found by experience that over-pitched assessment is made at the initial stage and if the person concerned has to prefer an appeal, there are various procedures for that. At what stage are the various appeals pending? What steps are being taken for expeditious disposal of such appeals? If that is not done, the arrears cannot be realised until the final appeals are disposed of. Will the hon. Minister inform the House at what stages, the appealate stages, assessments of the various big Houses are pending? What steps are being taken to reduce these cases and dispose them within a reasonable time?

Not only that, when the amounts are refundable to the assesses, what steps are being taken for refunding that amount, which otherwise are payable to them within a reasonable time?

PROF. MADHU DANDAVATE: I concede the point of the hon. Minister that because of litigation and proceedings when the matter goes in appeal, very often considerable amount of time is spent and as a result of that, we are not able to clear the arrears in time. But we shall try to tighten up our machinery. We will use our good offices to ensure that undue delay in the settlement of the cases is avoided. It will be beneficial not only to the people concerned, but it will be beneficial to the exchequer also. I can take the suggestion that has been given by the hon. Member. We will spell out the details and implement them effectively.

[Translation]

SHRI RAGHAVJI: Mr. Speaker, Sir, I would like to seek clarification on one point. When the names of Shri Dharam Teja and Suku Narayan Bakhia do not figure in the list of persons having income of more than Rs. 10 crore, are they not covered under the list of business houses? Secondly, arrears of more than Rs. 100 crore are outstanding against Golden Tobacco. I want to know

whether proceedings have been initiated to confiscate their property and whether some arrears have been recovered from them during the last five years; if so, the amount thereof?

PROF. MADHU DANDAVATE: Sir, the list which I have given contains the names of such persons whom the hon. Member has referred. If he goes through he list the will find that it contains the names not of big business houses only, but the names of those also who are involved in or are facing charges of smuggling. It includes the name of Dharam Teja who has since died. Thus he has got rid of the trouble and so we have. Therefore, in his case the question does not arise. But so far as other houses are concerned, we have noted down their names and I think that, barring the pending cases, stringent legal action would be taken against all others.

SHRIDAU DAYAL JOSHI: Mr. Speaker, Sir, will the hon. Minister be pleased to state whether there are arrears of about Rs. 500 crores against big business houses and in spite of the fact that Supreme Court has given verdict in favour of the Government, there are cases in respect of which the arrears have not been recovered? If so, the action proposed to be taken against the officials who failed to recover the arrears?

PROF. MADHU DANDAVATE: Mr. Speaker, Sir, I would like to assure the hon. Member that thorough inquiry will be ordered against the officers responsible for not recovering the arrears in respect of the cases which have been finally decided by the court. If some officers are found guilty, action would certainly be taken against them.

[English]

Opening of Rubber Research Centre

*92. **SHRI N. DENNIS:** Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether there is a proposal to open a regional station of Rubber Research Insti-

tute in Kanyakumari district of Tamil Nadu for the promotion and development of rubber production; and

(b) if so, the details thereof?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) and (b). There is already a Rubber Research Institute at Kottayam with a rubber breeding station at Kanyakumari, Tamil Nadu. There is, therefore, no proposal under consideration at present to set up a separate rubber research institute at Kanyakumari.

SHRI N. DENNIS: Sir, the per unit production of rubber in Kanya Kumari is the highest in the country. Qualitatively also, it occupies the highest position. But comparatively, lesser attention is paid towards rubber growers of Kanya Kumari District. There are small rubber growers, big estate holders and government owned rubber plantions also. The interests of the rubber growers, particularly those of the small holders should be protected. Subsidies and other incentives should be given to these small rubber growers. May I know from the hon. Minister whether a Regional Rubber Research Institution could be set up there? In his answer, the Minister has stated that there is no proposal at present. But there is a necessity for such an institute in that district. Will the Minister reconsider the decision and take appropriate steps for setting up a Research Centres at Kanyakumari?

SHRI ARUN KUMAR NEHRU: Sir, the position is that we take the total area under rubber cultivation. In Kerala we have 350,000 hectares whereas in Tamil Nadu it is 17,000. In the non-traditional areas where we are encouraging the growth of rubber, it is 24,000 in the North Eastern States, and in Orissa, Madhya Pradesh, Andhra Pradesh and Maharashtra, it is 14,000. Now for all these places, we have the Rubber Research Institute at Kottayam which is in the heart of the rubber belt. In all the other places, we have experimental stations including Kanyakumari and we feel that it is adequate for the moment. As far as development rebate, subsi-

dies, etc. are concerned, these are applicable to Kanya Kumari also. Whatever assistance is given, will certainly be given to Kanyakumari also. I would also like to mention that 77 of the total production of rubber is by 3,65,000 farmers with small holdings. So, that consideration we are taking into account.

SHRI N. DENNIS: The rubber production has improved during the past 25 years, and the per-unit production has also improved, but the per-unit production of rubber in our country is less than that of Malaysia and Sri Lanka. The per-unit cost of production is also higher than in these countries. To achieve self-sufficiency, may I know from the hon. Minister whether rubber production would be extended to non-traditional areas and also whether subsidies and other encouragements would be given to the rubber growers, so that self-sufficiency is achieved? May I know the steps taken by the Government to achieve self-sufficiency in rubber in the near future?

SHRI ARUN KUMAR NEHRU: The production in the current year is 291,00 tonnes, which is a record increase over the previous year. We have a gap just now, and we are importing rubber; but I think that by the end of the century, we should be able to meet this gap. The immediate problem is that there is not enough land available to bring under rubber cultivation; and here, as far as rubber is concerned, every possible effort will be made to get additional areas under cultivation, wherever land is available. This is why we have gone into the non-traditional areas also. If we have additional land available in Tamil Nadu which we can bring under cultivation, we will certainly do it.

WRITTEN ANSWERS TO QUESTIONS

[English]

Restructuring of Banking Sector

84. SHRI NARSING SURYAVANSI: Will the Minister of FINANCE be pleased to state:

(a) whether in the process of rapid expansion in the banking sector during the last few years there has been unhealthy competition between banks due to their multiplicity and overlapping areas of operations: and

(b) if so, the steps proposed to be taken by Government for restructuring and consolidation of the banking sector?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) and (b). It may not be correct to state that there is any widespread unhealthy competition among banks. No doubt, the commercial banks have been shown phenomenal expansion, specially since the nationalisation of major banks in 1969, in terms of branch expansion, deposit mobilisation and credit deployment. Steps are initiated, from time to time, by the Government of India and the Reserve Bank of India to improve operational efficiency in banks and consolidate gains of the banking system. There is no proposal, at present, for restructuring of the banking system.

Telecast of Children's Films

*86. **PROF. P.J.KURIEN:** Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether there is a shortage of good children's films in the country;

(b) the number of films both in Hindi and regional languages shown on T.V. during the last one year and the number of children's films out of them; and

(c) the steps proposed to be taken to screen more children's films both in Hindi and regional languages?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) to (c). The replies to ques-

tions are given below ad seriatim:

(a) There is a general shortage of good quality children's films in the country

(b) 162 feature films were telecast on the National network of Doordarshan during the period from 1.12.1988 to 30.11.1989 out of which 12 were children's films.

(c) A special chunk on every third Saturday from 2.15 p.m. to 3.30 p.m. has been reserved for telecast of children's films on the National network of Doordarshan. All Doordarshan Kendras have been instructed to telecast children's films in the regional languages on a fixed frequency. Besides, a number of children's films are telecast on special occasions like the Children's Day.

Office of Development Commissioner of Iron and Steel in Calcutta

*88. SHRI JAI PRAKASH AGARWAL: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have decided to abolish the office of the Development Commissioner of Iron and Steel in Calcutta;

(b) if so, the reasons therefor; and

(c) whether Government propose to have an alternative organisation for the purpose?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) No, Sir.

(b) and (c). Do not arise.

Allocation of Additional Resources to Agriculture

*89. SHRI ARVIND NETAM: Will the Minister of FINANCE be pleased to state:

(a) whether Government propose to divert fifty per cent of resources towards agricultural sector:

(b) if so, when the proposal would be implemented, and

(c) the details of the measures proposed to be taken in this regard?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) to (c). The Reserve Bank of India has issued instructions to all commercial banks advising them to raise the proportion of advances to priority sector to 40 of their total advances. The banks were further advised to ensure that direct finance extended to agriculture (including allied activities) reached a feel of at least 15% of the total credit by March, 1985 and at least 16% by March, 1987. These norms were further reviewed and banks were advised to step up the direct finance extended to agriculture so as to reach a feel of at least 17% of their total credit by March, 1989 and 18% by March, 1990.

So far as the allocation of resources to agricultural sector is concerned, the Planning Commission proposes to channelise nearly fifty percent of the Government's investment outlay for the development of the rural areas in future plans.

Transfer of Profit to Cine Workers Welfare fund

*93. SHRI ERA ANBARASU: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) the amount of profit earned by the National Film Development Corporation (NFDC) through screening of 'Gandhi film'; and

(b) the amount transferred to the Cine

Workers Welfare Fund as per agreement entered into by the NFDC and film maker providing for transfer of 5 per cent profit earned?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) National Film Development Corporation earned a profit of Rs. 2.83 crores upto 21.12.1989 after recouplement of its investment and interest thereon

(b) The Co-production and Finance Agreement for the film "Gandhi" executed on 10th April 1981 provides for crediting of 5% of net profits from the film to the Cine Artists Welfare Fund of India. Total amount due to transfer to Cine Artists Welfare Fund is 9.81 lakhs Pound Sterling (approx. Rs. 2.65 crores) but this has not been done so far because Sir Richard Attenborough, one of the participants in the Agreement, has raised certain issues regarding the Fund existing in India. While the title of the fund referred to in the Agreement is Cine Artists Welfare Fund of India, the title of the fund in operation in the country since Nov. 1984 is the Cine Workers' Welfare Fund.

Shortage of Iron Scrap

*94. SHRI P.R. KUMARAMANGALAM: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Union Government are considering any steps to deal with shortage of iron scrap in the country;

(b) if so, the details thereof; and

(c) if not, what other steps are being considered to provide alternative raw material to the mini-steel plants and rolling mills in India?

THE MINISTER OF STEEL AND MINES

AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) and (b). Carbon Steel Melting Scrap is the primary raw material for the mini steel plants in the country. It is a scarce item. To augment indigenous supply, it is being imported through the Metal Scrap Trade Corporation (MSTC) which is the canalising agency. Since the entire demand of the mini steel plants is not met through these two sources, Government have allowed import from rupee payment area countries of scrap by consumers against direct import licences. In addition, scrap has also been included as one of the items that can be imported under the 'import replenishment scheme'.

(c) The foregoing steps are expected to substantially assist in easing the shortage situation.

Setting up of Cashew Board

*95. SHRI MULLAPPALLY RAMACHANDRAN: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether there is any proposal to set up Cashew Board on the lines of Coffee Board and Tea Board; and

(b) if so, when the decision is likely to be taken by Government?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) and (b). The proposal to set up a Cashew Board is under consideration.

Code of Conduct for Adventure Tourists

*96. SHRI BANWARI LAL PUROHIT: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether Union Government propose to lay down a code of conduct and ethics for

adventure tourists to prevent environmental pollution in the country; and

(b) if so, the details thereof?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) and (b). There is no proposal at present under the consideration of Government to lay down a formal code of conduct and ethics for adventure tourists to prevent environmental pollution in the country. However, campaigns have been launched to create awareness and motivation for prevention of environmental pollution at tourist sites.

The Ministry of Environment have prepared guidelines for tourism in Beach Areas and Tiger Reserves. In addition, a Working Group was set up by the Ministry of Environment and Forests and the Group has already submitted the draft report giving guidelines for Tourism Projects. To maintain the sanctity and beauty of the Indian Beaches and to prevent environmental pollution in the coastline, an Inter-Ministerial Committee was set up in 1985 to clear projects which are to be set up in areas beyond 200 meters from the high tide line. Recently, the Ministry of Environment and Forests has proposed to give legal backing to its enforcement orders and administrative directives on this subject.

The Indian Mountaineering Foundation (IMF) has also brought out a booklet, namely "Do's and Don'ts while in Himalayas" for controlling the ecological balance of the mountains.

Outstanding Income-Tax and Excise Duty

*97. SHRI SHANKERSINGH VEGHELA : Will the Minister of FINANCE be pleased to state:

(a) the individuals and companies against whom Income tax arrears of Rs. 10

crores or more are pending and since when; and

(b) the companies against whom Central Excise Duty to the tune of Rs. 10 crore or more is pending and since when?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) and (b). A statement is given below:

STATEMENT

<i>Sl.No.</i>	<i>Name of the Company/ Individual</i>
1	2

INCOME TAX

1. A.P. State Civil Supply Corpn., Hyderabad.
2. Bharat Heavy Electricals Ltd., Delhi
3. Bank of India, Bombay
4. Bansal Exports (P) Ltd, Delhi.
5. Bharat Petroleum Corpn. Ltd., Bombay
6. Continental Construction Ltd., Delhi
7. D.S. Construction Pvt. Ltd., Delhi
8. Dalmia Cement (Bharat) Ltd., Delhi
9. Duncan Tobacco Ltd., Hyderabad
10. Escorts Ltd., Delhi
11. Escorts Tractors Ltd., Delhi
12. G.T.C. Industries Ltd., Bombay
13. Godrej & Boyce Mfg. Ltd., Bombay

1	2
14.	Gannon Dunkerly & Co. Ltd., Bombay
15.	Hindustan Lever Ltd., Bombay
16.	Indian Hotels Co.Ltd., Bombay
17.	I.C.I.C I Ltd., Bombay
18.	Indian Rly. Construction Co. Ltd., Delhi.
19.	Indian Oil Corpn. Ltd., Bombay
20.	J.K. Synthetics Ltd., Delhi
21.	Dr. J.D Dharm Teja, Switzerland
22.	Linde A.G., Bombay
23.	Modi Industries Ltd., Modinagar
24.	Modi Pon Ltd., Modinagar.
25.	Modi Rubber Ltd., Modi Nagar
26.	Mysore Wine Products Ltd., Ban- galore
27.	Mehsana Distt. Co-op. Milk Pro- ducers Corpn., Ahmedabad
28.	Microperi SPA Bombay
29.	Shri Mohmad Akhtar Hussain Alie Alias Kadar Ahmed Bhatti
30.	National Organic Chemicals Indus- tries Ltd., Bombay
31.	Nirlon Synthetics Fibres & Chemi- cals Ltd., Bombay
32.	New India Assurance Co. Ltd.,

1	2
	Bombay
33.	Orkey Silk Mills Ltd., Bombay
34.	Parekh Brothers, Bombay
35.	Pure Drinks (ND) Ltd., Delhi
36.	Southern Petrochemical Ind. Corpn. Ltd., Madras
37.	Shri Sukar Narain Bakhia, Ahme- dabad.
38.	Telco Ltd., Bombay
39.	United Bank of India, Calcutta
40.	Shri Vinod Kumar Didwania, Ma- dras.
	Except in the case of S.No. 21 and 37, the demand had been raised, at different points of time, from the year 1983-84 onwards. In the case of S.No. 21 and 37, part of the demand had been raised prior to 1983-84.
	CENTRAL EXCISE
41.	M/s. I.T.C. Limited-Different amounts pending from different dates since 1985 onwards.
42.	M/s. Bombay Tyre International Limited—since 1985
43.	M/s. Modipon Limited— Different amounts pending from different dates since 1970 onwards.
44.	M/s. Shree Vallabh Glass Works Ltd. —since 1978.

Separate Channel for Regional Programmes

* 98. SHRI JANARDHANA POOJARY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government propose to set up a separate channel exclusively for regional programmes; and

(b) if so, the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) and (b). Second channels already sixty in the TV stations at Delhi, Bombay, Calcutta and Madras. But setting up second channels exclusively for regional programmes would involve a lot of time and money. However, the Govt. is proposing to increase regional programmes on the second channel.

Recommendation of law Commission regarding Judicial Reforms

* 99 CH. JAGDEEP DHANKHAR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the recommendations of the Law Commission regarding Judicial Reforms have since been considered by Government;

(b) if so, the outcome thereof and the action taken or initiated thereon; and

(c) if not, the reasons for the delay?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) and (b). The recommendations of the Law Commission regarding Judicial Reforms are contained in its 114th to 129th and 131st

Reports. Copies of all the Reports have been laid on the Table of both Houses of Parliament. The recommendations contained in the 119th Report had not been accepted by the Government. The remaining recommendations of the Law Commission are at various stages of consideration by the Government.

(c) The recommendations of the Law Commission are being examined in consultation with the various Ministries, the State Governments, the Bar Council of India and the Judiciary.

Import of Steel Skull Scrap by MSTC

* 100. SHRIMATI GEETA MUKHERJEE: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Metal Scrap Trade Corporation Limited (MSTC) imported 28,000 tonnes of steel skull scrap from Qatar in hard currency without pre-shipment inspection;

(b) whether any pre-shipment inspection was made by the MSTC or approved inspection agency thereof;

(c) whether the entire quantity was allotted to a private party without pre-registration of demand;

(d) if so, the reasons therefor;

(e) whether the internal vigilance of MSTC indicated the deal; and

(f) whether Government have taken or contemplate any action in the matter and if so, the details thereof?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) and (b). During 1988-89, Metal Scrap Trade Corporation (MSTC) placed orders for the

import of 88,000 tonnes of steel skull scrap from Qatar of which about 35,000 tonnes were actually shipped. Under the prevalent system pre-shipment inspection of scrap is not done by MSTC but by inspection agencies. In addition, the actual users are also free to do so. Out of the above, inspection of 21,000 tonnes was to be done by actual users and the balance by inspection agencies.

(c) and (d). Pre-registration of any particular variety of carbon steel melting scrap is not a pre-requisite for allotment purposes. Based on actual registration made by the consumers, various kinds of scrap can be allocated to them depending upon their preference and availability. In 1988-89, MSTC imported 35,000 tonnes of steel skull scrap from Qatar. It was given to M/s. Mukand Ltd. and 8 other consumers. M/s Mukand Ltd. was allotted about 27,000 tonnes of this material.

(e) The internal vigilance of MSTC had examined the matter, but had not found any malafide.

(f) The Government is examining the issue afresh.

Hot Rolling Mill at Alloy Steel Plant, Durgapur

*101. DR. SUDHIR RAY: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether there is any proposal to set up a Hot Rolling Mill at Alloy Steel Plant, Durgapur; and

(b) if so, the details thereof?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) and (b). The proposal to set up a Hot Rolling Mill

at Alloy Steels Plant at Durgapur is one of the alternatives currently being examined by the Government for establishing indigenous facilities to hot roll stainless steel slabs for further cold rolling at Salem Steel Plant.

World Bank Senior Vice President's Statement Regarding Foreign Ex- change Constraint

*102. SHRI L.K. ADVANI: Will the Minister of FINANCE be pleased to state:

(a) whether the attention of Government has been drawn to a statement stated to have been made by the Senior Vice-President for Policy, Planning & Research in the World Bank to the effect that foreign exchange constraint was hindering Indian's development;

(b) if so, the reaction of Government thereon; and

(c) the corrective steps, if any, proposed to be taken in this regard?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) to (c). In a statement published in the book entitled "The Indian Economy-Recent Development and Future Prospects", Dr. David Hopper, Senior Vice President for Policy, Planning and Research in the World Bank has observed as follows:

"From my vantage point, that of World Bank lending and the functioning of the Consortium for assistance to India, I am obviously deeply concerned with the role of the foreign exchange constraint on Indian development. The foreign exchange constraint is not new, it was there right from the beginning of the independence period."

The book referred to above was edited by Mr. Robert E. B. Lucas of Boston University

and Mr. Gustav F. Papanek of Centre for Asian Development Studies, and published in 1988 in the USA by M/s. West View Press in Cooperation with the Centre for Asian Development Studies, Boston University. This book contains several articles and statements of economists, academicians and officials of international organisations. The book is a private publication and the views of the authors are personal and not necessarily of the organisations to which they belong.

The foreign exchange constraint in India's growth and development process has been sought to be alleviated by measures which promote exports, increase invisible earnings through tourism promotion and private remittances, imports containment, curtailment of budgetary deficits and through effective domestic demand management.

FICCI request to Permit Import of Caprolactum

294. SHRI MADHAVRAO SCINDIA: Will the Minister of COMMERCE AND TOURISM be pleased to state.

(a) whether the Federation of Indian Chambers of Commerce and Industry (F.I.C.C.I.) has urged Government to permit need based import of caprolactum to tide over its present shortage;

(b) if so, the position regarding availability, demand and supply of the commodity; and

(c) the action proposed to be taken in this regard?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) Yes, Sir.

(b) Current annual demand for Caprolactum, has been assessed to be around 80000 MTs and domestic supply is of the order of

20,000 MTs. The gap between the demand and supply is met through imports.

(c) Import of Caprolactum is permitted from time to time based inter alia on import requirements of various consuming industries and the domestic production.

Income-Tax Notices to Co-Operative House Building Societies in Delhi

295. SHRI YADVENDRA DATT: Will the Minister of FINANCE be pleased to state:

(a) whether Government are aware that Income-tax Department has asked the Cooperative House Building Societies in Delhi, who have been allotted land by Delhi Development Authority, to furnish the details of amount deposited with them by the members of the Societies;

(b) whether the members of such Societies have been issued notices by the Income-tax Department to indicate if such deposits were reflected in their income-tax assessment returns of to account for such deposits; and

(c) whether Government propose to exempt the salaried class members of Cooperative Group Housing Societies who have applied for LIG/MIG flats from the survey and inquiries of the Income-tax Department?

THE MINISTER OF FINANCE (PROF. MADHU DANAVATE): (a) The concerned Income-tax Authorities have required certain Co-operative House Building Societies of Delhi to furnish details of the amounts deposited with them by their members.

(b) Notice have been issued to the members of some of the Co-operative House Building Societies referred to in reply to part (a) above, for verifying whether the sources of investment of the deposits made by them with the respective societies are explained

and in case of existing assesses the same are reflected in their assessment record.

(c) There is no such proposal under consideration.

TV Relay Station In Ganjam, Orissa

296. SHRI A.N.SINGH DEO: Will the Minister of INFORMATION & BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state the number of television relay stations telecasting Telugu programme located in Ganjam district of Orissa and the area being covered by each station?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): Three Low Power (100 W) TV transmitters are at present functioning in Ganjam district of Orissa. None of these transmitters relay Telugu programmes. These transmitters relay programmes fed from Doordarshan Kendra, Delhi, via INSAT in their respective coverage areas indicated below:-

<i>Transmitter</i>	<i>Area covered (Sq. Kms.)</i>
1.LPT, Bhanjanagar	2000
2.LPT, Berhampur	1700
3.LPT, Parlakhemundi	700

Weak signals from the high power TV transmitter at Visakhapatnam, which relays Telugu programmes produced at Doordarshan Kendra, Hyderabad, are however, received in some parts of Orissa.

Development of Tourist Places in Marathwada Region of Maharashtra

297. SHRI ASHOK ANANDRAO DESHMUKH: Will the Minister of COM-

MERCE AND TOURISM be pleased to state:

(a) whether there is any proposal to develop more tourist spots in Marathwada region of Maharashtra; and

(b) if so, the details of pending proposals with the centre in this regard?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) and (b). There are no proposals pending with the Central Department of Tourism for development of more tourist spots in Marathwada region of Maharashtra.

[Translation]

Transmission Range of T.V. Programme in Madhya Pradesh

298. DR. LAXMINARAYAN PANDEY: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether T.V. programmes are not being received even in nearby areas due to Ultra High Frequency T.V. Towers in Mand-sour, Neemuch and Rajgarh area of Madhya Pradesh;

(b) whether a converter is to be installed for coverage in Black and White T.V; and

(c) the steps Government propose to take for installation of high power transmitters in these places ?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) Low Power TV transmitter at Mandsaur, Neemuch and Rajgarh operating in UHF provide service within their normal range of about 15 kms, subject to terrain conditions, Coverage of the above men-

tioned transmitters is limited in certain directions due to hilly features.

(b) For receiving signals from a UHF TV transmitters, a TV receiver (colour or black & white) is required to be equipped with a UHF tuner. These sets are available in the market. In case of TV sets having only VHF tuners, a UHF-VHF converter is required to be used.

(c) There is no approved scheme, at present, to set up high power TV transmitters at Mandsaur, Neemuch and Rajgarh.

[English]

Projects to Attract Foreign Tourists in Aurangabad (Maharashtra)

299. SHRI MORESHWAR SAVE: Will the Minister of COMMERCE AND TOURISM be pleased to state the new tourist projects likely to be developed in Aurangabad district (Maharashtra) to attract more foreign tourists?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): The Department of Tourism in consultation with the State Government of Maharashtra have identified three tourist travel circuits in the State of Maharashtra for a phased development of tourist infrastructure and facilities through combined resources of the Central Government, the State Government and private sector. Aurangabad has already been included in one of the travel circuits.

[Translation]

Repayment of Foreign Debt

300. SHRI RAM LAL RAHI: Will the Minister of FINANCE be pleased to state:

(a) the measures proposed to be adopted by Government to increase foreign

exchange earnings in order to repay foreign debt; and

(c) the details of help extended or contemplated for setting up more units of industries as are exporting more than eighty per cent of their products?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE) : (a) The measures include export promotion, import compression on a selective basis, increased invisible earnings through tourism promotion and private remittances, domestic demand management and curtailment of budgetary deficit.

(b) The facilities granted to units approved under the 100% EOU scheme are given in the Statement below:-

STATEMENT

Facilities and Incentives

1. 100% Export Oriented units can be set up in locations at the choice of the entrepreneur subject to the locational policy of the Govt.
2. Import of capital equipment, raw materials, components, consumables and spares required for the export production is free from Custom Duty and can be imported under OGL.
3. Indigenously available capital goods, components & raw material will be allowed without payment of central Excise duty. Central Excise duty is not payable on products exported.
4. All clearances (i.e. permission for Industrial Licence/foreign collaboration approvals and import of capital equipment) are

- given at one single point.
5. Permission is granted for transfer of material manufactured by 100% EOU or a unit in Free Trade Zones to other 100% EOU or a unit in Free Trade Zones subject to certain conditions.
 6. The supplies of capital goods, raw materials, components, material handling equipment such as tork lifts over-head crances, consumable and spares to 100% EOUs shall be treated as "DEEMED EXPORTS" and will be eligible for import replenishment licence in accordance with the Import Policy for registered exporters provided following conditions are fulfilled;
 - A) The goods supplied have been manufactured in India;
 - B) The supplies have been made at international price;
 - C) The supplier is registered exporter and is otherwise eligible to the import replenishment licence under the Policy in force.
 - D) Supplies made do not comprise semi-finished goods;
 - E) Disclaimer certificate is issued by 100% EOU in the favour of DTA unit.
 7. The suppliers of goods can also claim other benefits namely;
 - a) Import replenishment under registered exporters Policy;
 - b) Discharge of export obligation against capital goods licence or industrial licence or foreign collaboration approval and
 - c) Other benefits as admissible from time to time.
 8. The 100% EOUs will be permitted to sub-contract part of their production for job work to units in the Domestic Tariff Area on a case to case basis. Request will be considered by the concerned collector of Customs and Central Excise having jurisdiction over the unit on the basis of factors such as the feasibility of bonding of operations, fixation of input output norms, furnishing of undertaking/bonds by the concerned units.
 9. Sale of goods manufactured by an approved 100% EOU may be allowed to the DTA against valid Import Licence if the item sought to be supplied to the DTA require an Import Licence in accordance with the Import Policy force. Sale into domestic market of the items allowed for import under OGL be allowed subject to the conditions laid down for import under OGL Provisions.
 10. Sale (upto 25%) will be allowed under special permission accorded in select cases in accordance with the procedure prescribed.
 11. The sale under 9 and 10 shall be effected only with the prior permission of the Export Commissioner in the office of the CCI&E New Delhi in accordance with the procedure prescribed.

12. 100% EOUs may also be permitted unless specifically prohibited in the Letter of Intent/Approval the sale of rejects upto 5% of production or such percentage as may be fixed by the Board.
13. Sale of scrap/waste/remnant material arising during the course of production involving indigenous or imported raw materials or both in DTA on payment of appropriate Customs and excise duty and other taxes would also be allowed by the Board of Approval.
14. Green Card holding approved 100% EOU are provided one Temporary telephone/telex facility for their Regd./Head Office and factory by the Telecommunication department.
15. 100% EOUs are granted cash compensatory support (CCS) on physical exports at 50% of the rate applicable to units in the DTA on the final output of the 100% EOU. This facility will be as an alternative to the scheme whereby supplies made from DTA to 100% EOUs are eligible for deemed export benefits at the rate of 75% of what is admissible on physical exports. Units may exercise a one time option for either of the scheme.
16. CST reimbursement is also allowed by regional licensing authority. Procedures have been laid down for this purpose.
17. Tax holiday for any continuous block of 5 years within 8 years of the commencement of production of 100% EOUs, has been

given effect from the budget of 1988-89.

18. Customs Bonding charges for individual units having bonding arrangements have been reduced to 100% of the cost of customs staff from the earlier level of 150% after the restructuring of the Scheme.
19. 100% EOUs have been exempted from the operation of Export Control Order on a case by case basis. This relaxation does not cover textile items covered by bilateral agreements.

[English]

Item of Import Involving Highest Amount

301. SHRI KUSUMA KARISHNA MURTHY: Will the Minister of COMMERCE AND TOURISM be pleased to state the item of import on which Government are spanning the highest amount at present?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) Item of import on which Government are spending the Highest amount at present is "Ptroleum, Crude and Products".

[Translation]

Scheme for Development of Kumhrar Tourist Resort

302. PROF. (DR). SHAILENDER NATH SRIVASTAVA: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether any scheme has been formulated for the development of Kumhrar (Patna) tourist resort;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) to (c). The Central Department of Tourism has not received any scheme from the State Government for the development of Kumhrar as a Tourist Resort.

[English]

Establishment of a permanent bench of Bombay High Court at Pune

303. SHRI V.N. GADGIL: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government propose to establish permanent Benches of High Courts at places other than the seats of the High Courts;

(b) whether Government propose to establish a permanent Bench of the Bombay High Court at Pune; and

(c) if not, the reason therefor?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) The Central Government consider establishment of permanent Benches of High Courts away from its principal seat as and when specific, complete proposals are received from the concerned State Governments.

(b) No, Sir.

(c). No proposal has been received from the Government of Maharashtra in this regard.

[Translation]

Expansion programme of Doordarshan

304. SHRI SATYNARAYAN JATIYA: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) the State-wise transmission capacity of each Doordarshan Kendra and the areas covered by each of them;

(b) the present position of Doordarshan studios and the future programmes in regard to setting up of more studios; and

(c) the future expansion programme in regard to Doordarshan telecast, the period thereof and the amount likely to be spent thereon?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P.UPENDRA): (a) The requisite information is given in the Statement laid on the Table of the House. [Placed in Library See No. LT—247/89]

(b) and (c). Doordarshan programme production facilities are, at present, available at 18 places of the country. On completion of the VII Plan schemes of Doordarshan the number of places having programme production facilities would increase to 48. Extension of this facility to other places depends upon the availability of resources under future plans for TV expansion.

VIII plan proposals of Doordarshan with regard to expansion of TV service are still in the process of formulation.

Setting up of an Aluminium Factory in Bihar

305. SHRI UPENDRA NATH VERMA: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether there are huge deposits of bauxite in Latehar sub-division of Palamua district in Bihar

(b) whether Government propose to set up an aluminium factory there; and

(c) if so, the details thereof?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) and (b). The reserves of metallurgical grade bauxite suitable for manufacture of aluminium in Latehar sub-division of Palamau district in Bihar are not adequate to sustain an aluminium plant.

(c) Does not arise.

Mining of MICA in Bihar

306. SHRI R L P. VARMA Will the Minister of STEEL AND MINES be pleased to state:

(a) whether mining of mica in Bihar is coming down day by day rendering the miners unemployed;

(b) whether the Mica Trading Corporation of India and E.M.M.C. have undertaken mining work in 5-6 acres out of 3300 acres and 8-10 acres out of 6500 acres respectively and thus have ruined the workers;

(c) if so, whether the lease for mining is proposed to be given to other interested mining traders on the same terms and conditions after cancelling the mining lease of these two big companies; if so, by when; and

(d) if not, there reasons therefor?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) The provisional figure of production of mica during

January to November, 1989 was 3243 tonnes as compared to 3272 tonnes during the corresponding period in 1988 and indicates a marginal decline. The provisional figures of average daily employment show a decline from 2039 in 1988 to 1607 in 1989.

(b) Mica Trading Corporation has no mining lease for mica in Bihar. The mines of Eastern Manganese and Minerals Ltd, over an area of 3300 acres in Nawada district is worked by the Bihar State Mineral Development Corporation Ltd and is under production.

(c) and (d). Do not arise.

Setting up of a Doordarshan Kendra in Jahanabad

307. SHRI RAMASHRAY PRASAD SINGH: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMEN-TARY AFFAIRS be pleased to state:

(a) whether Government propose to set up a Doordarshan Kendra in Jahanabad district of Bihar; and

(b) if so, by when and the details in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMEN-TARY AFFAIRS (SHRI P. UPENDRA): (a) and (b). Jahanabad district of Bihar lies within the coverage area of the high power (10KW) TV transmitter functioning at Patna. There is, therefore, no approved scheme at present to set up a separate TV transmitter in the District.

Setting up of a T.V. Centre in Jhanjhar-pur District, Bihar

308. SHRI DEVENDRA PRASAD YADAV: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMEN-TARY AFFAIRS be pleased to state:

(a) whether Government propose to set up a T.V. centre in Jhanjharpur district in North Bihar; and

(b) if so, by when and details in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) and (b). No, Sir. There is, at present, no approved scheme to set up a T.V. transmitter in Jhanjharpur sub-division of Madhubani district of Bihar.

Cases pending in Patna High Court

309. SHRI YUVRAJ: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of cases pending in the Patna High Court;

(b) whether some posts of judges are lying vacant in the Patna High Court; and

(c) if so, the time by which judges will be appointed there and if not, the reasons therefor?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) As on 30.6.1989, 66221 cases were pending in Patna High Court.

(b) and (c). Yes, Sir. The Chief Minister of Bihar was requested to send recommendations for filling the vacant posts of Judges in consultation with the Chief Justice of the Patna High Court and the Governor. It is not possible to indicate the time by which Judges will be appointed in the Patna High Court but the consultative process has been expedited.

[English]

Appointment of Port Agent by Scindia Steam Navigation Company Limited

310. SHRI HANNAN MOLLAH: Will the Minister of FINANCE be pleased to state:

(a) whether Government are aware of the problems faced by Scindia Steam Navigation Company Limited and whether the management has reduced the number of its employees;

(b) whether the management is now planning to appoint a port agent at Calcutta rendering the employees out of service; and

(c) if so, the action proposed to be taken by Government to safeguard the interests of the workers?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) Shipping Credit & Investment Company of India Limited (SCICI) have reported that since the company has scrapped 9 old vessels and is presently operating a fleet of 13 vessels on time charter basis, the staff strength has been nationalised, 360 employees have accepted the voluntary retirement scheme offered by the Company. Thus the staff strength has recuded from 552 employees to 192 employees.

(b) and (c). Keeping in view the scale of operations at Calcutta the Company has considered various alternatives, including that of appointment of a Port Agent at Calcutta. The Board of Directors of the Company has not yet taken any specific decision.

Arrears in Supreme Court and High Courts

311. DR. A.K. PATEL: Will the Minister of LAW AND JUSTICE be pleased to state the steps taken or proposed towards imple-

mentation of suggestions made by the Law Commission and other concerned quarters in regard to clearance of arrears in Supreme Court and High Courts.?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) The summary of the recommendations contained in the Report of three Chief Justices Committee 1984 and as accepted by the Government has been sent to all the State Governments/High Courts for necessary action. The recommendations made by the 11th Law Commission in its various Reports are at different stages of examination. Government have also recently constituted a Committee of three Chief Justices of High Courts to study the problem of arrears in Courts and to suggest remedial measures.

Purchase of Residential Commercial Properties by Executives of Punjab and Sind Bank

312. **SHRIMATI GEETA MUKHERJEE:** Will the Minister of FINANCE be pleased to state:

(a) whether some executives of the Punjab and Sind Bank purchased residential/commercial properties from the borrowers of the Bank;

(b) if so, the details of the executives and borrowers, alongwith credit facilities enjoyed by them and the particulars of properties including their location, area and the rates at which these were purchased;

(c) whether some of these properties have been rented out by the executives to the Bank;

(d) if so, the details of the owners and

the rate of the rent charged and

(e) the action taken or contemplated by Government in this regard?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) to (c). According to information received from Punjab & Sind Bank some executives of the bank purchased properties from the borrowers of the bank. The names etc. of the executives and the borrowers and the details of the properties purchased are given in statement below. The credit limits enjoyed by the borrowers have not been indicated as these cannot be disclosed in terms of the provisions contained in Banking Companies (Acquisition & Transfer of Undertakings) Act 1980 and the customs and usages prevalent amongst the bankers. The bank has further reported that none of these properties have been rented out to it.

(d) Does not arise.

(e) The bank has reported that one Shri C.S. Rajwant, DGM had purchased properties from a borrower of the bank at much less than the market rates and the borrower was also accommodated unauthorisedly much beyond discretionary powers. He was placed under suspension on 13.9.85 and the suspension was revoked on 2.5.89. A charge-sheet was issued to him on 10.3.86 for various allegations including the allegation that he obtained flats, one each for his wife and daughter, from the client of the Bank M/s. Kamal Builders at much lower price than what was paid by the other purchasers. The departmental enquiry was ordered on 16.4.1986. Commissioner for departmental enquiry is the Inquiry Officer. In the meanwhile the Central Bureau of Investigation have taken up the case for investigation.

STATEMENT

Sr. No.	Name of the executives who have purchased property from the borrowers of the bank	Name of these borrowers	Details of the property purchased by the executives from the borrowers including :—
			(a) Place of location of these properties. (b) Measurement of these properties. (c) Rates of these properties.
1	2	3	4
1.	Sh. C S. Rajwant, DGM (U/S)	(a) M/s. Kamal Builders, B-19, Everest Tardeo Rd. Bombay	Flat at Anurag Apts., Borivili, Bombay. 900 sq. ft. Rs. 2.50 lac.
	—do—	(b) Calcutta Towers (P) Ltd., 69, Ganesh Coandra Avenue, Calcutta.	11-15 Calcutta Tower at Old Court House, Calcutta. 3161 sq ft. Rs. 5.60 lacs (purchased by Shri C.S. Rajwant, HUF)
	—do—	(c) Shyam Sunder (HUF)	Agriculture Land, Dara Bassi, Patiala, 14 Bighas 15 Biswas Rs. 1,03,250/-
	—do—	(d) Skipper Const (P) Ltd	Flat No 2, Tolstoy Marg, New Delhi 1200 sq. ft. Deposit amount of Rs. 25000/- paid to M/s. Skipper Const Co (P) L'd for Flat
	—do—	(e) Shyam Sunder (HUF)	Agricultural land, Dera Bassi Patiala. 37 Bighas 11 Biswas Rs 2.62,850/- (purchases by Sh C.S Rajwant, HUF)

Sr. No.	Name of the executives who have purchased property from the borrowers of the bank.	Name of these borrowers.	Details of the property purchased by the executives from the borrowers including :— (a) Place of location of these properties. (b) Measurement of these properties. (c) Rates of these properties.
1	2	3	4
2.	S. Sukhwant Singh Regional Manager	Kamal Builders.	Two Flats at Anurag Apts., Bombay Flat No. 205-206 475 sq. ft. each Rs. 1.85 lac.
3.	S. Amatinder Singh Regional Manager	M/s. Skipper Cons. Co. (P) Ltd.	Property booked in 1978 with M/s Skipper Const. Co. and paid Rs. 17,500/- as initial deposit.
4.	Mr. K.G.S. Nagpal, Chief Manager.	M/s. Beejay Associates Contractor (P) Ltd.	Booked a flat in Multy Storeyed building at 35, Anuh Road, Pune & paid Rs. 5,000/- as advance for flat valued Rs. 2.30 lac approx.

Sr. No.	Name of the executives who have purchased property from the borrower of the bank.	Name of these borrowers.	Details of the property purchased by the executives from the borrowers including :— (a) Place of location of these properties. (b) Measurement of these properties. (c) Rates of these properties.
1	2	3	4
1.	S. A.S. Kaberwal, Officer.	M/s. Kamal Builders	Flat No. 501 at Anurag Apts. Dehisar (E), Bombay. 750 sq. ft. Rs. 1,16,000/- Rs. 2249/-
2.	Sh. V.K. Sabnis, Officer.	—do—	Flat No. 104 475 sq. ft. Rs. 76,000/- Rs. 5374/-
3.	S. Surjit Singh Narang, Officer	—do—	Flat No. 107 475 sq. ft. Rs. 76,000/- Rs. 5374/-
4.	S. Narinderjit Singh, Officer	—do—	Flat No. 302 475 sq. ft. Rs. 76,000/- Rs. 5374/-
5.	S. Gurvinder Singh Puri, Officer	—do—	Flat No. 306 475 sq. ft. Rs. 76,000/- Rs. 5374/-

Sr. No.	Name of the executives who have purchased property from the borrower of the bank.	Name of these borrowers.	Details of the property purchased by the executives from the borrowers including :—
			(a) Place of location of these properties. (b) Measurement of these properties. (c) Rates of these properties.
1	2	3	4
6.	S. Narinderbir Singh Sahni, Officer	—do—	Flat No. 502 750 sq. ft. Rs. 1,13,751/-
7.	Sh. H.S. Anand, Officer	—do—	Flat No. 305 475 sq. ft. Rs. 76,000/- Rs. 5374/-
8.	Sh. Bharat Bhushan Kohli, Officer,	—do—	Flat No. 504 750 sq. ft. Rs. 1,16,000/- Rs. 2249/-
9.	S. Jagmohan Singh, Chanana, Manager	—do—	Flat No. 506 750 sq. ft. Rs. 1,11,250/-
10.	S. Jasbir Singh Bedi, Officer	—do—	Flat No. 301 475 sq. ft. Rs. 76,000/- Rs. 5374/-

Sr. No.	Name of the executives who have purchased property from the borrower of the bank.	Name of these borrowers.	Details of the property purchased by the executives from the borrowers including :— (a) Place of location of these properties. (b) Measurement of these properties. (c) Rates of these properties.
1	2	3	4
11.	S. Fuldeep Singh, Sr. Manager.	—do—	Flat No. 508 750 sq. ft. Rs. 1,14,000/-
12.	S. Narinder Singh Sodhi, Officer.	—do—	Flat No. 202 475 sq. ft. Rs. 76,000/- Rs. 5374/-
13.	S. Jiwan Singh, Officer.	—do—	Flat No. 303 475 sq. ft. Rs. 76,000/- Rs. 5374/-
14.	S. Prem Singh, Officer.	—do—	Flat No. 304 475 sq. ft. Rs. 76,000/- Rs. 5374/-
15.	Sh. Shashi Pal Lakhwara, Manager	—do—	Flat No. 402 750 sq. ft. Rs. 1,24,000/- Rs. 6499/-

Sr. No.	Name of the executives who have purchased property from the borrower of the bank.	Name of these borrowers.	Details of the property purchased by the executives from the borrowers including :—
1	2	3	4
16.	Sh. Buta Ram, Officer	—do—	Flat No. 103 475 sq. ft. Rs. 76,000/- Rs. 5374/-
17.	S. Tejinder Singh Kochar, Sr. Manager.	—do—	Flat No. 403 750 sq. ft. Rs. 1.43 lac as per property return as on 31.3.83. Property has since been sold off on Oct. 86.
18.	S. Manjit Singh, Manager	M/s. Kamal Builders	Flat at Anurag Apts. Dehisar (E), Bombay. 750 sq. ft. Rs. 1,16,000/- Rs. 2249/-
19.	S. Jagjit Singh, Chowdhry, Manager	—do—	Flat at Anurag Apts. Dehisar (E), Bombay. 475 sq. ft. Rs. 76,000/- Rs. 5374/-
20.	S. Mohinder Pal Singh, Manager	—do—	Flat at Anurag Apts. Dehisar (E), Bombay. 750 sq. ft. Rs. 1,16,000/- Rs. 2249/-

Sr. No.	Name of the executives who have purchased property from the borrower of the bank.	Name of these borrowers.	Details of the property purchased by the executives from the borrowers including :— (a) Place of location of these properties. (b) Measurement of these properties. (c) Rates of these properties.
1	2	3	4
21.	S. Ranjit Singh Ailawadi, Officer.	—do—	Flat at Anurag Apts. Dehisar (E), Bombay. 750 sq ft. Rs. 1,16,000/- Rs. 2249/-

Proposal to Declare "Valinokkam" in Tamilnadu as a Customs Port

313. DR. V. RAJESHWARAN: Will the Minister of FINANCE be pleased to state:

(a) whether there is any proposal to declare "VILINOKKAM" a fishing harbour in Tamilnadu as a Customs port; and

(b) if so, when?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) and (b). No, Sir. The anticipated import and export traffic at Valinokkam port is not significant to declare it as a customs port. So far only requests for import of ships for the purpose of breaking were received. Administrative arrangements for customs clearance of these vessels have been made at the nearby Tuticorin port, which is presently not utilised to its full capacity. Govt. do not, therefore, find it justifiable to declare Valinokkam as a customs port.

Development of Tourist Places in Jammu

314. SHRI JANAK RAJ GUPTA: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether there are a number of tourist places in Jammu, Rajouri and Poonch districts in the J & K State;

(b) if so, the details thereof, and

(c) the steps being taken to develop these places for the tourists?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) and (b) Yes, Sir. There are a number of places of scenic and cultural importance in these districts.

(c) Following projects have been sanctioned by the Central Department of Tourism to develop tourist infrastructure in Jammu district;

1. Development of facilities at Baghe-Bahu.
2. Yatri Niwas at Jammu
3. Kiosk at Nandri
4. Wayside facilities at Mansar

The Department have not received any proposal for the development of tourist infrastructure in Rajouri and Poonch districts from the State Government.

Non-Screening of Feature Film on 9 December, 1989

315. SHRIMATI M. CHANDRASEKHAR: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether Government had cancelled/postponed telecast of a particular feature film on 9th December, 1989;

(b) if so, the reasons therefor; and

(c) whether Government propose to frame a new set of norms for selecting the feature films for telecast?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) to (c). No film was scheduled to be telecast on December 9, 1989.

Measures for Price Control

316. DR. THAMBI DURAI: Will the Minister of FINANCE be pleased to state:

(a) the time by which the package of measures for price control will be announced;

(b) how far the State Governments will be involved in these measures; and

(c) the details of articles that would be brought within the package?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE). (a) to (c). The Government have already appointed a Cabinet Committee on Prices to review the price situation and take necessary measures to contain rise in prices of essential commodities.

Modernisation of Indian Iron and Steel Company Ltd. at Kulti

317. SHRI CHITTA BASU: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government have under consideration a Japan-collaborated Project for the modernisation of the Indian Iron and Steel Company Ltd. at Kulti (Asansol) in West Bengal; and

(b) if so, the present stage of its implementation?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) and (b). There is no proposal for collaboration with Japan for the modernisation of Kulti Works of IISCO which have basically foundry facilities. However, a proposal to modernise iron and steel works of IISCO at Burnpur with Japanese credit is currently under examination in the Government. Preliminary and site preparation works are in progress in Burnpur.

Payment of Interim Grant for Bombay

318. SHRI RAM NAIK: Will the Minister of FINANCE be pleased to state:

(a) whether the Ninth Finance Commission has recommended payment of interim grant of Rs. 50 crores for Bombay to be matched by similar grant of Rs. 50 crores by State Government with a condition that it should be utilised before 31st March, 1990;

(b) if so, whether the payment has been made;

(c) if not, the reasons therefor; and

(d) whether any time-bound action is proposed by Government in this regard?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) to (d). The Ninth Finance Commission has recommended in its First Report for 1989-90 a grant of Rs. 50 crores to Government of Maharashtra for slum clearance and environmental improvement of slums and provision of basic amenities in the city of Bombay with an equal matching contribution by the State Government.

The State Government have proposed a number of schemes with a total outlay of Rs. 138.74 crores (which will be limited to Rs. 100 crores for purpose of utilising the above mentioned grant). Of these, schemes with an outlay of Rs. 97.55 crores have so far been approved.

An amount of Rs. 12.19 crores have so far been released to the State Government on 'on-account' basis and the balance amount will be released on the basis of report of expenditure and physical progress to be submitted by the State Govt.

The State Government have been advised to utilise the above mentioned grant

within the current financial year.

Opening of Regional office of Bank of India in Kerala

319. SHRI G.M. BANATWALLA: Will the Minister of FINANCE be pleased to state:

(a) whether Kerala is reported to be the only State without any administrative office of the Bank of India;

(b) whether Government propose to open a regional office of the Bank in Kerala.

(c) if so, the steps taken in this regard indicating proposed location and the time by which the regional office would be established; and

(d) if not, the reasons therefor?

THE MINISTER OF FINANCE (PROF. MADHU DANAVATE): (a) to (d). The regional offices are opened by the public sector banks keeping in view the level of business, the branch spread in the command area, cost benefit analysis and administrative exigencies. The location of the proposed office is decided by the banks, for which they obtain licence from the Reserve Bank of India. Bank of India has at present only 14 branches in the State of Kerala and, therefore, setting up of a regional office in the

State was not considered a viable proposition by the Bank. The Reserve Bank of India has reported that it has recently given its 'in principle' approval to the Bank of India to the opening of a regional office in the State of Kerala. The office would become operational as and when the bank opens more branches in that State.

Criminal and Civil cases pending in Delhi High Court

320. SHRI VJAY KUMAR MALHOTRA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the total number of criminal and civil cases pending in Lower, District and High Court in Delhi for over a period of 3 to 5 years, 5 to 7 years, 7 to 10 years and above separately;

(b) whether Government propose to provide legal assistance and facilities to the poor and weaker sections of the society for disposal of their cases expeditiously; and

(c) if so, the details thereof?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWANI): (a) The pendency of cases in the Delhi High Court as on 30.6.89 is as follows:

	<i>Civil</i>	<i>Criminal</i>
3 to 5 years	15438	615
5 to 7 years	9427	530
7 to 10 years	8151	736
Over 10 years	7236	337

Similar information in respect of the Lower and District Courts is being collected and will be laid on the Table of the House.

(b) and (c). Free legal-aid and assistance is already being provided to the poor and weaker sections of the society in all law courts in Delhi by the Delhi Legal Aid and Advice Board and the Supreme Court Legal Aid Committee. So far over 78,000 persons have availed themselves of legal aid and advice in Delhi law courts.

[*Translation*]

Minerals based Industries in Rajasthan

321. SHRIDAULATRAM SARAN: Will the Minister of STEEL AND MINES be pleased to state:

(a) the names of minerals being exploited and the industrial units set up in Rajasthan based thereon in the central public sector;

(b) the financial assistance being provided by Union Government to the State Government in this regard and the basis thereof;

(c) whether the State Government have suggested any changes in this regard; and

(d) if so, the details thereof?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) to (d). The information is being collected and will be laid on the Table of the House.

Conversion of L.P.T. to HPT In Surat, Gujarat

322. SHRI KASHIRAM RANA: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether there is a persistent demand for a high power T.V. relay centre in Surat, Gujarat;

(b) if so, the action proposed to be taken thereon; and

(c) when the high power transmitter is likely to be installed?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) Requests to this effect have been received from time to time.

(b) and (c). Three low power (100W) TV transmitters, one each at Surat, Kosamba and Songarh, and a very low power (2x10W) transmitter at Kakrapar are, at present, functioning in Surat district. Further expansion of T.V. coverage in the district can be carried out in a phased manner depending upon the availability of resources for this purpose in the future plans of TV expansion.

[*English*]

Import of Rubber

323. PROF. K.V. THOMAS: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) the quantity of rubber imported during the last five years;

(b) the internal production and consumption of rubber during the last five years;

(c) the price of the natural rubber in the international market and internal market during the last five years; and

(d) the policy of the Government regarding rubber imports?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) and (b). Details of production, Consumption and imports during the last five years have been as under:-

<i>Year</i>	<i>Production</i>	<i>Consumption (in tonnes)</i>	<i>Imports (By STC)</i>
1984-85	186450	217510	32408
1985-86	200465	237440	38538
1986-87	219520	257305	40228
1987-88	235197	287480	41984 (P)
1988-89	259172	313830	51367 (P)

(P) = Provisional.

(c) Prices of natural rubber in the International market and domestic market during

the last five years have been as under:

<i>Year</i>	<i>International Market (Price in Rs. per quintal for RSS—III in the International market and RMA—4 in the domestic market)</i>	<i>Domestic market</i>
1984-85	961	1655
1985-86	902	1732
1986-87	1035	1660
1987-88	1297	1791
1988-89	1654	1815
1989-90 (Average for April—Nov.)	1454	2136

(d) The policy of the Government is to import only as much quantities of rubber as would be necessary to bridge the gap between demand and supply.

Doordarshan Kendras

324. SHRI ANIL SHASTRI: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) the number of towns in the country with cultural heritage like Varanasi having Doordarshan Kendras; and

(b) the steps being contemplated to increase the number of Doordarshan Kendras in such towns and particularly in Varanasi?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF

PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) and (b). Whereas TV transmission facilities already exist at a number of cultural centres, including Varanasi, the VII-plan of Doordarshan includes a schemes for establishment of TV Studio facilities at six cultural centres. This scheme, however, does not provide for establishment of a TV Studio Centre at Varanasi. Expansion of such facilities to other cultural centres depends on availability of resources under future plans for TV expansion.

Indians having accounts in Foreign Banks

325. SHRI NATHU SINGH: Will the Minister of FINANCE be pleased to state:

(a) whether Government are aware that many Indians have illegal accounts in foreign banks;

(b) if so, the details thereof; and

(c) the action taken or contemplated against such accounts holders?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) to (c). Enforcement Directorate initiates action under FERA against resident Indians who maintain accounts in foreign banks without the permission of the R.B.I. Such action is taken on receipt of information regarding specific individuals and companies. Details of cases which have been finalised during the last two years are being collected and will be laid on the Table of the House.

NRI Investment towards Development of Electricity

326. SHRI SAMARENDRA KUNDU: Will the Minister of FINANCE be pleased to state:

(a) whether the Non-resident Indians

have offered substantial investment in the country for the development of power; and

(b) if so, the amount thereof and how the money is proposed to be utilised.

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) Periodically, various Non-Resident Indian organisations have raised the issues of permitting NRI investment in the power sector.

(b) No specific amounts have been indicated.

[Translation]

Licences for Poppy Cultivation in Uttar Pradesh

327. SHRI RAM SAGAR: Will the Minister of FINANCE be pleased to state:

(a) whether a large number of poppy cultivators of Uttar Pradesh have demand for renewal of their licences for 1989-90 for cultivation of poppy;

(b) if so, the details thereof; and

(c) the time by which the poppy cultivators are likely to be given licences for starting poppy cultivation?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) to (c). In accordance with the provisions of the Narcotic Drugs and Psychotropic Substances Rules, 1985, poppy cultivation may be licensed subject to the general conditions relating to grant of such licences notified by the Central Government every year. As per the conditions notified for grant of licences for the crop year 1989-90, all cultivators who had tendered not less than 34 Kgs. of opium per hectare during the crop year 1988-89 are eligible for grant of licence. The cultivators of those villages which may have suffered crop

damage have also been given appropriate reliefs, in respect of tendering the minimum qualifying yield. All such cultivators, who had applied or licence for poppy cultivation for the crop year 1989-90 and who were otherwise eligible in accordance with the general conditions for grant of licence for 1989-90 notified by the Central Government, have been issued licence for cultivating opium poppy.

Kaul and Tandon Committee Recommendation on Development of Kandla Free Trade Zone

328. SHRI BABUBHAI MEGHJI (SHAH): Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether the recommendations made by Kaul and Tandon Committee set up by Government for expediting the development of Kandla Free Trade Zone have not been fully implemented till now; and

(b) if so, the details of recommendations which have since been implemented and the steps contemplated by Government for implementing the remaining recommendations?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) and (b). The Tandon Committee was set up to examine the problems faced in the working of Free Trade Zones and the Scheme of 100% Export-Oriented Units. The Committee made a number of recommendations for accelerating the process of these schemes. The main recommendations were to set up five or six new EPZs and to allow EPZ Units to sell 25% of production in Domestic Tariff Area. These recommendations have been implemented.

The Kaul Committee was set up to look into the problems of the Kandla Free Trade Zone with a view to suggest measures to

ensure a major export thrust from this zone. The major recommendations of the Kaul Committee included extension of Income-Tax Holiday for a period of five years; permission to sell a part of the production of Kandla units in Home-Market; reimbursement of Central Sales Tax; providing of permanent import-policy frame work; working capital at concessional rates; payment of transport subsidy on percentage basis etc. All these recommendations have been implemented by the Government. Units in Kandla FTZ, as in other zones, enjoy corporate tax holiday for a period of 5 years in a block of 8 years; Central Sales Tax paid on purchase from outside the State is reimbursed by the Zone Administration, import of capital goods, raw materials, consumables etc. are permitted in the zone under OGL on a regular basis and working credit facility is available for a period of 180 days without production of export orders.

While the Kaul Committee recommended a separate Act for Kandla Trade Zone, the Tandon Committee recommended creation of a Central Unified Authority for the development and administration of all the Export Processing Zones, including Kandla. This suggestion is under consideration of the Government.

Transport facilities for Tourist places in M.P.

329. SHRI RAGHAVJI: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) the names of places of tourist importance in Vadisha and Raisen districts of Madhya Pradesh.

(b) whether adequate transport facilities for visiting the said places has been provided; and

(c) if not, the time by which these

facilities are likely to be provided?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) The places of tourist importance in these districts of Madhya Pradesh are Sanchi, Udayagiri, Bhimbetka and Vidisha.

(b) and (c). The Central Department of Tourism has no scheme under which transport facilities are provided at various tourist centres.

[English]

Removal of India's Name under provision of Super 301

330. **SHRI MADHAVRAO SCINDIA:** Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether efforts were made to ensure that the name of India is removed from the US trade list under Super 301, provision of US Trade and Competitiveness Act;

(b) if so, the details thereof and further steps proposed to be taken in this regard; and

(c) US Government's response thereto?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) to (c). Our strategy has been to put as much international pressure as possible to deter the USA from pursuing the path of unilateralism. This is being done by taking up the matter in the meetings of the GATT Council and the Uruguay Round Negotiating Groups as well as in the Surveillance Body established under the Uruguay Round to voice our concerns. We are also eliciting support from other countries bilaterally, whenever there is an opportunity India's stand has received wide support and the US action has been criticised by both developed

and developing countries. US Government have not yet approached us for negotiations in the context of Super 301 decision. We have, however, made it clear that Government of India will not participate in any negotiations, bilateral or otherwise, under threat of retaliation. Government is also opposed to negotiations establishing linkages between multilaterally agreed concessions in trade in goods and changes in policy lying within the domain of autonomous national economic policies.

No further action has so far been taken by the US Government since the initiation of investigation in June, 1989.

Closing of Mines in Tribal Districts of Orissa

331. **SHRI ANADI CHARAN DAS:** Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether the Minerals and Metal Trading Corporation has reduced procurement of iron ore from non-captive mines for the purpose of export to the extent of fifty per cent or even more;

(b) whether several such mines have been forced to close down in the three tribal districts of Orissa; and

(c) if so, the steps proposed to be taken not to reduce the procurement of iron ore in order to avoid retrenchments there?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) While procurement of iron ore by MMTC from Barajamada and Gandhamardan sectors was reduced in 1988-89 due to very high opening stocks which were sufficient to meet the export commitments during 1988-89, there is no reduction in procurement during the current year. MMTC has asked the mine-owners to supply as much of iron ore as possible.

(b) No, Sir.

(c) Does not arise

Measures to Curb Inflation

332. PROF. P.J. KURIEN: Will the Minister of FINANCE be pleased to state:

(a) the annual rate of inflation during the past three years and the current year with year-wise break-up; and

(b) the specific measures proposed to be undertaken to check inflation?

THE MINISTER OF FINANCE (PROF. MADHU DANAVATE) (a) The requisite information is given below.

<i>Year</i>	<i>Annual Rate of Inflation in terms of WPI (1981 82=100)</i>
1986-87	5.1
1987-88	10.7
1988-89	5.7
1989-90 (Upto 9 12.1989)	6.1

(b) The steps taken/proposed to be taken to contain inflation include removing imbalances in the demand and supply of essential commodities, mopping up excess liquidity in the economy and vigorous enforcement of existing laws against hoarding and profiteering.

Legislation to Regulate Chit Funds/ Private Financers

333. SHRI MULLAPPALLY RAMACHANDRAN: Will the Minister of FINANCE be pleased to state:

(a) whether Government propose to bring about uniform legislation throughout the country to regulate the activities of chit funds, private financers; and

(b) if so, the details thereof?

THE MINISTER OF FINANCE (PROF. MADHU DANAVATE): (a) and (b). While the activities of chit fund companies are regulated by 'Chit Funds Act, 1982', the deposit acceptance activities of the unincorporated bodies etc. are regulated in terms of the provisions of Chapter III-C of Reserve Bank of India Act, 1934. Government have no proposal to bring out any fresh legislation in this behalf.

Circulation of top five Dailies in Malayalam

334. SHRI MULLAPPALLY RAMACHANDRAN: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state the details of the circulation of each of the top five dailies and periodicals published in Malayalam?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): The requisite details are given in the statement below.

STATEMENT

<i>Name of the Paper</i>	<i>Place of publication</i>	<i>Periodicity (1988)</i>	<i>Circulation</i>
Malayala Manorama (4 editions)	Calicut	Daily	2,04,203
	Kottayam	- do -	1,95,362

<i>Name of the Paper</i>	<i>Place of publication</i>	<i>Periodicity (1988)</i>	<i>Circulation</i>
	Cochin	- do -	1,52,335
	Trivandrum	- do -	93,981
Mathrubhoomi (3 editions)	Calicut	- do -	1,82,710
	Cochin	- do -	1,57,907
	Trivandrum	- do -	1,10,477
Kerala Kaumudi	Trivandrum	- do -	1,16,919
Deshabhimani (2 editions)	Cochin	- do -	64,190
	Calicut	- do -	53,691
Express	Trichur	- do -	57,321
PERIODICALS			
Mangalam	Kottayam	Weekly	12,23,963
Malayala Manorama	- do -	- do -	8,70,731
Balarama	— do -	fortnightly	2,24,889
Vanitha	- do -	- do -	2,24,880
Manorajyam	- do	Weekly	1,59,767

Import of Raw Rubber

335. SHRI MULLAPPALLY RAMACHANDRAN: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether Government propose to import raw rubber;

(b) if so, the main reasons therefor; and

(c) the quantity of raw rubber proposed

to be imported and the names of countries from where it will be imported?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) to (c). Yes Sir, in view of the indigenous production being insufficient to meet the demand, the gap between demand and supply is proposed to be bridged by imports. For the present STC has been advised to contract for 10,000 tonnes of natural rubber as the first instalment. Natural rubber im-

ports are mainly from Malaysia, Thailand, Singapore and Sri Lanka.

Pepper Export

336. SHRI MULLAPPALLY RAMACHANDRAN: Will the Minister of COMMERCE AND TOURISM be pleased to state:-

(a) the total quantity and value of pepper exported during the period January to October, 1989; and

(b) the share of Kerala in the total exports?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a)

QTY (MTs.)	VALUE (Rs. in lakhs)
24379	12341

(b) Figures of exports are not maintained statewise.

Election reforms

337. SHRI ERA ANBARASU: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of persons filed nominations as independent candidates for the Lok Sabha Elections held recently;

(b) the number out of them elected and the number who lost their deposits; and

(c) whether Government are considering to introduce reforms in the electoral laws aimed at discouraging non-serious candidates?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSMANI): (a) 3634 inde-

pendent candidates filed their nominations for the Lok Sabha Elections, 1989.

(b) 13 independent candidates were elected. Number of candidates who forfeited their deposits is being collected from the concerned Chief Electoral Officers.

(c) This is among the proposals presently under the consideration of Government.

Mines and Minerals (Regulation and Development) Act

338. SHRI ANADI CHARAN DAS: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether as a result of the amendment to the Mines and Minerals (Regulation and Development) Act, 1957, the Union Government have taken away the residual powers of the State Governments in the matter of mineral concessions etc.;

(b) whether the minerals like dolomite, limestone, bauxite, gypsum, kyanite etc. are now included or proposed to be included in the First Schedule in addition to atomic minerals and precious metals;

(c) whether Government contemplate to examine the whole issue afresh in order to empower the State Governments for grant of control/concessions for the benefit of the local and rural masses; and

(d) if not, the reasons therefor?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) No, Sir.

(b) In 1987 amendments were made in the Mines and Minerals (Regulation and Development) Act, 1957 primarily to ensure systematic and scientific development of

minerals with special emphasis on conservation and protection of environment and ecology. Twelve minerals such as bauxite, barytes, dolomite, kyanite, limestone except when it is used in kilns for the manufacture of lime as building material, magnesite and sillimanite, which had since assumed national importance, were added to the First Schedule.

While the State Government continues to be vested with the power to grant minerals concessions in respect of all Scheduled minerals, the approval of the Central Government has to be obtained before grant of mineral concessions in such cases. This has been done to regulate the development of these important minerals from an all-India point of view.

(c) and (d). The power to grant mineral concessions in respect of minerals already vests with the State Governments.

[*Translation*]

Violation of FERA by Birla Group of Companies

339. SHRI HUKMDEO NARAYAN YADAV: Will the Minister of FINANCE be pleased to state:

(a) whether there was violation of the provisions of the Foreign Exchange Regulation Act by Birla Group of Companies during the last three years;

(b) if so, the details thereof;

(c) whether any action was taken by Government against these companies for these violations;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF FINANCE (PROF. MADHU DANDEVATE): (a) to (e). During the last 3 years namely 1987, 1988 and 1989, in one case relating to M/s Keshoram Rayons and M/s. Keshoram Industries & Cotton Mills Ltd., Calcutta, a show cause notice for contravention of the provisions of FERA, 1973 was issued on 1.9.1989.

Pension Scheme for employees of Insurance Corporations

340. SHRI HARISH RAWAT: Will the Minister of FINANCE be pleased as to state:

(a) whether Government propose to introduce a pension scheme for the employees of various Insurance Corporations;

(b) if so, when this proposal will be implemented; and

(c) if not, the reasons therefor?

THE MINISTER OF FINANCE (PROF. MADHU DANDEVATE): (a) No, Sir.

(b) Does not arise.

(c) Liberal retirement benefits already exist in the form of gratuity and contribution to the provident fund at the rate of 10% each by the employee and the employer. There is therefore no proposal to introduce a third retirement benefit.

Himalayan Tourism Development Authority

341. SHRI HARISH RAWAT: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether Government propose to set up a Himalayan Tourism Development Authority;

(b) if so, the details thereof; and

(c) if not, the steps proposed to be taken by Government for the development and expansion of tourism in the areas adjoining the Himalayas?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) No, Sir.

(b) Question does not arise.

(c) Department of Tourism has set up a Voluntary forum called Himalayan Tourism Advisory Board (HIMTAB) which provides a common platform for mutual inter-action between the representatives of the public and private sectors in the Himalayan States from time to time with regard to tourism programmes and activities, which can be undertaken through inter-state co-operation.

Opening of Branches of Punjab National Bank in Hill Areas of Uttar Pradesh

342. SHRI HARISH RAWAT: Will the Minister of FINANCE be pleased to state:

(a) whether the Punjab National Bank has opened a regional office in the hill areas of Uttar Pradesh;

(b) the number of its branches functioning in the three districts of this area; and

(c) whether the Bank proposes to open some more branches in the area and if so, the location thereof and when these branches are likely to be opened?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) and (b). Punjab National Bank has reported that it has set up two Regional Offices at Dehradun and Kashipur to look after its 74 branches located in the districts of Almora, Nainital, Pithoragarh, Rampur, Chamoli, Dehradun, Pauri Garhwal, Tehri Garhwal and Uttarkashi.

(c) According to Punjab National Bank, it has licences pending for opening of branches at Akhori (Tehri Garhwal), Mukkhu (Chamoli), Trishula (Chamoli) and Rudoli (Uttar-Kashi). The bank proposes to open these branches by 31.3.1990.

Curtailment of Non-Development Expenditure

343. SHRI HARISH RAWAT: Will the Minister of FINANCE be pleased to state:

(a) whether Government have decided to take some comprehensive measures to curtail non-developmental expenditure; and

(b) if so, the details thereof and the extend to which this expenditure is proposed to be curtailed?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) and (b). Government are continuously making efforts to reduce non-developmental expenditure to the barest minimum. A number of measures have been taken to bring about reduction in the expenditure. These include curbs on creation of posts, travel expenses, entertainment, inessential seminars, conferences, publications, purchase of furniture/furnishings, fuel consumption etc. Further Ministries and Department of Government have been instructed to review all their programmes and prioritise them adopting the zero base budgeting technique so that expenditure on low priority items can be reduced/eliminated. The results of all these efforts can be assessed only over a period of time.

[English]

Improvement in Programmes of Radio Station at Nagarcoil

344. SHRI N. DENNIS: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether Government propose to increase A.I.R. coverage and make improvements in the programmes broadcast from A.I.R. Station, Nagarcoil;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) to (c). The concept of Local Radio Station has been developed to serve a small area. It being a Local Radio Station, there is no proposal to increase the coverage area of AIR, Nagarcoil. However, it has been the endeavour of AIR to improve the programmes keeping in view the local needs and communication imperative.

[*Translation*]

Import and Export of Foodgrains, Sugar and Edible Oils

345. SHRI SATYANARAYAN JATIYA: Will the Minister of COMMERCE AND TOURISM be pleased to state the total quantity of foodgrains, sugar and edible oils imported and exported during 1989 and per unit price thereof in Indian currency?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): Total quantity and value of Foodgrains viz. wheat and rice, pulse and other cereals, sugar and edible oil imported and exported during 1988-89 and April '89-Aug., '89 is as under:-

*Qty. Thousand Tonnes
Value Rs. Crores*

IMPORTS

<i>Item</i>	1988-89		April '89-Aug. '89	
	<i>Qty.</i>	<i>Value</i>	<i>Qty.</i>	<i>Value</i>
1	2	3	4	5
A. Foodgrains				
(i) Wheat	1567	378.16	13	7.08
(ii) Rice	614	193.46	83	37.20
(iii) Other Cereals	134	26.42	35	9.04
(iv) Pulses	827	383.50	91	43.60
B. Sugar	Neg.	Neg.	1	0.66
C. Veg. Oil fixed (Edible Oil)	986	726.53	43	35.81

Qty Thousand Tonnes
Value Rs. Crores

EXPORTS

Item	1988-89		April '89-Aug. '89	
	Qty.	Value	Qty.	Value
1	2	3	4	5

A. Foodgrains

(i) Wheat	16	2.99	Nil	Nil
(ii) Rice	376	331.47	291	278.28
(iii) Others Cereals	8	2.45	4	1.20
B. Sugar & Mollases	52	7.04	7.4	15.14

Source:— Foreign Trade Statistics of India March '89 and Aug. '89 of DG, I&S Calcutta

[English]

Salem Steel Plant

346. SHRI P.R. KUMARAMANGALAM: Will the Minister of STEEL AND MINES be pleased to state whether the Government propose to go ahead with the backward integration programme of Salem Steel Plant; and to include the same in the Eighth Plan?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): The question of establishing facilities for hot rolling of stainless steel slabs at the most technologically suitable site is presently under consideration of the Government. In case these facilities are established at SSP, it will result in backward integration of the plant. The facility is proposed to be set up in the VIII Plan period.

Plans to Improve Exports

347. SHRI P.R. KUMARAMANGALAM:
PROF. P.J. KURIEN:

Will the Minister of COMMERCE AND TOURISM be pleased to state the plans of Government to improve the export performance and to make the balance of payments situation favourable?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): The plans of Government to improve export performance include making exports commercially viable, upgrading industrial capability, ensuring the supply of raw materials at competitive prices, strengthening infrastructural areas such as power, and simplifying the procedures. To tide over the difficult balance of payment situation, the Government has formulated a number of measures to generate additional exports with emphasis on higher value added items, contain

non-essential imports, and augment foreign exchange flows through higher receipts from invisibles.

Exploration of Tungsten

348. SHRI BANWARI LAL PUROHIT: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government propose to boost exploration of Tungsten in Kuhl-Taluka in Maharashtra; and

(b) if so, the details thereof?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) and (b). Yes, Sir. Detailed Exploration of the Khobna Tungsten deposit in Kuhl Taluka in Maharashtra has been taken up by the Mineral Exploration Corporation Limited.

Setting up Mini Steel Plants in Nagpur

349. SHRI BANWARI LAL PUROHIT: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Government propose to set up mini steel plants in Nagpur in Maharashtra State during the Eighth plan period; and

(b) if so, the locations where these plants are likely to be set up?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) No, Sir.

(b) Does not arise.

Demand and availability of steel

350. SHRI JANARDHANA POOJARY: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the attention of Union Government has been drawn to the news item captioned "Steel output may fall short of expectations" appearing in the Hindustan Times of 24 August, 1989;

(b) if so, the total demand and availability of steel; and

(c) the steps proposed to be taken to

meet the demand?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) Yes, Sir.

(b) The total demand and production of steel as projected recently by the Eighth Plan Working Group on Iron and Steel Industry is as under:-

(Million tonnes)

	1989-90	1999-2000
Demand	14.80	31.00
Production	13.43*	28.21

* As per current indications, production is likely to be somewhat lower.

(c) The domestic availability of steel is sought to be augmented through imports, in the short run. For the long run, production is sought to be increased through various modernisation/expansion programmes of main producers and adequate capacity creation in the secondary sector.

Availability of Raw Materials to Re-Rolling Units

351. SHRI JANARDHANA POOJARY: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the attention of Government has been drawn to the news-item captioned "More Steel rerolling units face closure" appearing in 'Hindu' dated 22 October, 1989; and

(b) if so, the steps taken or contemplated to meet the requirement of raw materials of the rerolling units?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) Yes, Sir.

(b) Availability of raw material (billets and rerollable scrap) within the country is not adequate to meet all the demand of the rerolling industry. It consists with foreign exchange availability, imports of steel melting scrap are arranged through MSTC. Imports of ships for breaking into scrap have recently been made easier.

Vijay Nagar Steel Plant

352. SHRI JANARDHANA POOJARY: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Union Government propose to start work on Vijay Nagar integrated Steel Plant in Karnataka;

(b) if so, when;

(c) the steps Government propose to take to complete the projects early; and

(d) the total investment likely to be made?

THE MINISTER OF STEEL AND MINES

AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) to (d). Alternative proposals are under formulation with a view to arriving at a viable project. The final decision would depend on the resource position which would be known when the VIII Plan is finalised.

Bank Note Press at Mysore

353. SHRI JANARDHANA POOJARY: Will the Minister of FINANCE be pleased to state:

(a) whether Government propose to set up a Bank Note Press at Mysore;

(b) if so, whether the land for the project has been acquired; and

(c) the total investment involved and the latest position in regard to setting up of the Press?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) Yes, Sir.

(b) Sanction for purchase of the requisite land through Karnataka Industrial Areas Development Board has been issued.

(c) Setting up of the Bank Note Press at Mysore will involve a financial outlay of Rs. 410.40 crores. In course of exploration of various alternative sources of funding, Govt. fund that the Reserve Bank of India was willing to set up the press. In view of this RBI has been entrusted with the execution of the project.

Enforcement of Legal Services Authorities Act, 1987

354. CH. JAGDEEP DHANKHAR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Legal Services Authori-

ties Act, 1987 has not yet been brought into force; and

(b) if so, the reasons for the delay?

THE MINISTER OF STEEL AND MINES AND LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) Yes, Sir.

(b) Government had received in October, 1988 certain proposals from the former Chief Justice of India (Shri Justice R.S. Pathak), based on the recommendations made by conference of the Chief Justices of the various High Courts as also the conference of the State Law Ministers and Executive Chairman of the State Legal Aid and Advice Boards, with regard to modification of certain provisions of the Act. Since the entire legal-aid movement is judicially monitored, Government was keen that the unanimous view point of the judiciary should be examined in depth before the Act is enforced. The matter has since been considered and it is now proposed to move a comprehensive amendment bill in the Parliament very soon based on the recommendations of the former Chief Justice of India.

Development of Tourism in Shekhawati Area of Rajasthan

355. CH. JAGDEEP DHANKHAR: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether there is any scheme for the development of tourism and tourist complex in Shekhawati area in Sikar and Jhunjhunu districts of Rajasthan; and

(b) if so, the details thereof?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) Yes, Sir.

(b) The Department of Tourism have

sanctioned the following projects for the development of tourism in Shekhawati area of Rajasthan:

(Rs. in lakhs)

<i>S. No.</i>	<i>Name of the Scheme</i>	<i>Amount Sanctioned</i>
1.	Tourist Complex at Fatehpur	16.09
2.	Kiosk at Mandawa	0.64
3.	Cafeteria at Mahensar	2.16
4.	Shekhawati Festival	1.25

Fixation of Lawyers' fee

356. CH. JAGDEEP DHANKHAR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the views of the Bar Council of India have been received as regards Law Commission's 128th report pertaining to fixation of minimum and maximum fee charged by lawyers; and

(b) if so, the action taken by Government thereon?

THE MINISTER OF STEEL AND MINES AND MINISTER OF JUSTICE (SHRI DINESH GOSWAMI): (a) Yes, Sir.

(b) The matter is under consideration of the Government.

[*Translation*]

Development of Tourist Spot in North Bihar

357. SHRI DEVENDRA PRASAD YADAV: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether Government propose to

develop Madhubani as an attractive tourism spot during the Eighth Five Year Plan;

(b) if so, the time by which it would be developed; and

(c) if not, the reasons therefor?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) The Government have not received any proposal to develop Madhubani as a tourist spot from the State Government of Bihar.

(b) and (c). Does not arise.

[*English*]

Purchase of a Residential Flat in Calcutta by MSTC

358. SHRIMATI GEETA MUKHERJEE: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Metal Scrap Trade Corporation Ltd. (MSTC) purchased in 1986 a residential flat for its Managing Director at 176, Sarat Bose Road, Calcutta-700019, within a few months after the present incumbent had taken over;

(b) if so, the rate at which it was purchased.

(c) whether tenders were invited and prior assessment from any accredited valuer made;

(d) whether the super-built area of the flat is far beyond the admissible upper limit;

(e) whether before receipt of clearance on legal encumbrances about the ownership of the flat, the MSTC made advance payment in this regard, if so, the reasons therefor; and

(f) whether any independent enquiry is proposed and if so, when?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRIDINESH GOSWAMI): (a) to (e) MSTC purchased a flat at Sarat Bose Road, Calcutta in 1986. The prescribed procedure of issue of advertisements etc. was followed and out of the 17 offers received, the flat at 176, Sarat Bose Road, was purchased since it was available on cheque payment basis. The flat was purchased within the specified limits of carpet areas as provided in the Bureau of Public Enterprises guidelines. The flat was purchased at the negotiated rate of Rs. 660.00 per sq. feet. According to the practice prevailing in the State, checking of legal encumbrances about any immovable property was possible only after making an advance payment and hence this was done. The CBI had also made a secret investigation into this matter and concluded that there was no irregularity in the above purchase.

(f) In view of the above, does not arise.

Payments in Foreign Exchange

359. DR. A.K. PATEL: Will the Minister of FINANCE be pleased to state:

(a) the details of the subscriptions, contributions and aid given in foreign exchange during the Seventh Five Year Plan showing (i) names of the Ministry, and State/ Union Territory which dealt with the matter in each case, (ii) name of the foreign country to which it was given, and (iii) reasons for giving the aid; and

(b) whether there have been cases where such contributions have been discontinued, if so, the details thereof and the reasons for discontinuance in each case?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) and (b). The information is being collected and will be laid on the table of the House.

New policy to develop Ship Breaking Industry

360. DR. V. RAJESWARAN: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether Union Government propose to adopt any new policy to develop Ship Breaking Industry in the country; and

(b) if so, the steps proposed to be taken by Government in this regard?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) No, Sir.

(b) Does not arise.

Excise Duty Evasion by Colour and Processing labs

361. DR. V. RAJESHWARAN: Will the Minister of FINANCE be pleased to state:

(a) the number of raids conducted to detect Excise Duty Evasion at Colour and

Processing Labs (Cinema) in the country during the 1988-89;

(b) the number of Excise Duty Evasion detected during the raids State-wise in Tamilnadu, Bombay, Andhra Pradesh and Karnataka; and

(c) the action taken against the persons evading Excise Duty?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) 4 searches were conducted during the year 1988-89 to detect evasion of Central Excise duty by Colour and Processing Labs (Cinema) in the country.

(b) Number of cases and amount of duty evasion detected State-wise is as follows:

<i>State</i>	<i>No. of cases</i>	<i>Amount of evasion (Rs. in lakhs)</i>
Tamilnadu	2	610.28
Maharashtra	1	0.53
Andhra Pradesh	1	0.94
Karnataka	Nil	Nil

(c) 5 Show Cause Notices alleging evasion of Central Excise duty to the tune of Rs. 612.72 lakhs were issued. Adjudication proceedings have been completed in 3 cases confirming Central Excise duty of Rs. 2.44 lakhs approximately and imposing penalty of Rs. 50,000 approx. Goods worth Rs. 16,000/- have also been ordered to be confiscated.

Recovery of Bank Loans

362. DR. THAMBI DURAI: Will the FINANCE MINISTER be pleased to state:

(a) whether any bank-wise, study has been made of the quantum of loans remaining outstanding from big industrialists and businessmen to the nationalised banks; and

(b) if so, the details thereof and the action taken to recover the long outstanding loans from them?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) and (b). RBI

has reported that it obtains from all public sector banks periodically outstandings of borrowers enjoying working capital limit of Rs. 10 crores and more. The outstandings represent dues in accounts which are regular as well as those which are not regular. Bulk of the bank credit is provided for meeting working capital requirements on a roll over basis. The amounts outstanding to all the banks from non-SSI sick industrial units (as defined in the Sick Industrial Companies (Special Provisions) Act, 1985) as at the end of December, 1987 were Rs. 2801.79 crores.

The possibility of certain loans going bad to inherent in banking operations. However, banks do take measures for monitoring loans and recover overdue loans. This includes post disbursement supervision and follow up reporting system and periodical reviews. Public Sector banks have also instituted a system of classification of loans into certain defined categories according to the health of advance at a given point of time for the purpose of their effective

monitoring and follow up. Whenever conduct of an individual account reveals irregularities, steps are taken to regularise the advance and if they fail, loans are recalled and various measures taken to recover the dues including resorting to legal proceedings against the borrower and the guarantor, if any.

Comprehensive Scheme for Tourism in Tamil Nadu

363. DR. THAMBI DURAI: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether any comprehensive scheme has been prepared for the development of tourism in Tamil Nadu;

(b) if so, the details thereof; and

(c) whether any survey has been made for developing Oganekal area in Dharmapuri district as a tourist centre and if not, the reasons therefor?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU: (a) and (b). The Central Department of Tourism in consultation with the State Government have identified the following Tourist travel circuits in Tamil Nadu for a phased development:

Madras–Mamallapuram (Mahabalipuram)– Thirukazhulkundram– Kanchipuram– Tiruchirapalli– Thanjavur– Pudukottai– Madurai– Rameswaram– Kanyakumari– Courtallam– Madras/Trivandrum.

2. Madras–Krishnagiri–Hogennakal– Yercaud–Coimbatore– Uthagamandalam– (Bandipur– Mysore– Bangalore)– Madras.

3. Rameswaram–Madurai–Kodaikana– Pudukottai– Tiruchirappally– Thanjavur– Mamallapuram (Mahabalipuram)– Madras.

(c) No, Sir. We have not received any proposals from the State Government in this regard.

Money Supply

364. SHRI G.M. BANATWALLA: Will the Minister of FINANCE be pleased to state:

(a) whether Government propose to take effective fiscal measures to regulate and control money supply including proper determination of the quantum of printed money as also of the criteria governing public debt; and

(b) if so, the details of the new measures under consideration of Government?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) and (b). Yes, Sir, Government seeks to moderate the growth in money supply and public borrowing through appropriate fiscal and monetary measures.

Air and Doordarshan Advertisements Propagating Non-Vegetarian Diet

365. PROF. VIJAY KUMAR MALHOTRA: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether certain programmes and advertisements on AIR and Doordarshan directly as well as indirectly convey advice to the people to take non-vegetarian diet of meat, eggs and alcohol;

(b) whether such programmes and advertisements tend to hurt the sentiments of such sections of the people as have faith in vegetarianism; and

(c) if so, whether Government propose to discontinue such programmes and advertisements?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) to (c). Advertisements on All India Radio and Doordarshan conform to a prescribed code. Unless it is proved that the consumption of a particular item is injurious to health, its advertisement is not banned. Items such as alcohol and tobacco are not advertised on that ground. However, the efficacy of vegetarian diet is also highlighted in the various programmes of AIR and Doordarshan.

Cases settled by Lok Adalat in Delhi

366. SHRI VIJAY KUMAR MALHOTRA: Will the Minister of LAW AND JUSTICE be pleased to state the number of cases settled so far by the Lok Adalat in Delhi?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI). So far, 12 Lok Adalats have been organised in Delhi including the one for cases pending in the Supreme Court. The total number of cases settled is 4,162 including 189 cases at the Supreme Court Lok Adalat.

Export Targets

367. SHRI VIJAY KUMAR MALHOTRA: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) the export targets fixed and achieved for 1986-87, 1987-88 and 1988-89;

(b) the reasons for shortfall, if any;

(c) whether any target for 1989-90 and 1990-91 has also been fixed and if so, the details thereof; and

(d) the effective steps being taken to fulfil the targets?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) The export targets fixed, and actual achievement during the Years 1986-87, 1987-88 and 1988-89 are as under:—

(Value : Rs. Crores)

Year	Targets	Achievement
1986-87	12203	12451.95
1987-88	13800	15741.23
1988-89	18795	20295.15

(b) Does not arise.

(c) An export target of Rs. 28025 Crores has been set by the Commerce Ministry for 1989-90. The export target for the year 1990-91 has not been formulated.

(d) The plans of Government to improve export performance include making exports commercially viable, upgrading industrial capability, ensuring the supply of raw materials at competitive prices, strengthening infrastructural areas such as power and simplifying the procedures.

Implementation of recommendation of Law Commission

368. SHRI P.C. THOMAS: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Ninetieth Report of the Law Commission has recommended for amending section 10 of the Indian Divorce Act;

(b) if so, the steps taken by Government thereon;

(c) whether attention of Government has been drawn to a judgement given by Kerala High Court in this regard; and

(d) if so, the steps being taken to implement the court judgement?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) and (b). Yes, Sir. The Law Commission in its ninetieth report has recommended for the amendment of section 10 of the Indian Divorce Act, 1869. Some representations from Christian individuals and Associations have also been received for the amendment of Christian marriage and divorce laws. The policy of the Government in this regard has been not to effect any changes in the laws of minority communities unless sufficient initiative therefor comes from the communities themselves.

(c) and (d). In the absence of sufficient details of the case to which the judgement relates, it will not be possible for Government to give its reaction thereon.

Setting up of a Second Steel Plant In Orissa

369. SHRI A.N. SINGH DEO: Will the Minister of STEEL AND MINES be pleased to state:

(a) whether the Government are proposing to establish a second steel plant in Orissa; and

(b) if so, the details thereof?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) and (b). There is a proposal for setting up a new steel plant at Daitari in Orissa. Project details are under formulation.

Telecast of T.V. Serial 'Bible'

370. PROF. K.V. THOMAS: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether the production of the T.V. serial 'Bible' has been started; and

(b) if so, when this serial is likely to be telecast?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) Yes, Sir. The production of a TV serial on Biblical stories has started.

(b) The producers have, presently, submitted the 'pilot' episode of this serial for preview by the Screening Committee. Final approval for telecast of a serial under the sponsored category is accorded only after the 'pilot' programme is previewed and approved by the Screening Committee. Telecast schedule is finalised later when the first four episodes have been received and found satisfactory by Doordarshan.

Central Financial Assistance for the Development of Tourism in Kerala

371. PROF. K.V. THOMAS: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) the projects in Kerala getting central financial assistance for the tourist development during the last three years;

(b) the progress made in the implementation of completing of these projects; and

(c) the statistics of tourist inflow to Kerala during the last three years?

THE MINISTER OF COMMERCE AND

TOURISM (SHRI ARUN KUMAR NEHRU): (a) and (b). With a view to developing tourist infrastructure in Kerala, the Central Department of Tourism has sanctioned financial assistance to the State Government for various projects, during the last three years. These include Yatri Niwases, Beach Resorts, Forest Lodges, Luxury Cruises, Way-

side amenities, Equipments for water sports, Floating Restaurant, etc. These projects are at various stages of implementation.

(c) The statistics of tourist inflow to Kerala as reported by the State Government during the last three years and first 8 months of 1989 are given as under:—

<i>Year</i>	<i>Domestic</i>	<i>Foreign</i>	<i>Total</i>
1986	10,46,568	95,567	11,42,135
1987	10,66,445	88,842	11,55,287
1988	12,03,198	95,611	12,98,809
1989 (Upto Aug.)	8,69,572	75,010	9,44,582

MPEDA Assistance for Fish Farming and Exports

372. **PROF. K.V. THOMAS:** Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) the assistance given by Marine Products Export Development Authority (MPEDA) for fish farming, processing and export; and

(b) the foreign exchange earned during the last five years by the export of fish products?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) The assistance given by the Marine Products Export Development Authority (MPEDA) for fish farming, processing and export include subsidy assistance for new prawn farm development, establishment of seed banks, prawn hatcheries, seed re-

sources survey, micro level survey, subsidy assistance for upgrading the cold storages/freezing units and upgrading of processing plants and grant of cash compensatory support to exporters for specified items of export of marine products.

(b) The foreign exchange earned during the last five years by the export of marine products were as indicated below:

<i>Year</i>	<i>Export Value (in Rs. Crores)</i>
1984-85	584.29
1985-86	398.00
1986-87	460.67
1987-88	531.20
1988-89	597.85

(Source : MPEDA, Cochin)

[*Translation*]

Mistakes in Telecasting Hindi News by Doordarshan

373. DR. SHAILENDER NATH SHRI-VASTAVA: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether grammatical and other mistakes have come to the notice of Government in display of names of the Artists, Directors and other information before and after the telecast of Hindi news, music, plays etc. by Doordarshan; and

(b) if so, the remedial measures proposed to be taken by Government to improve the position in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P UPENDRA): (a) Yes, Sir.

(b) The remedial measures taken by Doordarshan include scrutiny of graphics by experts and a stricter supervision of transmission. Besides, a 'Presentation Section', headed by an Officer of the rank of Deputy Director, checks all the details before the programmes are telecast.

Setting up of a TV Centre at Patna

374. DR. SHAILENDRA NATH SHRI-VASTAVA: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) when a Television Centre will be set up at Patna; and

(b) the location, capacity and range of the proposed TV Centre?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF

PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) and (b). A high power (10 KW) TV transmitter with a service range of about 120 kms. inclusive of areas in the periphery receiving weak signals, is, at present functioning at Patna. A full fledged TV Studio Centre, equipped with modern and sophisticated programme production facilities, is also under implementation at Chajju Bagh, Patna. The Project is expected to be commissioned into service during 1991-92.

[*English*]

Delhi Judiciary Services

375. SHRI L.K. ADVANI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government propose to reorganise and increase the strength of the Delhi Judiciary in view of the enormous increase in laws, litigation and population in Delhi and to implement the recommendations of Law Commission so as to give quick and efficient justice to the people of Delhi;

(b) if so, whether Government propose to create more, judicial districts in Delhi; and

(c) if so, the details thereof?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) Government proposes to augment the strength of Delhi judiciary to cope with increase in litigation.

(b) No, Sir.

(c) Does not arise.

Family Courts in Delhi

376. SHRI L.K. ADVANI: Will the Minister of LAW AND JUSTICE be pleased to state when Government propose to set up

Family Courts in Delhi under the Family Courts Act 1986?

THE MINISTER OF STEEL AND MINES AND THE MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): Efforts are being made by the Delhi Administration to establish Family Courts in Delhi as early as possible.

Steel Consumption in India

377. SHRISAMRENDRAKUNDU: Will the Minister of STEEL AND MINES be pleased to state:

(a) the per capita consumption of steel in India, China, Japan, Pakistan and South Korea;

(b) whether there is any scheme to import steel; and

(c) if so, the details thereof?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) The per capita steel consumption as given in the steel statistical year book 1989 of International Iron and Steel Institute, Brussels is given below.—

Country	1988 (Kg. crude steel per head)
INDIA	20.5
CHINA	64.6
JAPAN	706.1
PAKISTAN	17.6
REPUBLIC OF KOREA	369.1

(b) and (c). Essential steel items that

are in short supply in the country, or are not manufactured domestically, are imported from time to time.

Quality of T.V. Serials

378. SHRI BANWARI LAL PUROHIT: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether the quality of Doordarshan programmes telecast on the National network has been deteriorating; and

(b) if so, the steps Government propose to take in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) and (b) There have been complaints to that effect. Efforts are being made to improve the programmes. It is a continuous process.

[*Translation*]

Setting up of a Doordarshan Kendra in Kutch

379. SHRI BABUBHAI MEGHJI SHAH: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether Government propose to set up a full fledged Doordarshan Kendra in border district of Kutch in Gujarat; and

(b) if so, the steps taken so far to set up the Doordarshan Kendra in this area?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) A scheme for the replacement of the existing low power (100 W) TV

transmitter at Bhuj by a high power (10 KW) TV transmitter with a 300 Mtr high tower is under implementation in Kutch district of Gujarat. There is, however, no approved scheme at present to set up TV Programme Production Facilities in the district.

(b) The site for the proposed high power TV transmitter at Bhuj has been taken over. Civil works for the construction of the tower and building have commenced. Orders for the transmitter and other allied equipment have also been placed on the manufacturers.

Bank Deposits in Kutch District in Gujarat

380. SHRI BABUBHAI MEGHJI SHAH: Will the Minister of FINANCE be pleased to state:

(a) the total amount of deposits in the scheduled commercial banks in Kutch district in Gujarat as on September 30, 1989;

(b) the sector-wise, amount of loans granted by these banks; and

(c) the ratio of loans given in the district to the total deposits?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) to (c). The deposits, advances and credit-deposit ratio of all scheduled commercial banks in District Kutch as at the end of June, 1989 (latest available) were as under:

Deposits	Rs. 552.04 crores
Credit	Rs. 100.71 crores
C : D Ratio	18.2%

The sector wise break up of credit deployment is not readily available. However, the information is being collected and will be

placed on the table of the House to the extent available.

Cases pending in M.P. High Court

381. SHRI RAGHAVJI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that one of the reasons for so many pending cases in Madhya Pradesh High Court is not filling the vacancies of Judges; and

(b) if so, the total number of vacancies of Judges in Madhya Pradesh High Court; the reasons therefor and the time by which these vacancies are likely to be filled?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) As pendency of large number of cases is due to several complex factors like increased institution of court cases, enactment of numerous laws creating new rights and obligation, increase in industrial development, trade and commerce, etc.

(b) As on 26.12.89, there were 7 vacancies of permanent/Additional Judges in the Madhya Pradesh High Court in the sanctioned strength of 30 Judges. The Chief Minister of Madhya Pradesh has been requested to send recommendations in consultation with the Chief Justice of Madhya Pradesh High Court and the Government for filling up the vacancies expeditiously. It is however, not possible to indicate any definite date by which these vacancies are likely to be filled.

Establishment of a Bench of High Court at Bhopal (M.P.)

382. SHRI RAGHAVJI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the names of State Head quarters in the country where there is no High Court or its Bench;

(b) whether Bhopal, capital of Madhya Pradesh, had no Bench of High Court and if so, the reasons therefor; and

(c) whether the State Government have submitted any proposal for setting up of a Bench of High Court in Bhopal and if so, the action taken in this regard?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) Itanagar, Gandhinagar, Trivandrum, Bhopal, Aizawl and Bhubaneswar.

(b) and (c). The principal seat of Madhya Pradesh High Court is at Jabalpur; two permanent Benches thereof are at Indore and Gwalior. The Government of Madhya Pradesh had proposed establishment of two more Benches at Bhopal and Raipur. The Jaswant Singh Commission examined the proposal and recommended establishment of one Bench at Raipur. The State Government were requested for views/comments on the recommendations of the Commission in consultation with the Chief Justice of the High Court. No reply has been received.

[English]

Advance by Reserve Bank of India to States

383. SHRI SRIKANTHA DATTA NARASIMHARAJA WADIYAR: Will the Minister of FINANCE be pleased to state:

(a) whether some States are facing the problem of ways and means difficulties and therefore had requested to permit an increase in availability of ways and means advance from the Reserve Bank of India;

(b) if so, the names of the States who have made request in this regard; and

(c) the steps taken to grant the request of those States?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) to (c). During the current financial year (1989-90) some States have faced ways and means problem. Two States viz. Nagaland and Tamil Nadu have requested the Ministry of Finance to increase their ways and means limits with the Reserve Bank of India. As the ways and means limits of the State Governments with the Reserve Bank of India were last revised from 1st March, 1988, further revision is not contemplated at this stage.

Retrenched Employees of the Bauxite Project of BALCO

384. SHRI SRIKANTHA DATTA NARASIMHARAJA WADIYAR: Will the Minister of STEEL AND MINES be pleased to state:

(a) the approximate number of workers and employees retrenched due to the closure of the Bauxite Project of Bharat Aluminium Company Limited at Gandhamardan in Orissa;

(b) whether any arrangement has been made to provide suitable jobs elsewhere to the retrenched workers and employees; and

(c) if so, the details thereof?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) The number of regular employees and the number of Nominal Muster Roll Workers of Gandhamardan Bauxite Project of Bharat Aluminium Company Ltd. who have been retrenched is 42 and 38 respectively.

(b) and (c). Since Bharat Aluminium

Company Ltd. is overstaffed, it has not been possible to absorb the retrenched employees/workers of the Gandhamardan Bauxite Project in the other existing Units of the Company. Accordingly, Public Sector Undertakings like SAIL, Oil India Ltd., NALCO, Indian Rare Earths Ltd., Indian Oil Corporation Ltd., South Eastern Coal Fields Ltd., Hindustan Zinc Ltd. and Fertilizer Corporation of India Ltd. and certain State Government Undertakings operating in the State of Orissa have been requested to absorb the retrenched employees/workers of the Gandhamardan Bauxite Project in their organisations on humanitarian grounds to the extent possible.

International Tourist Beach Resort at Belekere in Karnataka

385. SHRI SRIKANTHA DATTA NARASIMHARAJA WADIYAR: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether Government had a proposal to set up an International Tourist Beach Resort at Belekere in North Kanara district in Karnataka; and

(b) if so, the steps taken in this regard?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) Yes, Sir.

(b) The proposal has not been considered by the Department to the non-availability of suitable land for the project.

Introduction of Indian Judicial Service

386. SHRI P.C. THOMAS: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there is any proposal to form Indian Judicial service;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) to (c). The 11th Law Commission in its 116th Report had recommended the formation of All India Judicial Service. The proposal did not, however, find favour in the Chief Justices' Conference held in October, 1988. Most of the States, whose comments have been received on the subject, have opposed the formation of such service. As such, the proposal for creation of All India Judicial Service has been dropped.

Declaration of Elaveezha Poonchira Centre of Kerala as a National Tourist Centre

387. SHRI P.C. THOMAS: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether Government propose to explore the possibility of declaring Elaveezha Poonchira Centre in Kerala as National Tourist Centre; and

(b) if so, the time by which the decision is likely to be taken?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) and (b). It is not the practice of the Central Department of Tourism to declare any place of tourist interest as a National Tourist Centre. However, the Department of Tourism provides financial assistance for the development of tourist infrastructure in the State based on specific proposals received from the State Governments.

Declaration of Erumely, Kerala, as a National Pilgrim Centre

388. SHRI P.C. THOMAS: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) the number of pilgrims/tourists visiting Erumely in Kerala every year;

(b) whether there is any proposal to declare Erumely in Kerala as a pilgrim centre or a tourist centre; and

(c) if so, the time by which decision is likely to be taken?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) Erumely is an important pilgrim centre in Kerala. However, accurate statistics of pilgrims visiting this centre are not available

(b) and (c). There is no system of declaring any centre as a pilgrim centre or tourist centre for the purpose of tourism development. On the basis of proposals received from the State Government, the

Central Government provides assistance for the development of tourist/pilgrim centres, keeping in view the inter-se priorities and availability of resources.

[*Translation*]

Central Assistance for the Development of Tourism in Uttar Pradesh

389. SHRI RAM LAL RAHI: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether any assistance has been sought by Government of Uttar Pradesh for the development of tourism in Uttar Pradesh and if so, the details thereof; and

(b) whether Government propose to develop more tourists centres in Uttar Pradesh and also provide more facilities in Sitapur district, Uttar Pradesh?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) Yes, Sir. The details of projects sanctioned during the Seventh Plan are as under:—

(*Rs. in lakhs*)

<i>Sl. No.</i>	<i>Name of the Project</i>	<i>Amount Sanctioned</i>
1	2	3
1.	Tourist Complex, Kosi Kalan	39.13
2.	Renovation of Restaurant at Kosi	19.80
3.	Tourist Complex, Sravasti	63.00
4.	Tourist Bungalow at Mathura	27.64
5.	Water Sports at River Gomti, Lucknow	3.10
6.	Trekking equipment for Garhwal	11.47
7.	Forest Lodge at Dhangarhi	33.27

1	2	3
8.	Mini buses for Corbett, Chilha and Dudhwa	5.15
9.	Lucknow Mahotsav	2.05
10.	Wayside facilities and Open air theatre at Ayodhya	26.80
11.	F.R.P. Huts, Garhwal	37.75
12.	Swiss Cottages at Kumbh Mela, Haridwar	17.48
13.	Fast Food Centre, Allahabad	3.18
14.	Development of Nehru Ghat, Allahabad	37.18
15.	Master Plan of Sankasia	3.12
16.	Wayside facilities at Fatehpur Roshnai and Maharajpur in Kanpur.	19.86
17.	Toilet and drinking water facilities at Sarnath, Kushinagar, Sravasti and Fatehpur Sikri (through A.S.I.)	6.00

(b) Development of tourism is a continuous process. The Central Department of Tourism provides financial assistance for tourism projects based on their merit, subject to availability of funds and inter-se priorities. As regards the development of tourist facilities in Sitapur district, on proposal has been received from the State Government.

[English]

Problems of Tobacco Growers

390. SHRI KUSUMA KRISHNA MURTHY: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether Government have identified the problems of tobacco growers in Andhra Pradesh; and

(b) if so, the corrective steps taken by Government in this regard?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) and (b). Yes, Sir. Government is aware of the problems of tobacco growers in Andhra Pradesh. Availability of adequate quantities of seeds of approved varieties, inputs like coal, fertilisers, chemicals and credit, and realisation of fair and remunerative prices are major problems of the tobacco growers. Necessary steps are taken by the concerned Government agencies to help the farmers in all these matters.

Imports under Essential Consumer Products

391. SHRI KUSUMA KRISHNA MUR-

THY: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) the number of items that are being imported under Essential Consumers Products; and

(b) the amount spent on import during the last three years; itemwise?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) The principal items which are imported under Essential Consumer Products include Wheat, Rice, Edible Oil, Pulses, and Sugar.

(b) The amount spent on import of the above items during the last three years are as under:—

(Rs. crores)

<i>Sl. No.</i>	<i>Principal items</i>	<i>1986-87</i>	<i>1987-88 (P)</i>	<i>1988-89 (P)</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
1.	Wheat	44.05	3.50	378.16
2.	Rice	1.70	2.21	193.46
3.	Edible Oils	634.32	920.04	726.53
4.	Pulses	233.66	254.48	383.50
5.	Sugar	223.75	174.11	0.13

P = Provisional

Source : DGCI&S, Calcutta.

Displaced Families of Visakhapatnam Steel Plant

392. SHRI KUSUMA KRISHNA MURTHY: Will the Minister of STEEL AND MINES be pleased to state:

(a) the number of families left out without providing proper rehabilitation after displacing them from the area of Visakhapatnam Steel Plant; and

(b) the number of displaced families, provided with some kind of employment opportunities in the Steel Plant itself?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE

(SHRI DINESH GOSWAMI): (a) Of the 14,186 families identified as displaced as a result of acquisition of land for Visakhapatnam Steel Project, the State Government have shifted 14,176 families to the rehabilitation centre. Shifting of the remaining 12 families is in progress.

(b) As on 30.11.1989, 4224 displaced persons have been given employment in Visakhapatnam Steel Plant. In addition, 1802 persons were employed with the various contracting agencies engaged in the Plant.

Water Requirement in V.S.P.

393. SHRI KUSUMA KRISHNA MURTHY: Will the Minister of STEEL AND MINES be pleased to state:

(a) the present position regarding supply of required water supply for the operation of Visakhapatnam Steel Plant (V.S.P.) at optimum capacity;

(b) the time by which the expected water supply would reach from the Yeleru reservoir to the Steel Plant; and

(c) the reasons for the delay in building the Yeleru Project?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) Required water supply for the commissioning of the Blast Furnace and operation of the Visakhapatnam Steel Project is not yet available.

(b) The State Government has so far not committed a confirmed date for supply of water from the Yeleru reservoir.

(c) The reasons for delay in completing the Project by the State Government include the following:—

- (i) Inordinate delay in completion of 2 Km. long tunnel which was critical right from the beginning;
- (ii) Slow progress of work by the contractors and State Government agencies executing the deep cut reaches of canal adjoining the tunnel;
- (iii) Delay by the State Government in finalising the agency for executing the cut and cover section of the Yeleru Canal.

[*Translation*]

Scheme to make Banks of Ganges Beautiful and Useful at Patna

394. DR. SHAILENDRA NATH SHRI-

VASTAVA: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether any scheme to make the banks of Ganges beautiful, attractive and useful at Patna as a tourist centre is pending with Government; and

(b) if so, the outlines thereof and the time by which it is expected to be implemented?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): (a) and (b). There is no scheme pending with the Central Department of Tourism for further development of the Ganges banks at Patna.

Telecast of UGC's Programmes on Higher Education

395. DR. SHAILENDRA NATH SHRI-VASTAVA: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether while giving prior information about the University Grants Commission's Programmes on higher education of T.V. the subject matter of the programme is also intimated so that the viewers can see the programmes of their choice;

(b) if not, the reasons therefor and the action proposed to be taken in this regard; and

(c) the total number of programmes on higher education telecast during the last one year and the total number of such programmes telecast in Hindi?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) and (b). Yes, Sir. Sufficient announcements giving summary of pro-

grammes are made on Doordarshan before telecast of UGC Programmes.

(c) 694 programmes on higher education were telecast during 1/1/89 to 30/11/89. No programme in Hindi has been telecast so far.

[English]

Price-Page Schedule for Newspapers

396. SHRI V.N. GADGIL: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether Government propose to introduce the concept of price-page schedule as recommended by the First Press Commission in order to protect the interests of small and medium newspapers; and

(b) if so, when do the Government propose to bring the necessary legislation?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) and (b). With a view to implementing this recommendation, the Newspaper (Price and Page) Act, 1956 was passed in September, 1956. The Act conferred power on the Central Government to make an order, if considered necessary, providing for the regulation of the prices charged for newspapers in relation to their maximum number of pages, size and the proportion of the space allotted to advertising matter. The order was promulgated in October, 1960, but could not be enforced as a writ petition was filed in the Supreme Court by the Sakal Newspapers Private Limited and others challenging the constitutional validity of the Act and the order. The court struck down both the Act and the Order as being unconstitutional.

Measures for Protection of Interests of Small and Medium Newspapers

397. SHRI V.N. GADGIL: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether the growth of big newspaper houses have affected small and medium newspapers; and

(b) if so, the steps Government propose to take to protect the interests of small and medium newspapers?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) and (b). Small and medium newspapers have many problems in their growth which cannot be attributed only to the growth of big newspaper houses. The Government are alive to the problems of small and medium newspapers and have taken various steps to mitigate them. The Ministry of Information and Broadcasting and its media units extend a number of facilities to small and medium newspapers, which are not available to the big newspapers. These include: concessions relating to newsprint; advertisements from Directorate of Audio Visual Publicity and accreditation and other facilities from the Press Information Bureau. AIR also broadcasts slow-speed bulletins for the benefit of these newspapers.

Establishment of a permanent bench of Supreme Court in South

398. SHRI V.N. GADGIL: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there is demand for establishing a permanent Bench of the Supreme Court in the South; and

(b) if so, the decision taken by the Union Government in this regard?

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): (a) Yes, Sir.

(b) The Central Government can take a decision in this regard only on a reference from the Chief Justice of India under article 130 of the Constitution. No such proposal has been received from the Chief Justice of India.

Deposits Mobilised by Nationalised Banks in Jammu and Kashmir

399. PROF. SAIF-UD-DIN-SOZ: Will the Minister of FINANCE be pleased to state:

(a) the annual deposits mobilised by the nationalised banks operating in Jammu and Kashmir over a period of three years ending on September, 1989, year-wise; and

(b) the percentage of these deposits invested by these banks in the State during the same period, year-wise?

THE MINISTER OF FINANCE (PROF. MADHU DANAVATE): (a) and (b). The aggregate deposits and the credit-deposit ratio of all Public Sector Banks in Jammu and Kashmir as at the end of September, 1987, 1988 and June, 1989 (latest available) are given below:

	<i>Deposits (Rs. in crores)</i>	<i>C : D Ratio (%)</i>
September, 1987	577.56	30.5
September, 1988	669.96	30.8
June, 1989	732.72	33.0

[*Translation*]

Assistance by Nationalised Banks to Unemployed Persons

400. SHRI SATYANARAYAN JATIYA: Will the Minister of FINANCE be pleased to state:

(a) the details of the targets fixed in each scheme of Union Government for the year 1989 for providing financial assistance to literate and illiterate unemployed persons through the nationalised banks and the present position of achievements in this regard, State-wise; and

(b) the targets fixed and achievements there against during the year 1989 for providing benefits to Scheduled Castes and Scheduled Tribes under the above mentioned schemes, State-wise?

THE MINISTER OF FINANCE (PROF. MADHU DANAVATE): (a) and (b). The Hon'ble Member is presumably referring to the Scheme for providing Self Employment to the Educated Unemployed Youth (SEEUY) and Self Employment Programme for the Urban Poor (SEPUP), and the targets fixed thereunder.

The physical target for 1988-89 in case of SEPUP has been fixed at one beneficiary for every 300 population of the centre as per 1981 census. In case of SEEUY the physical target fixed for the year 1988-89 is 2.50 lakh beneficiaries for the country and the same is distributed amongst the different States. Thirty percent of the target under both the schemes is reserved for beneficiaries belonging to Scheduled Caste/Scheduled Tribe.

The State-wise position of physical targets and achievements in respect of SEEUY Scheme alongwith the share of SC/STs is given in statement I below. The State-wise

position of physical targets and achievements for the SEPUP Scheme including the share of SC/STs is given in statement II below.

STATEMENT-I

Sl.No	State	Targets fixed	Achievements			Of which SC/STs	
			3	4	5	Targets fixed	Achievements
1	2	3	4	5	6		
1.	Andhra Pradesh	17300	14265	5190	1178		
2.	Assam	6200	5378	1860	537		
3.	Bihar	29600	19669	8880	1179		
4.	Gujarat	10700	4552	3210	624		
5.	Haryana	4600	4651	1380	520		
6	Himachal Pradesh	1600	1340	480	126		
7.	Jammu & Kashmir	1400	962	420	9		
8.	Karnataka	12400	10585	3720	789		
9.	Kerala	19950	14876	5985	321		
10.	Madhya Pradesh	17600	14154	5280	1409		
11.	Maharashtra	15500	14326	4650	1880		
12.	Manipur	1500	1500	450	118		

Sl.No	State	Targets fixed	Achievements			Of which SC/STs	
			3	4	5	6	Achievements
13.	Meghalaya	300	34	90	59		
14.	Nagaland	200	162	60	60		
15.	Orissa	9300	8176	2790	1503		
16.	Punjab	15000	14472	4500	1044		
17.	Rajasthan	10300	9204	3090	1092		
18.	Sikkim	150	23	45	5		
19.	Tamil Nadu	181000	17175	5430	817		
20.	Tripura	1000	527	300	50		
21.	Uttar Pradesh	31300	24373	9390	1771		
22.	West Bengal	24300	9674	7290	1265		
23.	Andaman & Nicobar Islands	100	54	30	—		
24.	Arunachal Pradesh	100	59	30	2		

Sl.No	State	Targets fixed	Achievements	Of which SC/STs		
				Targets fixed	Achievements	Achievements
1	2	3	4	5	6	
25.	Chandigarh	175	201	52	13	
26.	Dadra & Nagar Haveli	100	39	30	27	
27.	Goa, Daman & Diu	400	242	120	11	
28.	Mizoram	325	321	97	34	
29.	Pondichery	450	473	135	27	
30.	Lakshadweep	50	8	15	8	

Data Provisional

Source: Reserve Bank of India

STATEMENT-II

Sl.No	State	Targets fixed	Achievements	Of which SC/STs	
				Targets fixed	Achievements
1	2	3	4	5	6
1.	Andhra Pradesh	35372	11335	10612	*
2.	Assam	4543	3502	1363	*
3.	Bihar	13968	10261	4190	*
4.	Gujarat	20272	11855	6082	*
5.	Haryana	9253	7864	2776	1540
6.	Himachal Pradesh	1032	580	310	*
7.	Jammu & Kashmir	4491	300	1347	15
8.	Karnataka	32194	28216	9658	*
9.	Kerala	11517	10592	3455	2066
10.	Madhya Pradesh	27159	14159	8148	1771
11.	Maharashtra	72955	43593	21886	11795

Sl.No	State	Targets fixed	Achievements			Of which SC/STs	
			3	4	5	6	Achievements
12.	Manipur	843	721	253	*		
13.	Meghalaya	894	494	268	*		
14.	Nagaland	301	277	90	*		
15.	Orissa	10016	7263	3005	1901		
16.	Punjab	15501	12871	4650	*		
17.	Rajasthan	24011	20436	7203	4165		
18.	Tamil Nadu	44670	37205	13401	10148		
19.	Tripura	828	732	248	*		
20.	Uttar Pradesh	46481	32303	13944	5664		
21.	West Bengal	26542	13888	7963	957		
22.	Andaman & Nicobar Islands	165	111	49	*		
23.	Chandigarh	988	334	296	53		

Sl.No	State	Targets fixed	Targets fixed	Achievements	Of which SC/STs	
					Targets fixed	Achievements
1	2	3	5	4	6	
24.	Goa, Daman & Diu	897	269	752		*
25.	Pondichery	1411	423	141		*
26.	New Delhi	20650	6195	11525		1599

*Data not received from Banks
Data Provisional

Source: Reserve Bank of India

Development of Neterhat as a Tourist Centre in Bihar

401. SHRI UPENDRA NATH VERMA: Will the Minister of COMMERCE AND TOURISM be pleased to state:

(a) whether Government propose to develop Neterhat in Palamau district of Bihar as an attractive tourist centre;

(b) if so, the time by which it is likely to be developed; and

(c) if not, the reasons therefor?

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU):

(a) to (c). The Department of Tourism in association with the State Government have identified three tourist travel circuits in the State of Bihar for a phased development of tourist infrastructure through the combined resources of the Central, State and the private sectors. Neterhat has already been included as one of the places in the three tourist travel circuits.

TV Relay Station in Koderma, Bihar

402. SHRI R.L.P. VARMA: Will the Minister of INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether Government propose to set up a high power T.V. relay centre at Dhajadhari hill in Koderma sub-division for workers in mica mines and the other rural people; and

(b) if so, when?

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): (a) and (b). No, Sir. There is, at present, no approved scheme to set up a TV

transmitter in Koderma sub-division of Hazaribag district of Bihar.

[English]

Modernisation of Ferro Chrome Plant in Orissa

403. SHRI ANADI CHARAN DAS: Will the Minister of FINANCE be pleased to state:

(a) whether the Industrial Development Corporation of Orissa Limited had furnished a proposal to Union Government for modernisation and diversification of Ferro Chrome Plant at Jajpur Road in Orissa seeking external assistance from Japan as special loan out of the Overseas Economic Cooperation Fund (OECF), in response to a proposal invited by the Union Government; and

(b) if so, the decision taken by Union Government thereon?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) Yes, Sir.

(b) This proposal, alongwith other proposals, is under consideration for 1990-91 Overseas Economic Cooperation Fund (OECF) loan assistance from Japan.

NRI Investment

404. SHRI MADHAVRAO SCINDIA: Will the Minister of FINANCE be pleased to state:

(a) the details of investment of non-resident Indians savings in the new and existing industries in the country; and

(b) the percentage of such investment to total investment?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) Investment by NRIs in various schemes upto 30th Novem-

ber, 1989 as under:

(In Rs. crores)

I. Direct Investment in Industry	1672.69
II. Portfolio Investment	73.16

(b) It is not possible to work out percentages as NRI investment speciality in Portfolio investment is, at market price whereas total investments are in terms of face value.

(Interruptions)

MR. SPEAKER: Now we take up Short Notice Question No. 1.

Prof. K.V. Thomas.

(Interruptions)

MR. SPEAKER: I have gone to the next question.

(Interruptions)

MR. SPEAKER: Prof. Thomas is not here.

(Interruptions)

MR. SPEAKER: Please take your seats.

(Interruptions)

MR. SPEAKER: Please take your seats. I am on my legs. Please take your seats.

(Interruptions)

SHORT NOTICE QUESTION

Bombay-Cochin Flight

S.N.Q. No. 1. PROF. K.V. THOMAS: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether a number of flights in the Bombay-Cochin sector have been cancelled;

(b) if so, the reasons therefor;

(c) when these flights will be restored;

(d) whether the Delhi-Goa-Cochin-Trivandrum flight continues to land at Cochin;

(e) if not, the reasons therefor; and

(f) whether the timing of this flight will be rescheduled so that it may land at Cochin?

THE MINISTER OF ENERGY AND CIVIL AVIATION (SHRI ARIF MOHD. KHAN): (a) to (c): Till the 19th of November, 1989, Indian Airlines was operating three daily B-737 services between Bombay and Cochin. Due to the non-availability of B-737 aircraft on account of the strike by the Aircraft Maintenance Engineers, with effect from the 20th of November, 1989, Indian Airlines started operating only one daily scheduled flight on the Bombay-Cochin sector. With the improvement in the availability of aircraft, Indian Airlines, with effect from the 18th of December 1989, introduced the second daily service between Bombay and Cochin. The third service on this sector will be re-introduced as soon as the B-737 operating aircraft position improves further.

(d) to (f). Prior to the 20th of November, 1989, Indian Airlines was operating a daily B-737 service on the Delhi-Goa-Cochin-Trivandrum sector and return. Due to the strike by the Aircraft Maintenance Engineers and the consequent non-availability of B-737 aircraft, this service was withdrawn. With effect from the 22nd of December, 1989, Indian Airlines has restored the Delhi-Goa-Cochin service.

BUSINESS OF THE HOUSE

12.04 hrs.

12.03 hrs.

*[English]**[English]*

MR. SPEAKER: Hon. Members: As you are aware, today is the last day of this Session, and we have a heavy agenda. In order to enable the House to dispose of all the items listed in today's Order Paper, I suggest that the items listed at serial Nos. 4 to 14 regarding laying of papers, item 15 regarding Message from Rajya Sabha and items 16 to 19 regarding introduction of Bills may now be taken up immediately.

The House may adjourn for a short lunch break from 1 to 1.30 p.m. Thereafter, the Constitution (Sixty-third Amendment) Bill listed as item 20 may be taken up for consideration and passing. Voting on this Bill which has to be by Division by slips, will take about 30 to 45 minutes. If the House agrees to take up the three clauses of the Bill together for purposes of voting, it should be possible to dispose of this item by 3.30 p.m. when the Private Members' Business will be taken up, as listed.

Other items of business such as Matters under Rule 377 and discussions under Rule 193 may be taken up at 18.00 hrs.

I think the House agrees.

SOME HON. MEMBERS: Yes.

(Interruptions)

MR. SPEAKER: Now Papers to be Laid.

Prof. Madhu Dandavate.

PAPERS LAID ON THE TABLE

Notifications under Wealth-tax Act, 1957, Gift-tax Act, 1958, Income-tax Act, 1961, Central Excises and Salt Act, 1944, etc., etc.,

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): I beg to lay on the Table:-

- (1) A copy each of the following Notifications (Hindi and English versions) under sub-section (4) of section 46 of the Wealth tax Act, 1957:-
 - (i) The Wealth-tax (Third Amendment) Rules, 1989 published in Notification No. S.O. 720 (E) in Gazette of India dated the 13th September, 1989.
 - (ii) The Wealth-tax (Fourth Amendment) Rules, 1989 published in Notification No. S.O. 976 (E) in Gazette of India dated the 30th November, 1989. [Placed in Library. See No. LT-155/90]
- (2) A copy each of the following Notifications (Hindi and English versions) under sub-section (4) of section 46 of the Gift-tax Act, 1958:-
 - (i) The Gift-tax (Second Amendment) Rules, 1989 published in Notification No. S.O. 721 (E) in Gazette of India dated the 13th November, 1989.
 - (ii) The Gift-tax (Third Amendment) Rules, 1989 published in Notification No. S.O. 977 (E) in Gazette of India dated the 30th November, 1989. [Placed in Library. See No. LT-156/90]

(3) A copy each of the following Notifications (Hindi and English versions) under section 296 of the Income-tax Act, 1961:-

- (i) The Income-tax (Eighth Amendment) Rules, 1989 published in Notification No. S.O. 669 (E) Gazette of India dated the 23rd August, 1989.
- (ii) The Income-tax (Ninth Amendment) Rules, 1989 published in Notification No. S O. 675 (E) in Gazette of India dated the 16th August, 1989.
- (iii) The Income-tax (Tenth Amendment) Rules, 1989 published in Notification No. S.O. 719 (E) in Gazette of India dated the 13th September, 1989.
- (iv) The Income-tax (Eleventh Amendment) Rules, 1989 published in Notification No. S.O. 675 (E) in Gazette of India dated the 30th November, 1989. [Placed in Library. See No. LT-157/90]

(4) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 38 of the Central Excises and Salt Act, 1944:-

- (i) G.S.R. 757 (E) published in Gazette of India dated the 16th August, 1989 together with an explanatory memorandum making certain amendments to Notification No. 202/88-CE dated the 20th May, 1988 so as to modify the description of certain iron and steel products specified in the Table annexed to the said notification.
- (ii) G.S.R. 839 (E) published in Gazette of India dated the 18th

September, 1989 together with an explanatory memorandum regarding exemption to fireworks from the basic customs duty in excess of 10 per cent advalorem.

- (iii) G.S.R. 871 (E) published in Gazette of India dated the 3rd October, 1989 together with an explanatory memorandum regarding exemption to unexpanded polystyrene beds for use in malaria control activities from whole of the duty of excise leviable thereon.
- (iv) G.S.R. 872 (E) published in Gazette of India dated the 3rd October, 1989 together with an explanatory memorandum making certain amendments to Notification No. 87/89-CE, dated the 1st March, 1989 so as to prescribe the limits to screen size of colour TV set for levying different rates of duties.
- (v) G.S.R. 873 (E) published in Gazette of India dated the 3rd October, 1989 together with an explanatory memorandum regarding exemption to parts and accessories of air-guns, air rifles and air-pistols, from the whole of the excise duty leviable thereon.
- (vi) G.S.R. 874 (E) published in Gazette of India dated the 3rd October, 1989 together with an explanatory memorandum making certain amendments to the Notification No. 96/86-CE, dated the 10th February, 1986 so as to exempt playing cards from the whole of the excise duty leviable thereon.
- (vii) G.S.R. 895 (E) published in Gazette of India dated the 16th

- October, 1989 together with an explanatory memorandum making certain amendments to Notification No. 69/89-CE, dated the 1st March, 1989 so as to increase the basic excise duty on bars and other rods of Aluminium wrought from 20 per cent ad valorem plus Rs. 2500 per tonne to 35 per cent ad valorem.
- (viii) G.S.R. 915 (E) published in Gazette of India dated the 24th October, 1989 together with an explanatory memorandum regarding exemption to polyester filament yarn or polyester staple fibre from the duty of excise in excess of 50 per cent ad valorem.
- (ix) G.S.R. 937 (E) published in Gazette of India dated the 30th October, 1989 together with an explanatory memorandum seeking to rescind the Notification No. 186/89-CE, dated the 30th October, 1989.
- (x) G.S.R. 938 (E) published in Gazette of India dated the 30th October, 1989 together with an explanatory memorandum regarding exemption to paraxylene from whole of the duty of excise leviable thereon.
- (xi) G.S.R. 939 (E) published in Gazette of India dated the 30th October, 1989 together with an explanatory memorandum making certain amendments to Notification No. 40/85-CE, dated the 17th March, 1985 so as to omit serial No. 13 from the said Notification.
- (xii) G.S.R. 952(E) published in Gazette of India dated the 1st November, 1989 together with an explanatory memorandum making certain amendments to Notification No. 201/87-CE, dated the 3rd September, 1987 so as to extend the scope of the concession by exempting the printing frames if used in any other factory of the same manufacturer.
- (xiii) G.S.R. 936 (E) published in Gazette of India dated; the 3rd November, 1989 together with an explanatory memorandum making certain amendments to Notification No. 144/89-CE, dated the 17th May, 1989 so as to exempt fuses ceiling roses and lamp holders when made by hand operated machines without the aid of power as is available to switches, plugs and sockets in this regard.
- (xiv) G.S.R. 1013(E) published in Gazette of India dated the 16th November, 1989 together with an explanatory memorandum regarding exemption to fly ash bricks containing more than 50 per cent fly ash from the whole of the duty of excise leviable thereon.
- (xv) G.S.R. 1014 (E) published in Gazette of India dated the 16th November, 1989 together with an explanatory memorandum making certain amendments to Notification No. 64/88-CE dated the 1st March, 1988 so as to delete the refundant entry in Notification No. 64/88-CE, dated the 1st March, 1988.
- (xvi) The Central Excise (Ninth Amendment) Rules, 1989 published in Notification No. G.S.R. 936 (E) in Gazette of India dated the 30th October, 1989. [Placed in Library. See No. LT-158/90]

(5) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962:-

- (i) The Baggage (Amendment) Rules, 1989 published in Notification No. G.S.R. 749 (E) in Gazette of India dated the 14th August, 1989 together with an explanatory memorandum.
- (ii) G.S.R. 805 (E) published in Gazette of India dated the 1st September, 1989 together with an explanatory memorandum regarding exemption to the goods specified in column (2) of the table annexed to the notification when imported into India from the countries listed in the Appendix 1 to the Notification from so much of portion of the standard rate of duty of customs as is specified in column (4) of the said Table.
- (iii) G.S.R. 809 (E) published in Gazette of India dated the 1st September, 1989 together with an explanatory memorandum making certain amendments to Notification No. 65/88-Cus., dated the 1st March, 1988 so as to extend the existing concessional rate of customs duty to specified medical goods.
- (iv) G.S.R. 859 (E) published in Gazette of India dated the 26th September, 1989 together with an explanatory memorandum extending the validity of Notification No. 210/82-Cus., dated the 30th December, 1986 upto the 31st December, 1989.
- (v) G.S.R. 860 (E) published in Gazette of India dated the 26th September, 1989 together with an explanatory memorandum

making certain amendments to Notification No. 169/88-Cus., dated the 13th May, 1988 so as to continue the concessional rate of import duty of 103 per cent on PU foil film for finishing of leather for one more year i.e., upto 30th September, 1990.

- (vi) G.S.R. 868 (E) published in Gazette of India dated the 3rd October, 1989 together with an explanatory making certain amendments to Notification No. 60/88-Cus., dated the 1st March, 1988 so as to authorise officers of the Department of Telecommunications also to issue certificates.
- (vii) G.S.R. 869 (E) and 870 (E) published in Gazette of India dated the 3rd October, 1989 together with an explanatory memorandum regarding exemption to specified items imported for the manufacture of laser and laser based instrumentation from the whole of the basic, auxiliary and additional duties of customs.
- (viii) G.S.R. 875 (E) published in Gazette of India dated the 3rd October, 1989 together with an explanatory memorandum making certain amendments to Notification No. 317/87-Cus., dated the 17th September, 1987 so as to specify the list of machinery/equipment required to be imported by the paper machinery industry and to add certain items of machinery to the list of specified machinery allowed to be imported by the Textile machinery industry.
- (ix) G.S.R. 876 (E) published in Gazette of India dated the 3rd

- October, 1989 together with an explanatory memorandum making certain amendments to Notification No. 10/84-Cus., dated the 12th January, 1984.
- (x) G.S.R. 891 (E) published in Gazette of India dated the 16th October, 1989 together with an explanatory memorandum making certain amendments of Notification No. 87/89-Cus., dated the 1st March, 1989 so as to increase the basic customs duty on polyester film required for the manufacture of magnetic tapes from 40 per cent *ad valorem* to 40 per cent *ad valorem* plus Rs. 15 per kilogram.
- (xi) G.S.R. 892 (E) and G.S.R. 893 (E) published in Gazette of India dated the 16th October, 1989 together with an explanatory memorandum regarding exemption to specified raw materials when imported for the manufacture of Copper-T contraceptive from the whole of basic, additional and auxiliary duties of Customs.
- (xii) G.S.R. 896 (E) published in Gazette of India dated the 16th October, 1989 together with an explanatory memorandum making certain amendments to Notification No. 343/87-Cus., dated the 27th October, 1987 so as to increase the basic customs duty on aluminium ingots from nil to 5 per cent *ad valorem* plus Rs. 2500 per tonne.
- (xiii) G.S.R. 905 (E) published in Gazette of India dated the 18th October, 1989 together with an explanatory memorandum regarding revised rate of exchange for conversion of Russian Rouble into Indian Currency or *vice-versa*.
- (xiv) G.S.R. 916 (E) published in Gazette of India dated the 24th October, 1989 together with an explanatory memorandum making certain amendments to Notification No. 38/78-Customs, dated the 1st March, 1978 so as to prescribe basic customs duty of 120 per cent *ad valorem* on cuprammonium filament yarn.
- (xv) G.S.R. 917 and G.S.R. 918 (E) published in Gazette of India dated the 24th October, 1989 together with an explanatory memorandum seeking to prescribe basic customs duty of 100 per cent *ad valorem* and 45 per cent *ad valorem* auxiliary duty on polyester films.
- (xvi) G.S.R. 953 (E) published in Gazette of India dated the 1st November, 1989 together with an explanatory memorandum making certain amendments to Notification No. 8/89-Cus., dated the 16th January, 1989 so as to extend the power of certification of Additional Industrial Advisers in the DGTD of the Government of India.
- (xvii) G.S.R. 954 (E) published in Gazette of India dated the 1st November, 1989 together with an explanatory memorandum making certain amendments to Notification No. 333/88-Cus., dated the 31st December, 1989 so as to make it clear that the concessional rate of customs duty is available only to the specified goods imported for on-shore oil operations and not to the component parts of such specified goods.

- (xviii) G.S.R. 955 (E) published in Gazette of India dated the 1st November, 1989 together with an explanatory memorandum making certain amendments to Notification No. 213/89-Customs, dated the 1st August, 1989 so as to exempt consumable goods imported by public funded research institutions under the Department of Defence, Research and Development from the whole of the basic and additional duty of customs.
- (xix) G.S.R. 956 (E) and G.S.R. 957 (E) published in Gazette of India dated the 1st November, 1989 together with an explanatory memorandum regarding exemption to specified goods for use in leather industry from the basic customs duty in excess of 40 per cent *ad valorem* and auxiliary duty in excess of 5 per cent *ad valorem*.
- (xx) G.S.R. 959 (E) published in Gazette of India dated 1st November, 1989 together with an explanatory memorandum making certain amendments to Notification No. 116-Cus., dated the 30th March, 1988.
- (xxi) G.S.R. 960 (E) published in Gazette of India dated the 1st November, 1989 together with an explanatory memorandum making certain amendments to Notification No. 117/88-Cus., dated the 30th March, 1988 so as to enable the beneficiaries of Import Export Pass Book Scheme to take
- (xxii) S.O. 972 (E) published in Gazette of India dated the 30th November, 1989 together with
- an explanatory memorandum regarding revised rates of exchange for conversion of Danish Kroner Deutsche Marks and Dutch Guilders into Indian currency or vice-versa.
- (xxiii) S.O. 979 (E) published in Gazette of India dated the 1st December, 1989 together with an explanatory memorandum regarding revised rates of exchange for conversion of Austrian Schillings, Belgium Francs, and French Francs into Indian currency or *vice-versa*.
- (xxiv) S.O. 987 (E) published in Gazette of India dated the 6th December, 1989 together with an explanatory memorandum regarding revised rate of exchange for conversion of Italian Lire into Indian currency or vice-versa.
- (xxv) G.S.R. 1005 (E) published in Gazette of India dated the 10th November, 1989 together with an explanatory memorandum making certain amendments to Notification No. 110/86-Cus., dated the 17th February, 1986 so as to notify 'Gas pipeline projects of Gas Authority of India Limited' as projects for the purpose of assessment.
- (xxvi) G.S.R. 1006 (E) published in Gazette of India dated the 10th November, 1989 together with an explanatory memorandum seeking to prescribe basic customs duty of 40 per cent for imports to be effected for Gas processing plant at Bijapur and Bombay City gas distribution project.
- (xxvii) G.S.R. 1007 (E) published in Gazette of India dated the 10th

- November, 1989 together with an explanatory memorandum making certain amendments to notification No. 159/89-Cus., dated the 12th May, 1989.
- (xxviii) G.S.R. 1010 (E) published in Gazette of India dated the 16th November, 1989 together with an explanatory memorandum seeking to provide a concessional rate of basic customs duty of 40 per cent *ad valorem* on copper mill scale.
- (xxix) G.S.R. 1011 (E) published in Gazette of India dated the 16th November, 1989 together with an explanatory memorandum seeking to reduce auxiliary duty of customs on such copper mill scale to 30 per cent *ad valorem*?
- (xxx) G.S.R. 1012 (E) published in Gazette of India dated the 16th March, 1989 together with an explanatory memorandum making certain amendments to notification No. 208/81-Cus., dated the 22nd September, 1981 so as to include Fibrinogen Dried in the exempted category of drugs and medicines.
- (xxxi) The Customs and Central Excise Duties Drawback (Amendment) Rules, 1989 published in Notification No. G.S.R. 880 (E) in Gazette of India dated the 5th October, 1989 together with an explanatory memorandum. [Placed in library. See No. LT-159/90]
- (6) A copy each of the following Notifications (Hindi and English versions) under section 49 of the Finance Act, 1989:-
- (i) G.S.R. 755 (E) published in Gazette of India dated the 16th August, 1989 together with an explanatory memorandum making certain amendments to Notifications No. 7/89-Cus., dated the 30th June, 1989 so as to exempt passengers travelling on two specified routes in Lakshadweep from the payment of Inland Air Travel Tax.
- (ii) The Inland Air Travel Tax (Amendment) Rules, 1989 published in Notification No. G.S.R. 881 (E) in Gazette of India dated the 6th October, 1989 together with an explanatory memorandum. [Placed in Library. See No. LT-160/90]
- (7) A copy each of the following Notifications (Hindi and English versions) under sub-section (11) of section 45 of the Banking Regulation Act, 1949:-
- (i) S.O. 878 (E) published in Gazette of India dated the 30th October, 1989 specifying the 31st October, 1989 as the prescribed date in relation to the Scheme for the amalgamation of the United Industrial Bank Limited, Calcutta with Allahabad Bank.
- (ii) S.O. 879 (E) published in Gazette of India dated the 30th October, 1989 regarding amalgamation of the United Industrial Bank Ltd., Calcutta with Allahabad Bank. [Placed in Library. See No. LT-161/90]
- (8) A copy of the Public Provident Fund (Amendment) Scheme, 1989 (Hindi and English versions) published in Notification No. G.S.R. 793 (E) in Gazette of India dated the 29th August, 1989 under section 12 of the Public Provident Fund Act.

1988. [Placed in Library. See No. LT-162/90]
- (9) A copy each of the following Notifications (Hindi and English versions) under sub-section (5) of section 15 of the Government Savings Bank Act, 1873:-
- (i) The Post Office Savings Account (Fourth Amendment) Rules, 1989 published in Notification No. G.S.R. 813 (E) in Gazette of India dated the 4th September, 1989.
- (ii) The Post Office Savings Bank General (Amendment) Rules, 1989 published in Notification No. G.S.R. 1000 (E) in Gazette of India dated the 8th November, 1989.
- (iii) The Post Office Savings Account (Fifth Amendment) Rules, 1989 published in Notification No. G.S.R. 1001 (E) in Gazette of India dated the 8th November, 1989.
- (iv) The National Savings Scheme (Second Amendment) Rules 1989 published in Notification No. G.S.R. 1058 (E) in Gazette of India dated the 19th December, 1989. [Placed in Library. See No. LT-163/90]
- (10) A copy of the National Savings Certificates (VII Issue) (Second Amendment) Rules, 1989 (Hindi and English versions) published in Notification No. G.S.R. 864 (E) in Gazette of India dated the 29th September, 1989 under sub-section (3) of section 12 of the Government Savings Certificates Act, 1959. [Placed in Library. See No. LT-164/90]
- (11) A copy of the Notification No. F.2/14/89-NS II (Hindi and English versions) published in Gazette of India dated the 10th August, 1989 making certain amendments to Notification No. F.2/14/89-NS. II dated the 7th June, 1989. [Placed in Library. See No. LT-165/90]
- (12) A copy of Notification No. F.2/14/89-NS.II (Hindi and English versions) published in Gazette of India dated the 12th October, 1989 making certain amendments to Notification No. F.2/14/89-NS II dated the 7th June, 1989. [Placed in Library. See No. LT-166/90]
- (13) (i) A copy of the Annual Report (Hindi and English versions) of the Industrial Reconstruction Bank of India for the year 1988-89 along with Audited Accounts under sub-section (5) of section 29 and sub-section (5) of section 34 of the Industrial Reconstruction Bank of India Act. 1984.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Industrial Reconstruction Bank of India, for the year 1988-89. [Placed in Library. See No. LT-167/90]

[Translation]

SHRI BRAHM DUTT (Tehri Garhwal): I agree with the motion moved just now, but I would like to submit to the hon. Minister of Parliamentary Affairs that sub-section 2 of section 1 on page 1 which reads 'that it shall come into force on such date as the Central Government may, by notification in the Central Gazette, appoint' should be amended as 'That it shall come into force w.e.f. January 2, 1990, otherwise, it will serve no purpose and will remain only a propaganda. I would request that you should consider this and come prepared.

**Notification under Railway claims
Tribunal Act, 1987**

[*English*]

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): On behalf of Shri George Fernandes, I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) issued under sub-section (2) of section 30 of the Railway Claims Tribunal Act, 1987:-

- (i) The Railway Claims Tribunal (Procedure) Rules, 1989 published in Notification No. G.S.R. 842 (E) in Gazette of India dated the 19th September, 1989.
- (ii) The Railway Claims Tribunal (Salaries and Allowances and Conditions of Services of Chairman, Vice-Chairman and Members) Rules, 1989, published in Notification No. G.S.R. 844 (E) in Gazette of India dated the 19th September, 1989.
- (iii) The Railway Claims Tribunal (Financial and Administrative Powers) Rules, 1989 published in Notification No. G.S.R. 845 (E) in Gazette of India dated the 19th September, 1989 [Placed in Library. See No. LT-168/90]

Reviews on the working of and Annual Reports of Engineering Projects (India) Ltd., Hindustan Photo Films Manufacturing Co., Ltd, Bharat Ophthalmic Glass Ltd., Heavy Engineering Corporation Ltd., etc. for 1988-89, etc.

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): On behalf of Shri Ajit Singh I beg to lay on the Table:-

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:-

(a) (i) A statement regarding Review by the Government on the working of the Engineering Projects (India) Limited for the year 1988-89.

(ii) Annual Report of the Engineering Projects (India) Limited for the year 1988-89 along with audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-2169/90]

(b) (i) A statement regarding Review by the Government on the working of the Hindustan Photo Films Manufacturing Company Limited for the year 1988-89.

(ii) Annual Report of the Hindustan Photo Films Manufacturing Company Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-170/90]

(c) (i) A statement regarding Review by the Government on the working of the Bharat Ophthalmic Glass Limited for year 1988-89.

(ii) Annual Report of the Bharat Ophthalmic Glass Limited for the year 1988-

- 89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-171/90]
- (d) (i) A statement regarding Review by the Government on the working of the Heavy Engineering Corporation Limited for the year 1988-89.
- (ii) Annual Report of the Heavy Engineering Corporation Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-172/90]
- (e) (i) A statement regarding Review by the Government on the working of the Sambhar Salts Limited for the year 1988-89.
- (ii) Annual Report of the Sambhar Salts Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-173/90]
- (f) (i) A statement regarding Review by; the Government on the working of the Hindustan Salts Limited for the year 1988-89.
- (ii) Annual Report of the Hindustan Salts Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-174/90]
- (g) (i) A statement regarding Review by the Government on the working of the National Industrial Development Corporation Limited, New Delhi, for the year 1988-89.
- (ii) Annual Report of the National Industrial Development Corporation Limited, New Delhi, for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-175/90]
- (h) (i) A statement regarding Review by the Government on the working of the Cement Corporation of India Limited, New Delhi, for the year 1988-89.
- (ii) Annual Report of the Cement Corporation of India, New Delhi, for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in library. See No. LT-176/90]
- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Fluid Control Research Institute, Palghat, for the year 1988-89 along with Audited Accounts.

- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Fluid Control Research Institute, Palghat, for the year 1988-89. [Placed in Library. See No. LT-177/90]

Annual Reports of and Review on Ahmedabad Textiles Industry Research Association, Bombay, Textile Research Association, Bombay, South India Textile Research Association, Coimbatore and Northern India Textile Research Association, Ghaziabad for 1988-89

[*Translation*]

THE MINISTER OF TEXTILES AND MINISTER OF FOOD PROCESSING INDUSTRIES (SHRI SHARAD YADAV): I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Ahmedabad Textile Industry Research Association for the year 1988-89 along with Audited Accounts. [Placed in Library. See No. LT-178/90]
- (ii) A copy of the Annual Report (Hindi and English versions) of the Bombay Textile Research Association, Bombay, for the year 1988-89 along with Audited Accounts. [Placed in Library. See No. LT-179/90]
- (iii) A copy of the Annual Report (Hindi and English versions) of the South India Textile Research Association, Coimbatore for the year 1988-89 along with Audited Accounts. [Placed in Library. See No. LT-180/90]
- (iv) A copy of the Annual Report (Hindi and English versions)

of the Northern India Textile Research Association, Ghaziabad, for the year 1988-89 along with Audited Accounts. [Placed in Library. See No. LT-181/90]

- (2) A copy of the Review (Hindi and English versions) by the Government on the working of the Ahmedabad Textile Industry Research Association, Ahmedabad Bombay, Textile Research Association, Bombay, South India Textile Research Association, Coimbatore and Northern India Textile Research Association, Ghaziabad, for the year 1988-89. [Placed in Library. See No. LT-178-181/90]

Report of Committee on Re-organisation of Delhi set-up (Part I and II) and statement giving reasons for not laying simultaneously the Hindi version of the Report.

[*English*]

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): I beg to lay on the Table:-

- (1) A copy of the Report of Committee on Reorganisation of Delhi Set-up (Part-I and II) (English versions).
- (2) A statement giving reasons for not laying simultaneously the Hindi version of the Report of Committee on Reorganisation of Delhi Set-up (Part-I and II). [Placed in Library. See No. LT-182/90]

Notifications under Imports and Exports (Control) Act, Review on and Annual Report of Cashew Corporation of India Ltd., Cochin for 1988-89 etc.etc.

THE MINISTER OF COMMERCE AND TOURISM (SHRI ARUN KUMAR NEHRU): I beg to lay on the Table:-

- (1) A copy of each of the following Notifications (Hindi and English versions) issued under section 3 of the Imports and Exports (Control) Act, 1947:-
- (i) S.O. 794 (E) published in Gazette of India dated the 6th October, 1989 making certain amendments in the Open General Licence No. 10/88 dated the 30th March, 1988.
 - (ii) S.O. 910 (E) published in Gazette of India dated the 3rd November, 1989 making certain amendments in the Open General Licence No. 3/88 dated the 30th March, 1988.
 - (iii) S O 911 (E) published in Gazette of India dated the 3rd November, 1989 making certain amendments to the Open General Licence No. 15/88 dated the 30th March, 1988.
 - (iv) S.O. 912 (E) published in Gazette of India dated the 3rd November, 1989 making certain amendments in the Open General Licence No. 16/88 dated the 30th March, 1988. [Placed in Library. See No. LT-183/90]
- (2) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:-
- (a) (i) Review by the Government on the working of the Cashew Corporation of India Limited, Cochin, for the year 1988-89.
 - (ii) Annual Report of the Cashew Corporation of India Limited, Cochin, for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-184/90]
- (b) (i) A statement regarding Review by the Government on the working of the Indian Tourism Development Corporation Limited, for the year 1988-89.
 - (ii) Annual Report of the India Tourism Development Corporation Limited for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-185/90]
- (c) (i) Review by; the Government on the working of the State Trading Corporation of India Limited for the year 1988-89.
 - (ii) Annual Report of the State Trading Corporation of India Limited, for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-186/90]
- (d) (i) Review by the Government on the working of the Project and Equipment Corporation of India Limited for the year 1988-89.
 - (ii) Annual Report of the Project and Equipment Corporation of India Limited for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-187/90]
- (e) (i) Review by the Government on the working of the Spices Trading Corporation Limited, Bangalore, for the year 1988-89.

- (ii) **Annual Report of the Spices Trading Corporation Limited; Bangalore, for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-188/90]**
- (3) (i) **A copy of the Annual Report (Hindi and English versions) of the Marine Products Export Development Authority for the year 1988-89 under sub-section (3) of section 22 of the Marine Products Export Development Authority Act, 1972.**
- (ii) **A copy of the Review (Hindi and English versions) by the Government on the working of the Marine Products Exports Development Authority for the year 1988-89.**
- (iii) **A copy of the Annual Accounts (Hindi and English versions) of the Marine Products Export Development Authority for the year 1988-89 together with Audit Report thereon. [Placed in Library. See No. LT-189/90]**
- (4) (i) **A copy of the Annual Report (Hindi and English versions) of the Tobacco Board, Guntur, for the year 1988-89.**
- (ii) **A copy of the Review (Hindi and English versions) by the Government on the working of the Tobacco Board, Guntur, for the year 1988-89. [Placed in Library. See No. LT-190/90]**
- (5) (i) **A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Packaging, Bombay, for the year 1988-89 along with Audited Accounts.**
- (ii) **A copy of the Review (Hindi and English versions) by the Government on the working of the Indian Institute of Packaging, Bombay, for the year 1988-89. [Placed in Library. See No. LT-191/90]**
- (6) (i) **A copy of the Annual Report (Hindi and English versions) of the Coffee Board for the year 1988-89.**
- (ii) **A copy of the Review (Hindi and English versions) by the Government on the working of the Coffee Board for the year 1988-89.**
- (iii) **A copy of the Audit Report (Hindi and English versions) on the General Fund Accounts of Coffee Board for the year 1988-89.**
- (iv) **A copy of the Audit Report (Hindi and English versions) on the Pool Fund Accounts of the Coffee Board for the year 1987-88. [Placed in Library. See No. LT-192/90]**
- (7) (i) **A copy of the Annual Report (Hindi and English versions) of the Rubber Board, Kottayam, for the year 1988-89:**
- (ii) **A copy of the Review (Hindi and English versions) by the Government on the working of the Rubber Board, Kottayam, for the year 1988-89.**
- (iii) **A copy of the Annual Accounts (Hindi and English versions) of the Rubber Board, Kottayam, for the year 1988-89 together with Audit Report thereon. [Placed in Library. See No. LT-193/90]**
- (8) (i) **A copy of the Annual Report**

- (Hindi and English versions) of the Export Inspection Council and Export Inspection Agencies, for the year 1988-89.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Export Inspection Council and Export Inspection Agencies for the year 1988-89. [Placed in Library. See No. LT-194/90]
- (9) (i) A copy of the Annual Report (Hindi and English versions) of the Trade Development Authority, New Delhi, for the year 1988-89 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Trade Development Authority, New Delhi, for the year 1988-89. [Placed in Library. See No. LT-195/90]
- 10 (i) A copy of the Annual Report (Hindi and English versions) of the Cashew Export Promotion Council of India, Cochin, for the year 1988-89 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Cashew Export Promotion Council of India, Cochin, for the year 1988-89 [Placed in Library. See No. LT-196/90]
- (11) (i) A copy of the Annual Report (Hindi and English versions) of the Spices Board for the year 1988-89.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Spices Board for the year 1988-89 together with Audit Report thereon.
- (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the Spices Board for the year 1988-89. [Placed in Library. See No. LT-197/90]
- (12) (i) A copy of the Annual Report (Hindi and English versions) of the Shellac Export Promotion Council for the year 1988-89.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Shellac Export Promotion Council for the year 1988-89 together with Audit Report thereon.
- (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the Shellac Export Promotion Council for the year 1988-89. [Placed in Library. See No. LT-198/90]
- (13) (i) A copy of the Annual Report (Hindi and English versions) of the Engineering Export Promotion Council for the year 1988-89 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Engineering Export Promotion Council for the year 1988-89. [Placed in Library. See No. LT-199/90]
- (14) A copy of the Annual (Hindi and English versions) of Spices Board, Cochin, for the year 1987-88 together with Audit Report thereon.
- (15) A statement (Hindi and English

versions) showing reasons for delay in laying the papers mentioned at (14) above [Placed in Library. See No. LT-200/90]

Memorandum outlining the detailed Action taken on the recommendations contained in the Fifth and Sixth Annual Reports of the Commissioner for SC & ST for 1982-83 and 1983-84

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P UPENDRA) On behalf of Shri Ram Vilas Paswan, I beg to lay on the Table—

- (1) A copy of the Memorandum (Hindi and English versions) outlining the detailed Action Taken on the Recommendations contained in the fifth Annual Report of the Commission for Scheduled Castes and Scheduled Tribes for the year 1982-83 [Placed in Library. See No. LT-201/90]
- (2) A copy of the Memorandum (Hindi and English versions) outlining the detailed Action Taken on the recommendations contained in the Sixth Annual Report of the Commission for Scheduled Castes and Scheduled Tribes for the year 1983-84. [Placed in Library. See No. LT-202/90]

Review on and Annual Report of Hindustan Organic Chemicals Ltd., for 1988-89, Lubrizol India Ltd., Bombay for 1988-89, etc. etc.

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P UPENDRA) On behalf of Shri M.S. Gurupadaswamy, I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:-

- (i) Review by the Government on

the working of the Hindustan Organic Chemicals Limited for the year 1988-89.

- (ii) Annual Report of the Hindustan Organic Chemicals Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-203/90]

- (2) (i) Review by the Government on the working of the Lubrizol India Limited, Bombay, for the year 1988-89.

- (ii) Annual Report of the Lubrizol India Limited, Bombay, for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-204/90]

- (3) (i) Review by the Government on the working of the Biecco Lawrie Limited, Calcutta, for the year 1988-89.

- (ii) Annual Report of the Biecco Lawrie Limited, Calcutta, for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General Thereon. [Placed in Library. See No. LT-205/90]

- 4 (i) Review by the Government on the working of the IBP Company Limited, Calcutta, for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-206/90]

- (ii) Annual Report of the IBP

- Company Limited, Calcutta, for the year 1988-89 along with Audited Accounts and the Comments of the comptroller and Auditor General thereon. [Placed in Library See No. LT 206/90]
- (5) (i) Review by the Government on the working of the Cochin Refineries Limited, for the year 1988-89.
- (ii) Annual Report of the Cochin Refineries Limited, for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-207/90]
- (6) (i) Review by the Government on the working of the Madras Refineries Limited, for the year 1988-89.
- (ii) Annual Report of the Madras Refineries Limited, for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-208/90] yz
7. (i) Review by the Government on the working of the Engineers India Limited, for the year 1988-89.
- (ii) Annual Report of the Engineers India Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-209/90]
8. (i) Review by the Government on the working of the Indian Oil Corporation Limited, Bombay, for the year 1988-89.
- (ii) Annual Report of the Indian Oil Corporation Limited, Bombay for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-210/90]
9. (i) Review by the Government on the working of the Hindustan Petroleum Corporation Limited, Bombay for the year 1988-89.
- (ii) Annual Report of the Hindustan Petroleum Corporation Limited, Bombay for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-211/90]
10. (i) Review by the Government on the working of the Bharat Petroleum Corporation Limited, for the year 1988-89.
- (ii) Annual Report of the Bharat Petroleum Corporation Limited, for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-212/90]
11. (i) Review by the Government in the working of the Bengal Chemicals and Pharmaceutic-als Limited, Calcutta, for the year 1988-89.
- (ii) Annual Report of the Bengal Chemicals and Pharmaceutic-als Limited, Calcutta for the year 1988-89 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-213/90]
12. (i) Review by the Government on the working of the Indian Drugs and Pharmaceuticals Limited,

Gurgaon, for the year 1988-89.

- (ii) Annual Report of the Indian Drugs and Pharmaceuticals Limited, Gurgaon for the year 1988-89 along with Audited Accounts and Comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-214/90]

13. (i) Review by the Government on the working of the Smith Stanistreet Pharmaceuticals Limited, Calcutta, for the year 1988-89.

- (ii) Annual Report of the Smith Stanistreet Pharmaceuticals Limited, Calcutta, for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereof. [Placed in Library. See No. LT-215/90]

14. A statement (Hindi and English versions) (i) Correcting the reply given on the 25 July, 1989 to Unstarred Question No. 1096 by Shri Syed Shahabuddin regarding LPG distributorships in Bihar and (ii) giving reasons for delay in correcting the reply. [Placed in Library. See No. LT-216/90]

Statements showing action taken by Government on various assurances, promises etc. given by Ministers during the various sessions of Seventh and Eighth Lok Sabha, Annual Report of and Review on Film and Television Institute of India, Pune for 1988-89, etc.

SHRI P. UPENDRA: I beg to lay on the Table:-

- (1) A copy each of the following statements (Hindi and English versions) showing the action

taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Seventh and Eighth Lok Sabha:-

- (a) (i) Statement No. XXI — Sixth Session, 1981 Seventh [Placed in Library. See No. LT-217/90]

- (ii) Statement No. XXV— Fourteenth Session, 1984 Lok Sabha. [Placed in Library. See No. LT-218/90]

- (b) (i) Statement No. XXV— Fifth Session, 1986 [Placed in Library. See No. LT-219/90]

- (ii) Statement No. XXIII— Sixth Session, 1986 [Placed in Library. See No. LT-220/90]

- (iii) Statement No. XX— Seventh Session 1986 [Placed in Library. See No. LT-221/90]

- (iv) Statement No. XX— Eighth Session, 1987 [Placed in Library. See No. LT-222/90]

- (v) Statement No. XVI—II Part of Eighth Session, 1987 Eighth Lok Sabha [Placed in Library. See No. LT-223/90]

- (vi) Statement No. XV—Ninth Session, 1987 [Placed in Library. See No. LT-224/90]

- (vii) Statement No. XIII— Tenth Session, 1988

- [Placed in Library. See No. LT-225/90] [Placed in Library. See No. LT-225/90]
- (viii) Statement No. IX—Eleventh Session, 1988 [Placed in Library. See No. LT-226/90]
- (ix) Statement No. VI—Twelfth Session, 1988. [Placed in Library. See No. LT-227/90]
- (x) Statement No. V—Thirteenth Session 1989 [Placed in Library. See No. LT-228/90]
- (xi) Statement No. II—Fourteenth Session, 1989. [Placed in Library. See No. LT-229/90]
- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Film and Television Institute of India, Pune, for the year, 1988-89.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Film and Television Institute of India, Pune, for the year 1988-89.
- (iii) A copy of the Annual Accounts (Hindi and English versions) of the Film and Television Institute of India, Pune, for the year 1988-89 together with Audit Report thereon. [Placed in Library. See No. LT-230/90]
- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Children's Film Society India, Bombay, for the year 1988-89 along with Audited accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Children's Film Society India, Bombay for the year 1988-89. [Placed in Library. See No. LT-231/90]
- Notifications under Representation of the People Act, Mines and Minerals (Regulation and Development) Act, etc.**
- THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): I beg to lay on the Table:-
- (1) A copy of the Conduct of Elections (Third Amendment) Rules, 1989 (Hindi and English versions) published in Notification No. S.O. 958 (E) in Gazette of India dated the 17th November, 1989 under sub-section (3) of section 169 of the Representation of the People Act, 1951. [Placed in Library. See No. LT-232/90]
- (2) A copy each of the following Notifications (Hindi and English versions) under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957:-
- (i) The Mineral Concession (Amendment) Rules, 1989 published in Notification No. G.S.R. 908 (E) in Gazette of India dated the 19th October, 1989.
- (ii) G.S.R. 786 (E) published

in Gazette of India dated the 23rd August, 1989 declaring certain minerals specified in the notification to be minor minerals. [Placed in Library. See No. LT-233/90]

(3)

A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:-

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|-----|------|--|------|--|
| (a) | (i) | Review by the Government on the working of the National Aluminium Company Limited for the year 1988-89. | (ii) | Annual Report of the Neelachal Ispat Nigam Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-236/90] |
| | (ii) | Annual Report of the National Aluminium Company Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-234/90] | (d) | (i) |
| | | | | Review by the Government on the working of the Vijaynagar Steel Limited for the year 1988-89. |
| | | | (ii) | Annual Report of the Vijaynagar Steel Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-237/90] |
| (b) | (i) | Review by the Government on the working of the Sponge Iron India Limited for the year 1988-89. | (e) | (i) |
| | | | | Review by the Government on the working of the Steel Authority of India Limited for the year 1988-90. |
| | (ii) | Annual Report of the Sponge Iron India Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-235/90] | (ii) | Annual Report of the Steel Authority of India Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-238/90] |
| (c) | (i) | Review by the Government on the working of the Neelachal Ispat Nigam Limited for the year 1988-89 | (f) | (i) |
| | | | | Review by the Government on the working of the Mineral Exploration Corporation Limited for the year 1988-89. |
| | | | (ii) | Annual Report of the Mineral Exploration Corporation Limited for the year 1988-89 along with |

- Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-239/90]**
- (g) (i) Review by the Government on the working of the Hindustan Steel works Construction Limited for the year 1988-89.
- (ii) Annual Report of the Hindustan Steel works Construction Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-240/90]
- (h) (i) Review by the Government on the working of the Manganese Ore (India) Limited for the year 1988-89.
- (ii) Annual Report of the Manganese Ore (India) Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-241/90]
- (l) (i) Review by the Government on the working of the Bharat Refractories Limited for the year 1988-89.
- (ii) Annual Report of the Bharat Refractories Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and
- Auditor General thereon. [Placed in Library. See No. LT-242/90]**
- (j) (i) Review by the Government on the working of the Metallurgical and Engineering Consultants (India) Limited for the year 1988-89.
- (ii) Annual Report of the Metallurgical and Engineering Consultants (India) Limited for the year 1988-89 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-243/90]
- (4) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Law Institute, New Delhi, for the year 1987-88 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian Law Institute, New Delhi, for the year 1987-88.
- (5) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (4) above. [Placed in Library. See No. LT-244/90]

Notification under Pondicherry University, Act

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): On behalf of Prof. M.G.K. Menon, I beg to lay on the Table a copy of the

Notification No. PU/Aca. 4/355/89/7559 (Hindi and English versions) published in Gazette of India dated the 9th September, 1989 inserting certain new statues and Making additions to the existing Statutes of the Pondicherry University Act, 1985 under section (5) of section 26 of the Said Act. [Placed in Library. See No. LT-245/90]

12.09 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 28th December, 1989, agreed without any amendment to the Representation of the People (Amendment) Bill, 1989, which was passed by the Lok Sabha at its sitting held on the 26th December, 1989."

MR. SPEAKER: I have called Mr. Poojary. Order, order.

SHRI JANARDHANA POOJARY (Mangalore): There is a serious situation in the country. Every day, we have been hearing about the abduction of political people, MPs and MLAs in this country. If there is no safety for MPs and MLAs what about the common man? Yesterday also there was a report about a sitting member of this House, who had taken the oath on the other day being kidnapped and he is reported to be missing. Daily we have receiving such reports. If there is no safety for MPs and MLAs what about the common man?

MR. SPEAKER: You can speak on the

Constitution Amendment Bill.

SHRI JANARDHANA POOJARY: The Home Minister should make a statement; today is the last day.

(Interruptions)

[Translation]

MR. SPEAKER: Please take your seat. As I requested you in the beginning and you agreed, we have a tight schedule today and we have to go by it.

THE MINISTER OF FINANCE (PROF. MADHU DANAVATE): Members from Opposition parties have also been consulted.

...(Interruptions)....

[English]

SHRI BRAHM DUTT (Tehri Garhwal): A sitting Member of this House is missing, whether he has been murdered or abducted, we do not know. At least the Home Minister should inform us what action they are taking. Otherwise what is the use of our sitting here. (Interruptions)

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): It is a fact that one of the Members who was elected from Punjab and who has taken Oath is missing and we are at it. We are finding his whereabouts whether he has somewhere disappeared or whether he has been kidnapped. We will come to the House with facts. (Interruptions)

[Translation]

MR. SPEAKER: Please take your seat. Whatever information was available with the Government, has been given by them.

(Interruptions)

[English]

MR. SPEAKER: I cannot compel the Government.

(Interruptions)

SHRI BRAHM DUTT: The information given by the Home Minister is very inadequate and he has taken very nonchalantly and casually. Even the matter of abduction of a sitting Member, he has taken so casually...*(Interruptions)*

SHRI AJIT KUMARI PANJA (Calcutta North East): You cannot take one set of steps when Dr. Rubaiya was kidnapped and another set of steps when a sitting Member is missing. There cannot be different standards. You must inform us what steps you have taken...*(Interruptions)*

[Translation]

SHRI HARISH RAWAT (Almora): I have given notice of an Adjournment Motion of this subject.

SHRI JAGPAL SINGH (Hardwar): This may happen with anybody, with you as well as with us.

(Interruptions)

[English]

SHRI AJIT KUMAR PANJA: We want to know whether security men have been sent, whether Central Intelligence men have been sent to Punjab because president's Rule is there, whether sufficient steps have been taken in this case as in the case of the other abduction. We want to know whether similar steps have been taken or not for tracing a sitting Member of this House. It does not matter whether he is from this side of the House or that side of the House. Otherwise, next time you will find the House empty... *(Interruptions)*

MR. SPEAKER: The Minister wants to say something.

SHRI MUFTY MOHAMMAD SAYED: I have taken note of the sentiments of the hon. Members. At 6 O' Clock we will make a

statement giving whatever information we have... *(Interruptions)*

MR. SPEAKER: He will make a statement at 6 O' Clock.

12.14 hrs.

PRASAR BHARATI (BROADCASTING CORPORATION OF INDIA) BILL*

[English]

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): I beg to move for leave to introduce a Bill to provide for the establishment of a Broadcasting Corporation for India, to be known as Prasar Bharati, to define its composition, functions and powers and to provide for matters connected therewith or incidental thereto.

Sir, while seeking the leave of the House to introduce the Bill, I have the satisfaction of fulfilling a promise that the National Front had made to the people of the country. We had gone to the people with a manifesto containing a policy declaration to the effect that the National Front Government would liberate the electronic media from the control of the Government. The roots of this policy are to be found in the universal perception of the important role that Radio and Television Play in the lives of our people and the influence that they have come to wield on the development and evolution of our society. Starting from humble beginnings, Radio programmes have today become available to almost 97 per cent of the population of our country and even Television, which started relatively recently, is now beaming its programmes to almost 76 per cent of our population. These two media have, therefore, become the prime sources for the dissemination of information and for providing education and entertainment to the people. In such a situation, it is essential to zealously guard the inalienable rights of our citizens to a free and unbiased flow of information and

*Published in Gazette of India Extraordinary, Part II, section 2, dated 29.12.1989.

[Sh. P. Upendra]

their right to be informed about what they wish to know and not only what others think that they should know. We believe that no matter how enlightened the Government is, any control would, by definition, be an encroachment on this free flow of information and ideas. In a sense, therefore, the imposition of such control represents the beginning of the destruction of a really free and democratic society to the ideals of which we are firmly committed.

We have, in the recent past, seen the brazen and uninhibited misuse of these two media for narrow, partisan purposes, resulting in the total destruction of their credibility, which is, and must always remain the most prized asset of any broadcasting system. There have been aberrations in the manner in which news and current affairs programmes with political and social content have been presented. The media have too often been manipulated in total violation of the accepted norms. We had, in consequence, in keeping with our determination to bring in a fresh breeze of open comment, of a free flow of idea and information, promised to the people that we will not only stop such distortions and misuse, but, by law, free both the media from Governmental control. We have acted swiftly to end these distortions. I take pride in saying that even before the introduction of this Bill, we have taken decisive and energetic steps to free the broadcast media from day to day governmental control as regards newscasting and programming. The change is clearly discernible. The introduction of this Bill is a demonstration of our bonafides and our commitment to an ethos of true freedom and democracy.

I would like to draw your attention briefly to the background to the Bill which I am presenting today and to some of its salient features. The perception that electronic media can function unbiased only when they are autonomous, is now new. In our country, however, this perception has sharpened over the time, in keeping with the ever-increasing

reach of Radio and Television. As far back as in 1964, the Government had appointed a committee under Shri A.K. Chanda which had examined the functioning of AIR, the only electronic medium broadcasting regularly at that time. This Committee had observed as follows:

"It is not possible in the Indian context for a creative medium like broadcasting to flourish under a regimen (sic) of departmental rules and regulations. It is only by an institutional change that AIR can be liberated from the present rigid financial and administrative procedures of Government."

This Committee had recommended the constitution of a separate corporation for Akashvani with freedom to evolve its own methods of recruitment, regulated scales of pay and conditions of service according to its needs and devise a financial and accounting system appropriate to its creative activities.

In 1977, following the trauma of the Emergency, one of the major objectives of the Janata Government was the granting of autonomy to AIR and Doordarshan. A committee had been appointed, under the Chairmanship of Shri B.G. Verghese, to examine the functioning of the two media and to make appropriate recommendations. On the basis of their recommendations, a Bill called the Prasar Bharati Bill was introduced in the Lok Sabha in 1979. This effort, however, came to naught as the Bill lapsed with the dissolution of the Lok Sabha.

Since then, with the expansion and new projects which have been implemented in the recent past, the influence that the two electronic media have come to wield, have assumed really gigantic proportions. The present Bill, therefore, although borrowing from the earlier one, also takes into account the changed circumstances and the present ethos.

In the present Bill, we are proposing initially only one Corporation to be set up, with two wings, one for Radio and the other

for Television. There will be a Board of Governors, with four full-time Governors, namely, Chairman, Executive Governor, Governor (Finance) and Governor (Personnel). In addition, there will be six part-time Governors who will be people of eminence in various fields of relevance to the two media. The two Directors General—of Radio and Television—will report to the Executive Governor. We have provided for a method of appointment of the Chairman and Governors, which virtually does away with the Government's role in the process. They will be appointed by the President on the recommendations of a committee consisting of the Chairman of the council of states, the chairman of the press council of India and a nominee of the President of India. The independence of the Board of Governors has been further strengthened by providing that the Chairman and Governors, before the expiry of their terms, can only be removed in the same manner as prescribed for the removal of the Chairman and some members of the Union Public Service Commission in the Constitution.

Mr. Speaker, Sir, you will notice that we have been at pains to define, in some detail, the objectives which will guide the Corporation in the discharge of its functions. This is necessary to ensure that the aspiration of the people of this country, belonging to diverse cultures, languages and regions, are fully met in the programming of these two media so that the variegated culture of the country is allowed to evolve, flourish and grow. We have also been conscious of the need for incorporating, within the structure of the Bill, a mechanism which will ensure that the functioning of the Corporation is never allowed to stray away from these objectives.

It is equally necessary to ensure that the rights and sensibilities of individuals and groups of people, which could be hurt by insensitive or biased programming, are not allowed to be intruded. It is in this context that a provision has been made for the establishment of a Broadcasting Council. This Council will examine all complaints of unfairness and bias or those relating to pro-

grammes not being in conformity with the objectives of the Corporation. This Council will consist of a President who will function whole time. He will be assisted by ten other part-time Members, drawn from various walks of life, so that every aspect of programming could be brought under scrutiny. There is also a provision which will enable this Council to set up Regional Councils to cater to regional needs.

All senior appointments within the Corporation will be made by the Board of Governors and other appointments by Recruitment Boards to be set up by the Corporation under the rules. We have also provided, protection to all categories of employees of AIR and Doordarshan, including officers of Indian Information Service working with these organisations. It will be our endeavour to ensure that all employees are treated justly and are provided opportunities to grow and develop in their own fields. I would, however, like to emphasise that the primary objective at all times would be to achieve excellence and there will be no place for persons who cannot contribute to it in a positive manner.

Creativity and merit will have to be the focal point. Necessary steps will be taken to ensure this. The finances of the Corporation will be underwritten by the Government on the touch stone of public service. Nevertheless, financial autonomy is to be promoted by providing that the Corporation shall have its own funds, into which shall be paid broadcast receiver licence fee, if any, advertisement revenue, service fees and other earnings.

The external broadcasting and monitoring services shall be a charge on the Government. The capital budget, likewise, will form part of the plan expenditure. It is hoped that in due course Prasar Bharati will financially viable and financial liability will become a realisable objective.

A provision has been made to make the Corporation accountable to the Parliament. Its Annual Report, incorporating a report by the Broadcasting Council also will be placed

[Sh. P. Upendra]

before both the Houses of Parliament to enable this august body to exercise scrutiny, debate over the manner in which the organisation has functioned, and to give the required directions and guidance.

Sir, I am grateful to all the parties and their leaders, including the Leader of the Opposition, for their wholehearted support to the Bill, the main features of which have been discussed with them as well as several experts, in informal discussions.

Sir, we are conscious that we need to move fast to bring the Corporation into being and yet not be hasty in proposing a structure which does not achieve our stated goals. It is in this context that during the next few months, before the Bill is actually taken up for consideration, we have planned to encourage different institutions and organisations to hold seminars, debates and discussions on all aspects of the proposed Corporation in addition to the panel discussions on the two media at various levels. It will be our endeavour to generate a national debate and to benefit from the many suggestions for improvements that will emanate as a result of this debate. We do not have any inhibition on this matter and will incorporate into the Bill such suggestions and ideas that further the aims and objectives that we have in mind. If the Bill is taken up for consideration and passed around May 1970, it will still take time to draft the rules and regulations, appoint the governors, and other functionaries and place them in position. We shall endeavour to take the consequential steps following the passage of the Bill as expeditiously as possible. Even so, the appointed day may be about a year away. In the interregnum, Mr. Speaker, Sir, it is not our intention to be idle or let things proceed as they are today. We are aware that much can be done immediately to ensure impartiality, objectivity and to give to the media the much-needed independence which will enable them to improve the quality of programmes. We intend, therefore, to undertake a comprehensive review of the

programmes being broadcast and telecast by AIR and Doordarshan. We will examine all procedures and reconstitute the various Committees and other bodies involved with programming, wherever necessary. New kinds of programmes will be considered. For example, we will try to increase the number of current affairs programmes and encourage independent producers to make them so that fresh, thought-provoking ideas are placed before the audience. As regards Television, we will try to make the second channels in four metropolitan cities much more likely so that they can provide alternative programmes to meet the aspirations of the regional audiences.

To ensure that right from now all this is done through a process which is rooted in the concept of autonomy and independence, even before the law is enacted, we propose to immediately set up a compact five-Member Board, consisting of distinguished persons from the media, from the world of cinema, art and culture, the world of scholarship, agriculture and rural development, to oversee the functioning of AIR and Doordarshan. While it is true that this Board cannot at present be given statutory powers, we will give it sufficient authority so as to enable it to ensure that programming is objective, impartial and of the highest quality. I propose to set up this Board very shortly, within the next few days.

Mr. Speaker, Sir, the safeguards which have been built into this Bill with the objective of giving to the media the fullest protection from outside interference, both now and in the future, are as comprehensive as they can be. It must, however, be noted that ultimately it is the persons who direct and run the Corporation who will count. It is not only a structure that will bring the required independence, impartiality, objectivity, fairness and excellence. It is the people—the professionals who man the organisation—who will alone be able to do this. The structure will only enable them to bring these qualities to their work and protect them from the forces

of various partisan interests. The responsibility which then devolves on those who work for the Corporation is indeed very large and onerous. The strictest vigilance will be needed to eliminate corruption, arbitrariness and irresponsibility. The eyes of the entire nation will look to the Board of Governors to see how this goal is achieved. It will be our endeavour, as also the endeavour of my Ministry to provide all possible assistance.

Sir, the Bill I am introducing today is no ordinary Bill. It is a charter of freedom to give voice to the people of India, through the broadcast medium in fulfilment of their fundamental freedom of speech and expression as enshrined in Article 19 (1) A of the Constitution. This is a Bill for which the people have been waiting for long. I am sure it will be welcomed by all. The National Front has promised open Government, dialogues, consensus and conciliation. This Bill is part of that promise. It is in this spirit that I take great pride and deem it a great privilege to introduce this historic Bill and commend it to this House and to the nation. With these words, I beg leave of the House to introduce the Prasar Bharati (Broadcasting Corporation of India) Bill, 1989.

MR. SPEAKER: The question is:

"That the leave be granted to introduce the Prasar Bharati (Broadcasting Corporation of India) Bill, 1989."

The motion was adopted.

SHRI P. UPENDRA: I introduce the Bill

SHRI AJIT KUMAR PANJA: (Calcutta North East): This is the longest statement of objects and reasons. With your permission, can it be sent to the GUINNESS Book of Records?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): Sir, I support it.

12.31 hrs.

LOKPAL BILL'

[English]

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): Mr. Speaker, Sir, I move for leave to introduce the Bill to provide for the establishment of the institution of Lokpal to inquire into allegations of corruption against public functionaries and for matters connected therewith.

Sir, by asking for leave to introduce the Bill, the National Front is fulfilling another major commitment that was made to the people during the election time. This Bill is primarily meant for purity in public life. We firmly believe that corruption at high places not only affects our democratic structure but erodes the vitality of the nation. The Administrative Reforms Commission had in its report as early as in 1966 recommended for setting up the institutions of Lokpal and Lok Ayok. Though the Bills were introduced in 1968, 1971, 1977 and 1985 these could not mature into enactments. This Bill, for which I had asked for leave for introduction provides for an institution of Lokpal consisting of a Chairman and two Members. Only persons who are or have been Judges of the Supreme Court would be eligible for appointment to this Body. This has been proposed to create a greater assurance of justice and fair play in the minds of all. It is proposed that the jurisdiction of Lokpal should cover the complaint of corruption within the meaning of the Prevention of Corruption Act, 1988 against the Council of Ministers and the major departure that we have made in this Bill from the earlier Bills which were introduced is that it will include the Prime Minister of the country also. The Prime Minister after this Bill is passed, will not only be subject of public scrutiny but the citizens will have the quasi-judicial forum for redressal of their grievances of allegations of corruption. It is also provided that in case of complaints against a Minister, the competent authority

[Sh. Dinesh Goswami]

should be the Prime Minister to decide about the action on the recommendation of the Lokpal and in the case of the Prime Minister, it is left to the House of the People as ultimately that political functionary is responsible to the people through their chosen representatives in this House. To enable the persons constituting the Lokpal to perform their functions with highest objectivity and to ensure their independence it is also provided that their salary, other conditions of service including removal from office shall be those of the Chief Justice of India in the case of the Chairman and Judges of the Supreme Court in the case of other Members.

Sir, I beg leave of the House to introduce this Bill and I hope, when time comes, this will get the unanimous approval of the House. *(Interruptions)*

MR. SPEAKER: Please take your seat. The Minister is on his legs.

..(Interruptions).....

MR. SPEAKER: Do you want to hear him or not? Please sit down.

(Interruptions)...

[*Translation*]

MR. SPEAKER: Please take your seat.

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir, when you were in jail, Shrimati Indira Gandhi had got a law enacted which was implemented with retrospective effect. If that could be done, why cannot this be done now.....*(Interruptions).....*

[*English*]

SHRI DINESH GOSWAMI: The hon. Members have raised that it should have a retrospective effect. I will only ask the hon. Members to go through the provisions.

In sub-clause (3) of clause 9, what has been said is:

"The Lokpal shall not inquire into any complaint if the complaint is made after the expiry of five years from the date on which the offence mentioned in such complaint is alleged to have been committed."

Therefore, a time limit has been put. The time-limit is if an offence is committed and a complaint is made within five years from the date on which the offence is alleged to have been committed, the Lokpal has the jurisdiction to inquire into because for eternity, we cannot permit a man to complain. Therefore, it has to be done.

SHRI JANARDHANA POOJARY: You must know the Supreme Court decision. *(Interruptions)*

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the establishment of the institution of Lokpal to inquire into allegations of corruption against public functionaries and for matters connected therewith."

The motion was adopted

SHRI DINESH GOSWAMI: I introduce the Bill.

12.37 hrs.

COMMISSIONS OF INQUIRY (AMENDMENT) BILL

[*English*]

MR. SPEAKER: Now Shri Mufti Mohammad Sayeed to move for leave to introduce a Bill further to amend the Commission of Inquiry Act, 1952.

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): I beg to move for leave to introduce a Bill further to amend the Commissions of Inquiry Act, 1952.

Sir, sub-section (4) of section 3 of the Commission of Inquiry Act, 1952 casts an obligation on the appropriate Government to lay the report of the Commission of Inquiry appointed under sub-section (1) thereof before the House of the people or, as the case may be, the Legislative Assembly concerned, together with a memorandum of action taken thereon, within a period of six months of the submission of the report. However, in 1986, section 3 had been amended so as to provide therein that under certain circumstances the report of the Commission of Inquiry may not be so laid.

A Commission of Inquiry is always set up for the purpose of making an inquiry into any definite matter of public importance. As such, the report submitted by such a Commission should not be withheld from the House of the People or the Legislative Assembly under any circumstances and the public should have access to information which is a vital importance and interest to them. It is felt that the amendments made in 1986 should be done away with.

The Bill seeks to achieve the above object.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Commissions of Inquiry Act, 1952."

The motion was adopted

SHRI MUFTI MOHAMMAD SAYEED: Sir, I introduce the Bill.

12.40 hrs.

CONSTITUTION (SIXTY-THIRD AMENDMENT) BILL*

[English]

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

As the House is aware, Clause (5) of Article 356 of the Constitution which sets a normal limit of one year for President's Rule in a State was made inapplicable in respect of President's Proclamation issued on 11th May, 1987 in relation to the State of Punjab by virtue of Section 2 of the Constitution (Fifty-ninth Amendment) Act, 1988. With this amendment, President's Rule in Punjab could be extended up to a maximum period of three years, unlike in other States where it could be only up to one year, subject to the approval of both Houses of Parliament for continuation of the Proclamation for a period of six months on each occasion as stipulated under article 356 (4) of the Constitution. The Resolution regarding continuation of President's Proclamation in the last six month phase had been approved by both Houses of Parliament on 12-10-1989. The three-year period will now expire on 10-5-1990. In view of what I have submitted above it will appear that the part of amendment dealing with Article 356 of the Constitution is no longer needed.

By Section 3 of the Act, a new Article 359 (A) was inserted in the Constitution making far-reaching changes in Article 352 of the Constitution as applicable to Punjab. By this, Article 352 of the Constitution was amended to make "internal disturbance" as one of the grounds for declaration of emergency in respect of the State of Punjab only and consequential amendments were made to Articles 358 and 359 of the Constitution. But the most significant change was the

[Sh. Mufti Mohammad Sayeed]

suspension of the citizens' right to life and liberty under Article 21 when any Proclamation of Emergency is made for Punjab.

The part of the Constitution (Fifty-ninth Amendment) Act, 1988 which dealt with emergency powers has been the subject of criticism from various quarters because they are stringent in character and particularly because of power to deprive a citizen of his right to life and liberty. The Government considers that there is no need to retain such drastic powers. Sir, I may also mention that this provision has never been invoked so far. It is therefore proposed to repeal this part of the Act as well.

The present Bill seeks to repeal the Constitution (Fifty-ninth Amendment) Act, 1988. I now request the august House to approve the motion.

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 SAYEED:
Sir, I introduce the Bill.

12.44 hrs.

STATEMENT BY MINISTER CONSTITUTION OF AN EXPERT COMMITTEE FOR THE ASSESSMENT AND EVALUATION OF THE CENTRE FOR DEVELOPMENT OF TELEMATICS

[English]

THE MINISTER OF SURFACE TRANSPORT AND MINISTER OF COMMUNICATIONS (SHRI K.P. UNNIKRISHNAN): The Centre for Development of Telematics (C-DOT) was set up in April, 1984 and formally

registered as an autonomous society in August, 1984 Primarily for developing a Digital Main Automatic Exchange (MAX) of 16,000 lines capacity which was later upgraded to 40,000 lines by the Department of Telecommunications (DOT). This exchange was to be developed for commercial production within 36 months commencing from August, 1984 and within a budget of Rs. 36 crores.

This project was considered crucial to enable the DOT to phase out electro-mechanical exchanges and to induct modern electronic switching systems; primarily for providing efficient telephone services and subsequently for developing Integrated Services Digital Network (ISDN) facilities. Since the C-DOT was envisaged as an autonomous society, it was provided with requisite funds on a cost sharing basis by the Department of Electronics and the Department of Telecommunications.

More than 5 years have passed since C-DOT started the project, but a commercially produceable MAX has not yet gone into manufacture. The final designs even for a 500 Line Exchange are yet to be frozen and now it is apparently planned to be passed on to the manufacturers by April 1990 only.

It is most vital that this indigenous effort should be speeded up to strengthen our technological muscle but at the same time it is necessary for the Government to know as to where we stand in meeting the needs of a viable Communication System for the nineties and within what time frame the MAX will be developed to sustain this communication network.

The Government is reviewing the Communications policy and the structures built up to achieve the ends of this policy like the Telecom Commissions, C-DOT, etc. In the first instance it has been decided to constitute the following committee of experts to evaluate the on-going schemes and the future progress of the C-DOT project. The terms of reference of the High Level Committee will be as under:—

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| <ul style="list-style-type: none"> (i) To ascertain by when C-DOT will develop a MAX as per the technical specifications laid down by DOT in January, 1985 in consultation with C-DOT. (ii) To assess and evaluate the steps taken by C-DOT for developing a MAX of traffic handling capacity and lines capacity as decided by the DOT. (iii) To assess and evaluate steps taken by C-DOT for development of Digital Trunk Exchanges including Computerised Manual Trunk Exchanges as decided by the Telecom Commission in 1989. (iv) To assess and evaluate the role and performance of external agencies in India and abroad to whom C-DOT has entrusted certain crucial and strategic jobs like the development and improvement of software and software tools. (v) To assess and evaluate the technological adequacy of the designs employed in the C-DOT prototypes in relation to the state of the art of the present technology. (vi) To assess and evaluate the work on development of C-DOT's two by-products, i.e. EPABX and RAX and to suggest measures for improving the performance of companies making these products which are reportedly operating at | <ul style="list-style-type: none"> very low capacities. (vii) To assess and evaluate the purchase and import procedures of C-DOT and the actual purchases and imports undertaken consequently. (viii) To assess the reported brain drain from C-DOT and to suggest measures including possible incentives for retaining the existing researchers. (ix) To suggest a strategy for speeding up indigenous development of MAX and other public switching systems for Data, Facsimile and Video transmission. (x) To suggest a plan for meeting the demand for such exchanges which will thereby fulfill the growing demands for telephone connections and telematic services from the public. (xi) To suggest a technology-based plan for redeploying several thousands of employees of Indian Telephone Industries at Rae Bareilly and Bangalore Units who are fast becoming redundant as a result of the phasing out of the production of electro-mechanical exchanges and in the light of delays in the availability of C-DOT MAX for commercial production. <p style="text-align: center;">The committee will comprise the following members:—</p> |
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| <ul style="list-style-type: none"> 1) <i>Mr. K.P.P. Nambiar</i>, former Secretary to Government of India in the Department of Electronics and former Chairman of the Steering Committee of C-DOT. 2) <i>Mr. V.M. Sundaram</i>, former Member (Technology) of the Telecom Board 3) <i>Mr. G.B. Meemamsi</i>, Member (Technology) Telecom Commission, and Executive Director C-DOT, /New Delhi. 4) <i>Mr. D.R. Mahajan</i>, Director, C-DOT/New Delhi. | <ul style="list-style-type: none"> ...ChairmanMemberMemberMembe |
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- 5) *Mr. R.P. Shenoy*, (Distinguished Scientist) Aeronautical Development Establishment/Bangalore.Member
 - 6) *Mr. Y. Muthuswamy*, General Manager (Production), DOT/New Delhi.Member
 - 7) *Mr. T.H. Choudhary*, former Managing Director, Videsh Sanchar Nigam Limited,/Secunderabad.Member
 - 8) *Mr. R.K. Singh*, Director (Components), Department of Electronics, Lok Nayak Bhavan/New Delhi.Member
 - 9) *Mr. M.S. Jayasimha*, Adviser, ITI/Bangalore.Member
 - 10) *Dr. Sira G. Rao*, Director of Research, ITI/Bangalore.Member
 - 11) *Dr. Chalapati Rao Kasarbada*, Director, Electronics Research and Development Centre (D.O.E.)/Trivandrum.Member
 - 12) *Mr. R.K. Bhatia*, Deputy General Manager, Mahanagar Telephone Nigam and formerly Deputy Director (Switching), Telecom Research Centre, Mahanagar Telephone Nigam Ltd./New Delhi.Member
 - 13) *Mr. M.A. Ramaswamy*, General Manager (Switching) DOT/New Delhi.Member Secretary
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The Committee may seek the help of any other personnel or agencies in the discharge of its assignment. *The report of the committee is to be submitted by the 28th of February, 1990.*

[English]

MR. SPEAKER: The Constitution Amendment Bill is now before the House for consideration. As the Bill has been introduced only a little while ago, Members may give notices for amendments by 1330 hours.

[Translation]

Since the business of the House listed for the day is almost over, I think that all of you agree that the House is adjourned for Lunch till thirty minutes past thirteen of the Clock.

12.50 hrs.

The Lok Sabha then adjourned for Lunch till thirty minutes past thirteen of the Clock

13.34 hrs.

The Lok Sabha re-assembled after Lunch at thirty four minutes past Fourteen of the Clock

[DR. THAMBI DURAI *in the Chair*]

[English]

MR. SPEAKER: Now, the House will take up Item No. 20 of the Agenda.

CONSTITUTION (SIXTY-THIRD AMENDMENT) BILL

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

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

Sir, I have already spoken.

MR. SPEAKER: Motion moved:

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

Now Shri Shivraj Patil.

SHRI SHIVRAJ V. PATIL (Latur): Sir, I propose to be very brief. I will only make three points. The first point I want to make is that the Opposition has shown that Opposition will be cooperating with the Government in matters which are of national importance and matters in which constructive cooperation can be given. The Leader of the Opposition yesterday pointed out that if Government is very keen to withdraw this provision from the Constitution the Opposition is willing to cooperate and help the government in amending the Constitution on these provisions.

The second point which I want to make is about the situation in Punjab and how it has to be dealt with. Has the situation in Punjab after the new government came into existence improved or deteriorated? Are the people in Punjab and in the country assured that this problem would be solved by the new government in a better fashion or this problem will not be solved by them in the fashion in which the previous government was trying to solve it? We are told that the hon. Prime Minister visited Golden Temple. Well, we appreciate it. We think that the hon. Prime Minister did well in visiting Golden Temple but that by itself is not going to solve the problem. That by itself is not going to create

conditions in which the problem can be solved. More important is that too much importance should not be attached to the visit of the Prime Minister to the Golden Temple. To a certain extent, it is all right but beyond that it is not good to attach importance to the visit of the Prime Minister to the Golden Temple.

Sir, in the last few days the elected members have been abducted. Today itself in the morning the members from the Opposition benches had to press for a statement from the government in respect of a member of this House who had been abducted. It was expected of the government to come before the House with a statement *suo moto* explaining as to what happened to the elected member of this House. But it was very unfortunate that the members had to get up and members had to press the point and they had to shout to get an assurance from the government that a statement would be made in the House by the government on this important issue. This should not be allowed to be continued in future also. At present President's rule is there in Punjab and it is primarily the responsibility of the Central Government to see that life and liberty of the people over there is not in danger or hurt. Here is a case where a member is abducted and no assurance was given that all that is necessary to get him back would be done.

In Punjab a fear psychosis has developed and that fear psychosis has developed because the machinery which was there to protect the life and liberty of the people, we are told, is demoralised. If the police is demoralised and the machinery is demoralised then it is very different to protect the citizens there. We would request the Government that when they are trying to do justice to the people and when they are trying to protect the life and liberty of the people over there, they would see that the machinery which is at their disposal and the machinery which is used to protect the life and liberty of the people, is not also demoralised. Now this task of not demoralising the machinery and, at the same time, protecting the life and liberty of the people is a very

[Sh. Shivraj V. Patil]

delicate one. If this issue is not handled in a delicate manner, a situation will arise when it would be very difficult for the Government from here to protect the life and liberty of the people. So, we would very gently and very humbly request the Government to be very careful and not demoralise those people who are responsible for protecting the life and liberty of the people over there.

Now, what has actually happened? We are told that the students in the hostels are not allowed to stay in the hostels. We are told that they have been asked to leave the hostels. We would like to know whether this is a fact. If this is a fact, then what kind of protection is given to the students who are staying in the hostels. We are also told that some people there in Punjab are selling their property and they are migrating to the towns and cities. Now if this is a fact, what kind of protection can be given to those who are living in the rural areas and who need the protection. We would certainly like to know.

We are also told that the places of worship are being flooded with those who are perpetrating the terrorism in Punjab. If this is a fact, what is the policy of the present Government? Yesterday, when we were asking this Government to outline the policies on different issues, they were telling us that they had come into power only a few days ago and we should have to wait to know them. I am very sorry to hear this kind of statement from the representatives of the Government. When late Prime Minister, Mr. Nehru, was selected to be the Prime Minister of this great country, Mahatma Gandhi was asked as to why was he selected to be the Prime Minister of this country, Mahatma Gandhi had said: Here is a gentleman who, while fighting for the independence of the country, was all the time thinking about the all-round development of this country. He has plans and schemes in his mind. That's why when he becomes the Prime Minister he would be able to deal with the problems of this country in a better fashion.

We were not asking for the account of the performance of this Government. We were asking for the plans, the ideas, the concepts, the policies that they wanted to have to deal with the problems in this country. On the issue of Punjab, we were not asking what were the steps which they had taken. We were asking as to what kind of steps they would like to take to deal with the Punjab issue. Unfortunately, we did not get anything from them. What is written in the Address delivered by the President to both the Houses—which is the policy of the Government—is very very vague on this point. Only two points have been made in that Address. One, this provision from the Constitution will be withdrawn. The second point is that action would be taken against those people who are responsible for the atrocities in Delhi in 1984. These are the only two concrete points which are made in the Address. The third point made is that some sort of discussions would take place on this point with others. Excepting these three points, nothing is mentioned.

I would like to humbly submit that these three points are not going to solve the problem in Punjab. Something more would be required. If you do not have the ideas about what can be done in Punjab, these things will not be solved in Punjab. Just by withdrawing these provisions from the Constitution, just by punishing some persons in Delhi, you will not be able to solve the problem of Punjab. If you have to solve the problem of Punjab, you shall have to be more clear in your mind as to the policy. You shall have to be more effective. You shall have to put in more efforts to solve this problem. Unfortunately, this most important issue which is being faced by the country today was not considered in the proper perspective and the policy guidelines were not given in the Address delivered by the President nor in the statement which was made by the Minister nor in the reply which was given by the Prime Minister in this House. We would urge upon this Government to have a clear policy on Punjab and it will help to solve this problem.

The third point which I want to make is

that they have said that they guarantee the right to life and liberty to this country. This is very good and we agree with this proposal. But let us not confuse it with prosecution without following the procedure laid down by law. Right to life is something more than just not being subjected to punishment, without following the due process of law. Right to life is something more than that. Yesterday, the Members from this side were trying to press the Government to get an assurance from the Government that right to work would be included in the Constitution. Right to life means right to food, right to work, right to healthy conditions and right to education. It means so many other things also. This Government is saying that they would give the right to information. But we did know yesterday as to what kind of right to information this Government proposes to give to us. Now, they want to make it a part of Chapter III of the Constitution and they do not want to make right to work as part of the Constitution. At the same time, they say that they will guarantee the right to life. Let us not interpret right to life in this narrow sense. Let us understand the right to life in the clear perspective. I would not have said all these things if they hon. Minister would not have stated in his statement while introducing this Bill that they are intending to protect the right to life and the right to liberty. It is very good and I congratulate the Minister for this point. But please, for God sake, do not interpret right to life in a narrow sense.

The interpretation of right to life means something bigger than this. I would urge upon the Government that while trying to give certain rights to the people, let them not forget that rights to food, work, education, health and housing are equally important. If you are not doing anything to give these kinds of things and if you are trying to give something else, then we can be allowed to say that you are partial and biased. If you are really wanting to give the right to life to the people, then do it really. I am not saying that you will be able to do it today or tomorrow. I am saying that your policy should be such that the right to life should be really given to the people. If you are not giving the right to

life really to the people, you will be subjected to the charge that you are biased and you are in favour of certain people and you are insensitive to the needs and requirements of some sections of people in this country. I would not dilate any more on this point but I would like to say that, as our Congress Party Leader, Mr. Rajiv Gandhi said yesterday, we would help this Government in passing this amendment in whatever fashion you want to do. And we stand by it.

SHRI RUPCHAND PAL (Hooghly): Mr. Chairman, Sir, I rise to speak on the Motion moved by the hon. Home Minister with great delight. One more brick from the edifice of authoritarianism that was built up by the previous Government or the previous regime is being removed by this measure. Sir, it is a memorable day for the people of India because this new Government is fulfilling its commitment to the people by freeing them from the bondage that was imposed by the previous Government through the Fifty-ninth Amendment of the Constitution. This was one of the worst aberrations that had ever taken place and one of the worst subversions that was ever committed by the previous Government to the people and this new Government stood up to correct the situation. When this obnoxious and draconian emergency provision of taking away the people's right to life and liberty was proposed by the previous authoritarianism, we had opposed it tooth and nail within and outside the House. Sir, you may remember that 'Bharat Bandh' on the 15th March was observed on this question. Of course, there were other reasons also. The people have demanded the resignation of the authoritarian Government of Rajiv Gandhi. The movement started and ended in the process of the last general elections when the previous regime was thrown into the dustbin or history. Now the people of India have thrown the previous autocratic rulers into the dustbin of history. The new Government is fulfilling its commitment at the earliest possible opportunity. I congratulate this Government for this measure.

The Fifty-ninth Amendment of the Con-

[Sh. Rupchand Pal]

stitution was claimed by the then Home Minister in his speech as mainly to curb terrorism in Punjab. But could this measure curb terrorism at all? Rather the opposite happened. With the extension of the President's rule, with the imposition of this draconian measure, terrorism was itself encouraged. In fact, it increased under the able leadership of the then Governor, Shri S.S. Ray, who was referred yesterday by our former Prime Minister and the present leader of the Opposition. As a result of this draconian provisions, the former Government totally alienated themselves from the people of Punjab and thing went out of control. The situation became more and more complicated. It once more showed that political problems have to be solved politically, not by administrative measures alone. Shri Rajiv Gandhi at that time already had not less than twenty-two anti-terrorist laws, national security measures and many other obnoxious laws to curb terrorism there. Even then he chose to set in aberrations and took shelter in the amendment of the Constitution. This is because he had some ulterior motives. It was not in Punjab alone. It you read this provision, it look as it was meant for Punjab alone. It is amendment of Article 356 of the Constitution for the imposition of the President's rule and incorporation of Article 359A for taking away the right to personal property. But if you read it with Article 353 of the Constitution, it was meant for the whole of the country. It was not for Punjab alone. At that time, we had opposed it tooth and nail.

Shri Rajiv Gandhi and his Government had not taken any lesson from history. What fate his mother had as a result of the emergency promulgated by her in 1975. They had totally forgotten that. As you know, the provision of internal disturbance came first in 1975. It was initiated by Shrimati Indira Gandhi herself. Strangely enough, at that time also, the Chief advisor on this question was Shri S.S. Ray, the then Cabinet Minister and this time also the same person as Governor gave the same advice. We know from our experience in West Bengal that this Shri

S.S. Ray has the expertise to use terrorism just to oppose whatever is just, whatever is right and to destroy the opposition. He used it in 1970 and he had created what has become a political term CONGSHAL, the Congress and Naxalites put together. What happened in the 1972 elections? There was a lot of booth capturing and other such activities. Shri S.S. Ray has expertise in this. And only for this purpose he was taken to Punjab, so that in the name of curbing terrorism...

SHRI RANGARAJAN KUMARAMAN-GALAM (Salem): On a point of order, Sir. Not that it is important whether Shri S.S. Ray was wrong or right, but I do not think, it is right under the rules to name a person who is not there in the House.

SHRI SOMNATH CHATTERJEE (Bolpur): All right, you may say ex-Governor of Punjab.

SHRI RUPCHAND PAL: In 1978, the Forty-fourth Amendment of the Constitution was brought forward by the then Janta Government to undo the great wrong done by Shrimati Indira Gandhi. At that time, the Congress benches, the Congress leaders had promised and said that they would cooperate. They had learnt their lesson. Shri Sathe is not here. He had even said that the expression, armed rebellion, could be removed, not to speak about internal disturbance from the Constitution itself, so that no such dangers exist in the future. But as soon as Shri Rajiv Gandhi came back on the sympathy wave after the death of his mother, at the first opportunity that he ceased, he put the whole country, the people under subjugation. I congratulate the new Government, which has tried to fulfil its commitment to the people.

But as regards, Punjab, I have two points to make. Terrorism has to be curbed firmly. The Government will see that no concession is given to terrorism. We agree that a new dialogue has started. Attempts would be made to bring them into the mainstream, but we must not forget that 48 per cent of the

people, that minority, their lives are in danger.

14.00 hrs.

Daily some incidents are taking place. Terrorism should be curbed firmly. But at the same time, a political solution should be attempted as has been initiated through the meeting of all parties. It is a very sorry state of affairs that the Congress (I) which had done a lot of damage to the people of Punjab by taking away their democratic right, did not have even the courage to agree to the Resolution. On a flimsy technical ground they have dissociated themselves from the Resolution on Punjab.

I request the new Government to take appropriate measures to curb terrorism and at the same time find a political solution. I congratulate the Government for coming up with a democratic measure to undo a great wrong done by the previous Government.

MR. CHAIRMAN: I request the hon. Members to be very brief because we have to pass this Bill as early as possible. I seek the cooperation of all the members.

SHRI INDRAJIT GUPTA (Midnapore): I join in congratulating the Home Minister and the present Government for this step which they have taken. I think the whole House will support the revoking of the 59th amendment to the Constitution which had introduced—I won't say by backdoor—a provision enabling emergency to be declared in the State of Punjab. The armoury of repression which was built up gradually under the previous Government contains many other things also. Perhaps later on we will have an opportunity to go into some of those also. While saying this, I would like to remind you that when this amendment was first brought, we had stoutly resisted it here on the floor of this House. Therefore, I am glad that it is now being revoked. But I take it this does not mean in any sense of the term that the Government is going to relax the fight against terrorism and violence in the Punjab. The Prime Minister has already assured the country more

than once that there would be no quarter given to the forces of terrorism and secessionism and nobody should try to suggest that by revoking this 59th amendment the Government is making some sort of a compromising gesture towards the terrorists. The two are not interconnected in that sense at all.

I must point out that the situation in the Punjab is very bad. If one goes by that situation, by the incidents which have been taking place in the recent period also, one could argue that this is not the time to revoke this amendment. But this is a question of emergency provision which, as so many members have pointed out, means that under it the people living in the Punjab are deprived of all their fundamental rights. Human rights, right to life and rights as a citizen, everything can be expunged under this provision and this drastic measure has, I think, in the long run helped only those terrorists whom it was meant to crush. So Sir, I would just point out that in the last few weeks and just prior to the Lok Sabha elections, there was a spate of incidents in the Punjab which cannot but arouse apprehensions in the mind of everybody. I would request the Home Minister to pay special attention to the way in which innocent people are being killed. Here I do not refer only to those students killed in the hostel of the Patiala University. Those students were not even people from the Punjab. They had come from Kanpur and Kurukshetra to attend some cultural function and in the middle of the night they were woken up from their beds and nineteen of them were shot down in cold blood.

But there were so many other questions also. I would like to mention about the latest incident also. I do not know whether full facts are known about the disappearance of a member of this House who took the oath only a few days ago. Perhaps investigations are going on. I do not know, but maybe he has been made a victim of the more extremist sections who do not want the people to come to this House and take the oath. We are reading every day the public statement. Press interviews are being given that the oath

[Sh. Indrajit Gupta]

should not be taken by elected MPs here, unless they subscribe to certain conditions. That has been spelt out; and it may be that some of these people who had the courage and honesty to come here to take the oath and join this Parliament and declare their support for this Government—they may be risking their own lives. I do not know. So, it is better that as soon as possible we find out what has happened to that gentleman who has disappeared. Unfortunately, I am told his family members did not even inform the Police till several hours later on, after he had disappeared—which may have made the investigations a little more difficult.

Then there is the question of extortions of money. Extortion of money on a big scale has become a big thing in an epidemic form in Punjab. It is going on the whole time. People, on pain of their lives, their safety are being compelled to give large sums of money to these extortionists. And if they do not do it, they are liable to be attacked and killed. These things are going on, and there is no let up in that at all.

It has now been said by certain voices that nothing short of Khalistan will satisfy them. There was some lack of clarity at one stage about what is meant by Khalistan. But that is being clarified; it has been clarified by certain forces there who have spoken out publicly and who have criticized even Mr. Mann's idea which he had ventilated soon after his release, that he stood for some kind of an autonomy for the Punjab within India. Even that has been attacked and criticised and contradicted by other extremist forces who say: 'We do not agree with this; there is no question of autonomy within India. We stand for a total independent, separate Khalistan.'

So, what I want to say is this. It is very good that this draconian provision is being withdrawn, because it never served any purpose. It was never used also, and it could never be used, in my opinion. But the hon. Home Minister, I am sure, has many more

sources of information than I have, to know that there is a struggle going on within that Akali camp between those who call themselves moderates, those who call themselves centrists, those who call themselves extremists—there is a struggle going on, and it is our duty to behave and to act in such a way that those people who want to join the mainstream of democratic life in this country are encouraged and are given the opportunity and facility to take their rightful part, play a rightful part in tis mainstream. So, the isolation of those elements who are refusing to accept any kind of a solution within the framework of our Constitution—that should be our main strategy.

I do not know if, by making speeches like this, one is liable to get into trouble outside. Maybe. But anyway, one has to speak of these things. Therefore, the Home Minister, I hope, will follow up this very commendable act which they are now taking here, follow it up by also, at some stage, assuring the House of measures which are being taken to fight the terrorists, and not to relax the struggle against them at all:

There are many officers in Punjab. I know that many officers have committed excesses. Many officers have done things which cannot be excused. But there are also many officers in Punjab who have, at great risk to their lives, tried to carry out their duties. And the Government should see to it that such officers are not penalised now—officers who were trying to fulfil their duty—because there is some talk going on that such officers may be transferred out of Punjab. That should not be permitted.

It is said that these candidates who won in the Lok Sabha elections had the backing or the moral support at least, of the Governor also. The Governor had an idea that if these elements did not stand for elections, then at some stage the moderate Akalis might be able to unite and come together, and in order to prevent that, these people were encouraged. Everybody in Punjab says that they are S.S. Ray's candidates. They are the candidates of Mr. Siddharth Shankar Ray,

he was morally supporting those people who now after winning the new election are openly either refusing to come here or refusing to take the oath or are saying that they will not stand for any kind of autonomy within India saying "We want a completely independent separate State." So, he will please clarify what was the role played by the Governor of the Punjab. We cannot discuss his conduct here, perhaps but whether it is a fact or not that these extremist elements had the support, the moral backing of the administration or certain parts of the administration can be clarified. Now, if the fight against the terrorists slackened in any way, it is going to lead to very dangerous consequences.

Now it is being said that the killers of General Vaidya should be released also, so that they can stand as candidates in future elections. If the Assembly elections are going to be held in the Punjab, which I hope will be held only after conditions which ensure a peaceful and fair election are restored. But now, it has become an easy thing that you become a candidate, you will be released from prison even if you have committed murder. So, what is the policy of the Government going to be? I would like to know about this matter.

With these words, this measure which has been brought forward, this Constitution Amendment is to be warmly supported and welcomed and on behalf of my party I congratulate the Government for taking this step, for undoing a very undemocratic measure.

PROF. SAIFUDDIN SOZ (Baramulla): I am on a point of order. This is a major and very important matter.

MR. CHAIRMAN: What is your point of order?

PROF. SAIFUDDIN SOZ: In the original business there has been a different schedule. I was to initiate a discussion at 2 p.m. So, by courtesy I should have been informed by the Secretariat if that discussion is not to be taken up.

SHRI SOMNATH CHATTERJEE (Bolpur): You were not there.

PROF. SAIFUDDIN SOZ: It is not possible for all members to be present all the time.

MR. CHAIRMAN: It was announced by the Speaker.

PROF. SAIFUDDIN SOZ: Somebody should have informed me.

MR. CHAIRMAN: Okay. I will see that you are informed.

PROF. SAIFUDDIN SOZ: It should not happen in future.

SHRI GUMANMAL LODHA (Pali): I stand to wholeheartedly support the Constitution Amendment Bill, this Sixty-third Amendment Bill, which has been introduced for the purpose of repealing the darkest and the blackest law ever passed in the recent annals of the legislative history of India. It was the saddest day when the Fifty-ninth Amendment was passed, as rightly pointed out at that time by the present Law Minister who happened to speak on that Bill. And, Mr. Chairman, today we feel that this august House is doing the greatest justice to the human rights, to the inborn unalienable rights of liberty, which have stood throughout the ages. It was unfortunate that by the Fifty-ninth Amendment even the right to life was taken away. The right to life is a right which has been given by the Almighty God and no one can snatch them. Unfortunately, at that time by the Fifty-ninth Amendment Article 21 was sought to be suspended and suspension of Article 21 was interpreted in *Shiv Kant's* case, which again is unfortunately blackest judgement of the Indian judiciary when the Indian judiciary stooped down to hold that the right to life is a right only given by the Constitution under Article 21. I am happy that later on Justice Chandrachud realised the great blunder committed by the Bench in *Shivakant's* case when he publicly confessed that he wished that he must have resigned while giving the judgement. But

[Sh. Gumanmal Lodha]

even today the judgement of A.D.M. Jabalpur v.s. Shivakant holds the field. I would request the Treasury Benches also to get a Presidential reference made to the Supreme Court because let the posterity know that we never had doubts about the right to life and if any time in future any Government attempts to take away that right from the Constitution then the Supreme Court's judgement of Shivakant's case should be reviewed so that, as held in Bharati's case, this becomes a right which can be never taken away by any amendment of the Constitution. I would like to quote what Justice Khanna said about the right to life because the most important feature of this amendment of the Constitution, which is now being made today is that we are restoring the right to life, which was taken away by the 59th Amendment. Now, Sir, in this judgement, Justice Khanna, who was, I must say, the only old judge, differed from the majority judgement at that time, said in so many words in Shivakant's case.

Now I quote:

"The right to life and personal liberty is the most precious right of human beings in civilised societies governed by the rule of law. Many modern constitutions incorporate certain fundamental rights, including the one relating to personal freedom. According to Blackstone, the absolute rights of Englishmen were the rights of personal security, personal liberty and private property. The American Declaration of Independence (1776) states that all men are created equal, and among their inalienable rights are life, liberty, and the pursuit of happiness. The Second Amendment to the U.S. Constitution refers inter alia to security of person, while the Fifth Amendment prohibits inter alia deprivation of life and liberty without due process of law. The different Declarations of Human Rights and fundamental freedoms have all laid stress upon the sanctity of life and liberty. They

have also given expression in varying words to the principle that no one shall be deprived of his life or liberty without the authority of law. The International Commission Jurists, which is affiliated to UNESCO, has been attempting with considerable success to give material content to "the Rule of Law", an expression used in the Universal Declaration of Human Rights. One of its most notable achievements was the Declaration of Delhi, 1959. This resulted from a Congress held in New Delhi attended by jurists from more than 50 countries, and was based on a questionnaire circulated to 75,000 lawyers. "Respect for the supreme value of human personality" was stated to be the basis of all law".

Sir, I may state, way back even in 13th century—our leader of the opposition and the Congress members were talking of 21st century—Magna Carta was proclaimed in England, right to life was declared as a holy right inalienable which can never be taken away or suspended. Similarly, thereafter by Statute of Westminster of the Liberties also confirmed it. It is a pity that now when our leader of the opposition was talking of 21st century, the way he has chosen was a period even earlier to 3rd or 5th century when the rule of jungle was prevailing by taking away the right to life. Therefore, I am happy today that we are restoring Article 21 and it cannot be taken away. I may also point out to the Leader of the Opposition and the Members who are sitting on the other side that in Rajasthan at Bikaner when I went there, the Congress Government proclaimed an order asking District Magistrate to ban shouting the slogan of *Vande Mataram*. They said, you cannot shout the slogan of *Vande Mataram* on account of which we fought the war of independence. That is the mentality. Therefore, it is the blackest law, draconian law in the series of laws like the Press Bill which was passed but had to be withdrawn against public agitation. I am happy that today it has been realised by the opposition also, as the Leader of the Opposition yesterday accepted it, that people have already

given their mandate, such a massive mandate that in Rajasthan all the 25 seats went to the united opposition and the Congress was washed away, swept away completely.

The soil on which they condemned and banned shouting of *Vande Mataram*, the people gave a reply, prompt reply and apt reply. I am sure that the future of India is safe in the hands of the ruling party which has come out with this legislation today. I must congratulate the Treasury benches and the Prime Minister for fulfilling the promise. I would also like that they must not stop by repealing the 59th Amendment but further amendments must be made in order to ensure life and liberty. As stated by other Members, in Punjab as also in Kashmir steps must be taken within our Constitution which is self-contained and comprehensive and the best Constitution ever produced in the world. By that process rule of law should never be allowed to be butchered. But at the same time, people's life and liberty must be saved. I am happy that concern has been shown by the Prime Minister and other Members of the Treasury Benches in this respect. My party has always opposed this 59th Amendment as even at the time it was moved, vehement opposition was made on the ground that rule of law is being violated and right of life is being taken away and democracy is being butchered and murdered by this draconian law. I would only say that I congratulate the Members of the Treasury Benches and the Government for bringing this legislation. I want to say that this would always be a guide that rule of law would never be violated in any conditions whatsoever.

SHRI RANGARAJAN KUMARAMAN-GALAM (Salem): Yesterday, during the debate on the Motion of Thanks to the President for his Address to both Houses of Parliament, the Leader of the Opposition and the Leader of our Party, very categorically brought it to the notice of the Treasury Benches especially the Prime Minister that 30th March was the deadline date by which the 59th Amendment would become inoperative and, therefore, there is no meaning in

just introducing the Bill to repeal the 59th amendment and then waiting for the next session to pass it which might or might not be before the 30th of March. The Chairman may kindly note that it is on the agreement between the Leader of the Opposition and the Prime Minister that today the Bill has been brought without the required notice since all of us had decided to waive it. We only wanted to ensure that the intention of the Ruling Party is clear and visible and it is not again one of those acts of drama which are enacted not for implementation, but more for political benefit. In fact, without looking at the very Bill, one is still not too sure whether what the Prime Minister had said in his reply yesterday at the end of the debate on the Motion of Thanks that he would—his intentions were honourable and they were willing to pass the Bill immediately and repeal the Fifty-ninth Amendment immediately is really a word given on the floor of this House that is meant to be kept because in the Bill sub-clause (2) of clause 1 says:

“It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.”

So, it is possible that they would do this somewhere around the 1st of March or maybe the 29th of March precisely to make the whole effort futile. The reason why this fear is there in our mind is because the original attempt in itself was only to introduce the Bill today and then postpone its consideration and passing to the next Session.

Mr. Chairman, Sir, I have proposed to move an amendment to this sub-clause and fix the date as 2nd January though it might be very very early, but still you would be satisfied if the Treasury Bench can either give a date or at least say that within 48 hours or 72 hours or a week or two days or three days, how many days they want, in order to get the assent of the President and notify, but they should be clear that in these many days, the moment it is passed in the Rajya Sabha they will see that it is notified. Then there is no objection on my part and I would definitely

[Sh. Rangarajan Kumaramangalam]

withdraw the amendment. But this must go on record because one has noticed in the past two weeks of the Session that evasion has become the order of the day. In fact, the hon. Finance Minister is here, I am wondering whether on evasion of promises there could be a penalty like on evasion of tax measures for which we are happy, but evasion of promises and words and questions and answers not coming forth...

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): It is a good source!

SHRI RANGARAJAN KUMARAMANGALAM: It is nice to hear that, unfortunately the sense of humour is lacking tremendously in the Treasury Benches and the sub Treasury Benches because obviously they lack the sense of humour to understand the situation of life and take it properly. I am grateful, the Finance Minister responded properly by at least saying that it is a good source, a new resource mobilisation technique. Unfortunately, our new friends may have to go through their orientation course really seriously before they can get to grapple with the rules and etiquette of the House.

Mr. Chairman, Sir, what worries me as an individual Member as well as a young man who hopes that the future of our nation will remain secure. (*Interruptions*). Are you going to run the debate? Then I will sit down. Why are you giving the guidelines? I don't need your prompting, I have not come to that stage. The people who need your promptings are there, to whom you are polishing shoes and giving bouquets. (*Interruptions*). It is the misfortune that in the crutches they are all the time interested in polishing the shoe which they are holding up. Unfortunately, today the situation is that in the morning we got the news that a Member of this House who took the oath only a few days ago is missing. We only hope he will come back with us. He is either abducted or he has already been got rid of by unfortunate extremist elements. When we asked for a statement one would have expected the Home

Minister to jump up in his seat and say that they would give a statement. We are very unhappy about that. On the contrary, what happened was we had to shout so much, disturb the proceedings and insist on the Speaker. It is only when the Speaker made a request the Home Minister got up and with condescension he said, "at six o'clock in the evening, a statement shall be made." If such a thing had happened when we were on the other side, the House would have come down. That is what exactly had happened every time. They used to walk out on every small pretext. It is to remind them that they are today not in the Opposition, but on the Ruling side. They have certain responsibilities; they have to respond immediately at least when the life and liberty of a Member of Parliament is concerned. They talk of a Bill where they want to restore the life and liberty in Punjab; we welcome it. But, what about the life and liberty of a Member of Parliament there? Is that not relevant? Everyday, there is kidnapping; every day in the morning newspaper we read one elected representative or the other is being kidnapped; one doctor, one engineer or somebody else is being kidnapped. It has now become, as I said earlier, a recognised democratic method by which you can redress your grievances by kidnapping a relevant personality and then keeping your ransom demand as a method of solving the problem. As a trade union leader I am wondering whether there should be a system adopted. Dandavateji would concede it, because I would like to know who in his Ministry would welcome me to kidnap because I have lot of demands from the Central Government employees side. It may be said in the lighter vein. I hope the House understands that this is no longer a mere banter on the part of the Opposition. It is a serious issue. I was pleased to hear the senior Member Shri Indrajit Gupta. While giving bouquet also, he categorically said that this bouquet has roses. But there are thorns on the stem; do not forget that. He was very clear and said it in explicit terms that Punjab has not improved and has gone from bad to worse in the last two weeks. Let us not forget that today there is a fear psychosis set into Punjab. The people there are

scared to move. You talk of life and liberty and the 59th Amendment bringing in the 63rd Amendment. We welcome it, but today you are not controlling the life and liberty of the people in Punjab. There is President's Rule. It is unfortunately, the anti-nationals, terrorists and the extremists who are controlling. They are dictating by letters and statements. They say Hindu students will not remain in hostels; they will be thrown out. They say that you will have a situation where there will be no meat shops and no liquor shops. Their commands are carried out like statutes. Is this all that you are going to say that we shall look into it? Is it worth a statement? Words are not worth; we, the youth want action and we do not want to hear platitudes. We do not want to hear is and ideologies; we really want a future. We want this country to be one and we want it to be safe.

Mr. Chairman, Sir, I have taken enough time and all my friends have already spoken before. So, I would only like to end by pleading with the Treasury Benches..... (*Interruptions*)

Is it a point of order? You can speak after me. May I wind up?

SHRI A.K. ROY (Dhanbad): I want to know only one thing. My humble query is, as a Congressman does he support opening of liquor shop in Amritsar. As a Congressman, do you support keeping a liquor shop open? You kindly ask Prof. Ranga and then answer.

SHRI RANGARAJAN KUMARAMANGALAM: I would like to clarify it. I not only as a Congressman but also as an individual who does not take alcohol which is medically allergic to me, am against opening of liquor shops. But the point is, is it going to be the terrorists who are going to dictate the closure or the law of the land. Please decide. That is the issue. The issue is not, whether a liquor shop which is being closed is right or wrong. The issue is, who will direct the closure of the shop. If this trend is allowed to grow, then there is no need for you to officially an-

nounce that there will be a Khalistan. They will run a Khalistan there and you will not be able to move. Yes, immediately after the elections, the hon. Prime Minister could go to Amritsar and then announced on the television, "I would prefer to go in an open jeep". It was shown live so that the whole world knows about it. Let us see. If the situation is allowed to continue, how many times you will be able to go and visit there. Let us not forget that. (*Interruptions*)

But at the moment, I would only say that while you are pressing this amendment Bill, please realise that life and liberty are today at peril not because of State terrorism but rather they are at peril because of real terrorism. That terrorism is something which has to be analysed carefully and as the senior leader, Shri Indrajit Gupta of the CPI has very categorically said, there are moderates and there are extremists. You have to isolate the moderates from the extremists and you should be as ruthless, as firm as possible with those who wish to destroy the unity and integrity of this nation. Mr. Chairman, I would like to thank you for having given me this opportunity and I only plead once again that the Home Minister may please do something to save our colleague who has been missing quite some time.

SHRI JASWANT SINGH (Jodhpur): I thank you, Mr. Chairman, for permitting me to make this very brief intervention. For what I have to say, it will not take more than a minute.

When the hon. Prime Minister was explaining as to why there was such urgency to bring about this amendment to the Constitution, he explained that to have a provision in the Constitution which denies the right to life even for a minute longer, was not acceptable to our Government.

In the light of the spirit of that explanation, it is my sincere recommendation to the hon. the Home Minister that suitable amendment be carried out in this legislation to provide that this Constitutional Amendment shall have immediate effect. As soon as the

[Sh. Jaswant Singh]

other House has enacted the constitutional Amendment legislation, it should come into force with immediate effect rather than by any specified date or any such thing. It must have immediate effect because that would be in consonance with the Prime Minister's assurance to this House.

[*Translation*]

SHRI BRIJ BHUSHAN TIWARI (Domariaganj): Mr. Chairman, Sir first of all, I welcome the Constitution (63rd Amendment) Bill, which has been brought to repeal the Constitution (59th Amendment) Act.

I would like to submit that in 1975 a piece of legislation was brought in this House to seek the enforcement of emergency provisions, which was later repealed by this House in 1977. But the Hon'ble members who are today sitting in the opposition have not taken a lesson from their experience in the past. It looks very strange that yesterday the leader of the opposition was showing great alertness because he might have thought that probably the decision taken by the ruling party to come forward with a piece of legislation was mere a show off. But they do not know that the present Government is not hypocritical and sceptical like them. I may recall it and it was also discussed in the House yesterday that last year while addressing the nation from the ramparts of the Red Fort on 15 August, the then Prime Minister and the present leader of the opposition had called the entire opposition of this country as traitors. But after his defeat in the elections, he delivered a speech to uphold the democratic and human values and civil rights with a sense of despair in his tone. I remember that in those days, members of the Congress party had dubbed the Constitution (42nd Amendment) Bill as an abrasion on the Constitution of India. At that time, the Congress party, which was in opposition, had extended their cooperation to repeal the said amendment and thus rectified the distortion made in the constitution.

But when Shri Rajiv Gandhi again came back to power, he asserted while talking to the press correspondent that promulgation of emergency in 1975 was a right step. Reiterating the same in the Congress Session, he said that if again there were circumstances which necessitated the reimposition of emergency in the country, it would be imposed again. And just after that, he came forward with the Constitution (59th Amendment) Bill. Yesterday, he was showing his over anxiety. But as our Prime Minister has said and we had given a word to the masses during our election campaign that our party has been contesting these elections just to fight against corruption, maladministration and infringement of civil rights and in case the party came to power, it would work to protect the civil rights. The concept of civil rights has come of a civilized society, and it is the philosophy of modern civilization. Under the reign of many a despotic rules, people were not given their rights. In Greece, it was only men who were given rights and women had no rights. Slaves were considered worse than animals. Similarly in our own country, in the ancient times, only the people belonging to the three upper castes, used to enjoy all the rights and the poor and lowest class of people did not have any rights. But within the framework of modern civilization the framers of our Constitution had envisaged an orderly state but it has been shattered by the people of congress party who have always clamoured for that orderly state. Somehow, it crept into their mind that maximum concentration of power for the suppression of masses, in the hands of the Government, would enable the Government to solve most of the problems of the people. I would like to say that though a large number of laws have been enacted to solve the problem of Punjab which infringe upon the civil rights and given a free had and full liberty to the police and the executive, but it has not brought down the rate of crime and incidents of hijacking and abduction and the results was that the previous Government could not protect the life of even their Prime Minister. So it is not a fact that diabolic forces of law can solve these problems. Problems can be sorted out with wisdom, understanding, resolve and firm will

power. I would also appreciate the attitude of the masses that they voted for a House where no single party, not even the ruling party, commands absolute majority to take independent initiative for an amendment to the Constitution. You are well aware of the fact that from the year 1951 to this day there have been 60 amendments to the Constitution. Of these amendments, 26 amendments had been introduced to Smt. Indira Gandhi alone. Four of the amendments had been made by Shri Rajiv Gandhi from 1980 to 1984. 1985 started with the 51st amendment to the Constitution and they went to the point of 59th Amendment. After all, what was the necessity of making all these amendments in the Constitution time and again? I agree that some of these constitution amendments were necessary but most of the constitution amendments were made just to give protection to the Prime Minister. All these amendments were intended to throw the rule of law to dogs and to give more and more powers to the Prime Minister, Chief Executive Head of the country, to make him a despot. However, I am glad to see that sooner or later they have realised their mistake. Now, they will never forget it.

Once again, I would like to congratulate and appreciate the Government for the fulfilment of assurances they had given to the masses and it has made this day, a red letter day of our history.

MR. CHAIRMAN: Please be brief. We have to pass this Bill before 3.30 p.m.

SHRI PIYUS TIRAKY (Alipurduar): Sir, I support the Constitution (Sixty-third Amendment) Bill which has been under discussion. I thank the hon. Prime Minister because he has understood that this is a dangerous thing which is in the Constitution and that should have to be repealed immediately. Even a snake, which is half-dead cannot be kept in the pocket to wait for its natural death. This Article 356 itself is a dangerous Article in the Constitution and it has been misused many a time by the ruling party for the harassment of the State Governments which are governed by the Opposition-ruled States. We

have a very wide experience about this. Therefore, I once again support this Bill. I thank the Prime Minister for bringing forward this Bill before this House so shortly after assuming office.

SHRI CHITTA BASU (Barasat): Mr. Chairman, Sir, I congratulate the Government for bringing out this Bill in the shortest period of time. This enables the House and the people to erase a blot in the Constitution of our country. This also ushers in a new era of democratic rule in this country. This is very much related to the Punjab situation.

Yesterday or the day before, the House has the opportunity of listening to certain posers made by the former Prime Minister of the country, Shri Rajiv Gandhi. He said that the Government has got no perspective or no clear perception about the Punjab problem. In this connection I would only like to draw the attention of the House to the document, the declaration which has been adopted by the all-party meet on the 17th of this month. All the questions and basic aspects of the problem of Punjab have been dealt with there. It is rather a delineation of approach of the new Government towards the national problem of Punjab. I would be very much glad if he has got the time to go through the declaration.

I want to reiterate my party's position, its opposition to the demand for the creation of Khalistan. I think the Government should not compromise with the unity and integrity of the country. The withdrawal or repealing of this provision should not lead the Government to think that there is no further necessity or need of taking firm actions against terrorists and their activities.

I have got some figures with me which are available from the statement of the former Governor of Punjab, wherein he has stated that between 1987 and 1989 upto November 14, 3526 civilians, 1354 terrorists and 320 security force personnel had been killed. I think it is not the proper picture; the figures must be a little more. This means that the Government should not show any disin-

[Sh. Chitta Basu]

clination or any let up in the matter of curbing the terrorist activities and to ensure the safety and security of innocent persons in Punjab.

Along with taking this strong position, or the necessary strong position, I would also like to point out that this document also indicates that the Government would work simultaneously for the political solution of the problem. That problem, I believe, can be solved through a process of dialogue. I think the Government should take initiative in the matter of initiating or taking fresh initiatives in starting a dialogue and bringing about a political solution or a national consensus. I hope they would rise above the party consideration. I would appeal to the Opposition Party to view the Punjab problem not as a party problem because it is related to the unity and integrity of the country. They should also extend their fullest cooperation for the working out of the political solution of the problem.

[*Translation*]

SHRI YUVRAJ (Katihar): Mr. Chairman, Sir, I rise to support the 63rd (Amendment) Bill moved by the hon. Minister of Home Affairs.

In this connection, I would like to submit that at the time when the Constitution (59th Amendment) Bill was moved in the House, the then Prime Minister did not think it necessary to consult the opposition. After all the Punjab problem is a national problem as it is related to the unity and integrity of this country. Therefore, a political solution to this problem should not be found only for protecting the political interests of one or the other party. This is a national problem and it requires national consensus for its solution. It is imperative to involve all the political parties and well-wishers of the nation in finding solution to this problem.

Unfortunately, hon. Members elected from Punjab do not seem to be present here but I would definitely like to submit that

though the Constitution (59th Amendment) Act is being repealed by the Constitution (63rd Amendment) Bill, the unity and integrity of the country cannot be compromised at any cost and we all have a clear stand in this regard. The Constitution (59th Amendment) Act was vehemently criticised in the democratic countries of the world and it was alleged that with this amending Act the civil rights of the people had been attacked. Therefore, this Bill is the need of the hour. I appreciate the efforts of the hon. Minister of Home Affairs and I would like to request the members of all parties not to make it a political question. This is a national issue. We should all sit together and find out a solution to this problem. With these words, I support the Constitution (63rd Amendment) Bill.

[*English*]

SHRI PIYARE LAL HANDOO (Anantnag): Sir, mine is perhaps a solitary voice in the House after I heard speeches from enlightened representatives of all parties about the 63rd amendment to the Constitution.

I had shed a tear or two, the day before yesterday when 62nd amendment to the Constitution was on the anvil which was later passed. I have suggested then, and I need to suggest once again that organic law of this country, of this Republic must not be so lightly dealt with. Ours is, perhaps, as you rightly hold, the largest democracy in the country and ours is also the solitary democracy in the country, which has, within a span of 42 years, amended the Constitution 62 times and you have given to yourself yes the credit of doing it within four days. This is one submission that I would make. The second submission is the proposed amendment to repeal—which Chapter 18 of the Indian Constitution rightly entitles—the emergency provisions; no State—developing or developed—can ever imagine all that the nation stands for; it cannot foresee an emergency, cannot face an emergency, cannot confront an emergency. Those who made our Constitution very well foresaw the contingency and

provided constitutional remedies to meet contingencies. If you give a casual glance to the first section in the Chapter—article 352—I have read it—you will see what the President can do in a given circumstance. President's satisfaction in all cases, we know, is the satisfaction of the rulers of the time. We move to article 359 of the Constitution. We can call them consequential provisions, upon the original first satisfaction of the President, which is the first satisfaction of the Government of India of the time.

Now I heard much today about article 359 (A) of the Constitution which is sought to be repealed. I heard much today about a small provision which is attached to article 356 of the Constitution and which is about to be repealed today.

15.00 hrs.

One thing which attracted me to move an amendment is the sentence used by the hon. Prime Minister during the course of his speech when he said we cannot deny except in the butchery right of life to someone. I only plead for indulgence from the Home Minister which is the butchery today, who is the lamb today who is being butchered and in which parts of the country. Only yesterday someone talked about the kidnapping. Someone talked of the kidnapping of a sitting MLA. I can forewarn you that in the next 4 to 5 days you may hear of my murder—I am on the hit list—and kidnapping because in the next 2 days I have to walk through the lanes in which Shri P.N. Bhatt was shot dead only yesterday. Who knows I may be shot dead in the same lane for taking the same steps. I would only seek your indulgence for consideration of the life of the CRPF personnel who were yesterday accosted, confronted and shot dead in the streets somewhere in Punjab. I would like the Prime Minister to consider this matter of right of life being denied. It is denied to the people of Kashmir and not to the terrorists in Kashmir. It is being denied to the people of Punjab and not to the terrorists in Punjab. You had a very recent experience. The Deputy Prime Minister in a given constituency in Punjab got only 50,000 votes whereas

somebody supported by terrorists got more than 2 lakh votes. I heard the other day the hon. Minister saying about the percentage of votes polled. I would like to say that it goes to my credit that I could ensure polling of votes to that percentage because people were terror stricken. The problem is not of terrorism. I said on the first day the problem is how to save the terror-stricken people both in Punjab and Kashmir. What are you going to do in that respect.

Further, Sir, they are only removing from the armoury a weapon which has not been used at any point of time and that is my regret. Now remember March 1988 when Article 359 (A) was introduced in the Constitution. What was going on in Punjab then. Remember June 1988 when Black Thunder act was enacted by the then Government of India and that ensured one thing that not a single policeman had to enter golden temple to clean it of the terrorists. Today what is the condition of Punjab. Every gurudwara is in possession of these people. I have heard some great lawyers saying about Article 359 A that it has denied right to life. It denies enforcement of the right under Article 21 in respect of the butchers and not the lambs that are to be butchered. Further Article 359 A can only be enforced if President issues an order and President is satisfied that a certain situation exists. President's feeling satisfied pre-supposes satisfaction of the Government. If you are not satisfied President cannot issue an order and this exception is not capable of being enforced. What do you fear from? Whom do you want to please by making it lapse on 1st or 2nd January instead of allowing it to die its natural death on 13th March. I thank the Congress Party which has moved an amendment. By saying that this Act comes into force on 1st or 2nd January I do not know whom does he want to please. On 13th March itself it is going to die its natural death. If you are not satisfied that an emergency exists President cannot pass an order. Article 359 cannot be enforced and exceptions to Article 20 and 21 will not be enforced. Enforceability of exceptions to Articles 21 and 21 in terms of Article 359 is dependant on a pre-condition and the pre-

[Sh. Piyare Lal Handoo]

condition is President's satisfaction that emergency requires it to be done and if you feel happy by saying that emergency does not exist President cannot pass an order. So how does this Article harm? Now give me an instance of a single country ever since the dawn of civilisation where at one or the other period such laws have not been enforced and such laws have not been taken notice of. Only yesterday, I heard the Foreign Minister condemning what had happened in Romania and perhaps rightly so and a part of the drama was also sought to be thereby condemned. He eulogised what happened to the President of that country. I am not that unhappily constituted to agree with him there. His trial was held within a minute and a half. You eulogised that also. Is that the rule of law? How much of a tyrant he was, the you should have given him the benefit of a fair trial if you were thinking about Punjab and Kashmir today.

Believe me, with a very heavy heart, I only want you to be indulgent and make a distinction in the metaphor used by the Prime Minister. You are not doing things today in favour of the lamb in Jammu and Kashmir, and Punjab, but in favour of the butcher. You know as a true *Musalman*, if your lamb is to be murdered the way that is being murdered today, it will be *haram* and not *halal*. Kindly take notice of the terror-stricken people. You were telling that it is the terrorists who needed freedom today. They have got sufficient freedom. As my esteemed friend from the Communist Party of India told you, they are free to do killings on one side and extortion on the other. They are free to set up *Khalsa* panchayats everywhere in the villages of Punjab. They say: "there is no use of going to the counts of law." Your law cannot touch them the way you are talking. But one thing which is not free is the poor Punjabi and he is the lamb today. Eighty-three deaths have taken place since 6th of December, 1989 in Punjab. Your friend and my esteemed colleague, Shri Prem Nath Bhat, is no more. Who knows I may also be no more within the next four or five days. As I told you, I am

going to walk through the same lane through which Mr. Bhat attempted to go. He was not allowed to enter that lane. I will not ask you to shed a tear if I die. However, if I am kidnapped, kindly make sure of one thing that you do get my dead body and not compromise on anything for that. I am sure that you would hand over my dead body to my children. That's all. I will be satisfied. My soul will be satisfied. But kindly don't tamper with the provisions of law which have not been used since March, 1988. If you are satisfied that there is no cause for emergency in terms of articles 356 and 359-A, the President cannot act. It is in this context that I have moved my amendment. My amendment is very simple. Instead of reserving the right to fix the date for enforcement of organic law, which you are reserving, it should not be regarded as a sound proposition. This is not done. If it has been done in a country, is it proper? It is done in respect of rent laws. It is done in respect of criminal procedure code. It is done in respect of civil law. But this organic law need not be touched this way lightly. In less than half a century, you have changed the Constitution sixty-three times. Kindly be sure of what you want to do. If you want to enforce it on a date, indicate the date. But if you want to go by my advice, which I have humbly given to you in the context of my submissions, then I would say that you may add sub-article (2) of article (1):

"That law shall come into force on 13th March, 1990."

That is the date when it lapses.

Don't use it because the President cannot issue an order if you are not satisfied that there is any emergency. With your new kinship with the terrorists in Punjab, perhaps you will never be satisfied that there is a cause for emergency in Punjab.

MR. CHAIRMAN: Now Shri Jagdeep Dhankhar.

CH. JAGDEEP DHANKHAR (Jhunjhunu): Mr. Chairman, Sir, I thank you for giving me this opportunity...

THE MINISTER OF HOME AFFAIRS
(SHRI MUFTI MOHAMMAD SAYEED): If it
has to be concluded by 3.30...

MR. CHAIRMAN: We can take another
fifteen minutes after 3.30 and the time for the
private Member's business can be adjusted
after six o'clock.

(Interruptions)

PROF. SAIFUDDIN SOZ (Baramulla):
Sir, I am on a point of order. Earlier, the
discussion on the communal situation was to
be initiated at 2 PM and now it has been
changed. It was not necessary for Members
to be present from 11 AM to 10 PM. I was not
even informed that the discussion has been
postponed...*(Interruptions)*... I have already
met the hon. Speaker. Now, I say that the
discussion on communal situation should
take place first and then the discussion on
Panama will come. Firstly, I do not want any
extension of time here. You start the Private
Members' Business at exactly at 3.30 PM. At
6 PM, there should be a discussion on the
communal situation which is much more
important than the discussion on Panama.
Now, do you want that this discussion should
not be covered by the Press? *(Interruptions)*

MR. CHAIRMAN: No, that is not the
point now. And that is not the interest of the
House even.

(Interruptions)

PROF. SAIFUDDIN SOZ: I want an
assurance that the Private Members' Busi-
ness will start at 3.30 PM and the discussion
on the communal situation will start at 6 PM.
Otherwise, I will not initiate the discussion.
(Interruptions)

MR. CHAIRMAN: After getting the
consent of the various leaders including the
Opposition leader yesterday, the hon.
Speaker announced today morning the
changes which we are going to adopt. The
communications were not given to you. In
any case, that can be taken care of. We have
to know what had happened exactly.

(Interruptions)

PROF. SAIFUDDIN SOZ: Discussion
on communal situation is much more impor-
tant than the discussion on Panama. We
want the discussion on communal situation
at 6 PM. I want this point to be put to the vote
of the House.*(Interruptions)*

MR. CHAIRMAN: I want to hurry up
even this discussion. When the Members
are contributing some good ideas, I cannot
stop them and even inspite of my repeated
requests, they could not control their time.
That is what had happened. If the House
agrees, we will finish this Constitution
(Amendment) Bill. I request all of you that we
can take another 15 or 20 minutes or a little
more time and finish it.

(Interruptions)

PROF. SAIFUDDIN SOZ: I raise an
objection to that. First of all, I want the
discussion on communal situation to start at
6 PM and postpone the discussion on Pan-
ama. I want you to put it to the vote of the
House.

MR. CHAIRMAN: You raise this point
when the discussion on communal situation
and Panama will come up. Now, the ques-
tion is whether we can extend another 15
minutes to finish this Bill.

PROF. SAIFUDDIN SOZ: No. Not at all.
Private Members' Business should be taken
up at 3.30 PM exactly.

MR. CHAIRMAN: Ok.

CH. JAGDEEP DHANKHAR
(Jhunjhunu). Sir, I will be very brief. The
Constitution (Fifty-ninth Amendment) Bill was
passed by this House on 23rd March, 1988.
Rajya Sabha had passed it on 15th March,
1988. I say with respect to Mr. Handoo that
13th March is not the relevant date. The
President gave his consent on 30th March,
1988. Therefore, in such a serious-minded
business of the House, the hon. Member
was referring to the date under

[Ch. Jagdeep Dhankhar]

misconception...*(Interruptions)*...It is not 13th March. But it is 30th March. Our Constitution is a product of our national

15.13 hrs.

[MR. JASWANT SINGH *in the Chair*]
movement and in this Constitution, the most vital chapter is Part III, namely, Fundamental Rights. Article 21 is the Fundamental Rights which we are dealing with now. It has been...*(Interruptions)*

[MR. JASWANT SINGH *in the Chair*]

MR. CHAIRMAN: My sincere advice is not to go into the Constitutional history. Come to the point. We do not have time.

CH. JAGDEEP DHANKHAR: What I say most respectfully is about the scene which was enacted yesterday in this House. The Leader of the Opposition had retorted in a very casual manner; he was in a jovial mood saying "why to go about this business. In any case, it is lapsing on the 30th March." I want to make only this point that such a casual attitude by the Leader of the Opposition on such a vital issue should not be repeated. *(Interruptions)*

SHRI RANGARAJAN KUMARAMAN-GALAM: Sir, I am on a point of order.

MR. CHAIRMAN: What is your point of order?

SHRI RANGARAJAN KUMARAMAN-GALAM: I would like to know as to whether there is any special rule to the effect that one can make personal allegations against the Leader of the Opposition, without following the rule or giving notice.

MR. CHAIRMAN: It is not a personal allegation. Therefore, no point of order. You please proceed.

(Interruptions)

CH. JAGDEEP DHANKHAR: Let us

always remember what Mahatma Gandhi had said. he cared for liberty... *(Interruptions)*... I do not want to be interrupted. Once again I would like to say that such a casual attitude like yesterday should not be repeated in this House. Let us not be casual with amendments to the Constitution. Due to time constraint, I am resuming my seat.

MR. CHAIRMAN: Mr. Home Minister may reply now.

[*Translation*]

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Mr. Chairman, Sir, as regards, the objects and reasons of this Bill, I have already elaborated the same in my earlier speech. But some hon. Members have raised certain question and I would like to clarify those points. The Punjab problem has assumed a serious proportion. We are proud of hardworking farmers of Punjab. We take pride for our jawans of this State who have always been in the fore front to sacrifice their lives for the protection of this country whenever there was danger to our freedom. Today I say that the youth of Punjab are not shedding their blood for the protection of the country but for weakening it. The Government under Shri V.P. Singh.....*(Interruptions)*

[*English*]

SHRI RAJIV GANDHI (Amethi): The Home Minister has criticised all the youth of Punjab. That is not correct... *(Interruptions)*... That is what he has said.....*(Interruptions)*.....

[*Translation*]

SHRI MUFTI MOHAMMAD SAYEED: I am point to that. I referred to the forces which are weakening the country.

SHRI RAJIV GANDHI: You have stated that the youth of Punjab are shedding their blood for weakening the country. *(Interruptions)*

SHRI MUFTI MOHAMMAD SAYEED:

Today we are being questioned as to what kind of solution do we have to the Punjab problem, what is our stand in regard to the demand for Khalistan, what steps are we taking for combating terrorism and what measures are being taken for ensuring the security of the students of the educational institutions? I would like to state that we have been landed in the same position as the present leader of the opposition, Shri Rajiv Gandhi was landed 5 years ago. At that time the people wanted a healing touch from the Government. The people wanted that the atmosphere of confrontation should end and a consensus should be reached on the national issues. Today I am not interested in commenting upon the steps which Shri Rajiv Gandhi had taken for finding a solution to the Punjab problem and I am not inclined to go into the reasons why he could not achieve success here. Today we want to combat the situation which has been prevailing for the last 5 years. People are being killed there. It is immaterial whether the Hindus are being massacred or the Sikhs are being massacred. What is important is the fact that the lives of people of this country are being lost.

The Punjab problem cannot be solved by the brute strength of the Police force alone. That is why our hon. Prime Minister has taken this initiative of visiting the Golden Temple. However, merely visiting the Golden Temple will not be the solution. We are not ignorant people. We think that without their cooperation such a serious problem cannot be solved. I can observe in the report that various measures have been taken by the present Government to ensure that the terrorists do not get shelter across the border, they do not get supplies from there and they do not get any kind of outside assistance. It is a fact that terrorism has gained strength in Punjab. When our Government declares that we have to provide the healing touch, it does not mean that we shall not combat terrorism. It is a fact that a conspiracy is being hatched so that the solutions, which are being explored, may be rendered ineffective. An Accord was entered into with Sant Longowal but the forces, which were not in favour of such an agreement, were successful in their

objective by assassinating him. He was the person who had people's support behind him and wielded power but he was removed from the scene, with the result the Accord could not work. Such forces are present there even today.

The elections were held recently and after that the hon. Prime Minister visited Punjab. He met the people there and we saw how people were hopeful. But there is no need to harbour misconceptions on this account. Instead steps should be taken to combat terrorism. Dedicated police officers who tackled terrorism with an iron hand, shall not be demoralised but efforts shall be made to boost their morale and encourage them. However, certain officers have misused their power and in that case, efforts will be made to release the innocent victims. But I think that regardless of whatever administrative measures are taken we shall not be successful in attaining our objectives unless political initiatives is also taken. Unless the public opinion is mobilised, it will not be possible to isolate the terrorists.

The second step, which our hon. Prime Minister took was to convene a conference of all political parties in which efforts were made to evolve a national consensus for finding a solution to the Punjab issue. It is a fact that the elected Members belonging to the Akali Dal, some communal elements and some representatives of the people did not participate in the conference but we, whether it is Congress Party or B.J.P. or for that matter the C.P.M. or C.P.I. or Janata Dal, have decided to take part in the conference. The hon. Prime Minister has decided to convene a public meeting in Ludhiana in January after holding a meeting with all the political parties. There is need to start dialogue with the public. Ultimately, people will have to be taken into confidence. I do not say that the Punjab problem would be solved in a day or in a month. But we have to be administratively firm, at the same time political dialogue is required to be initiated. Some tragic incidents took place due to Punjab problem. For example, our Late Prime Minister, Shrimati Indira Gandhi was assassi-

[Sh. Mufti Mohammad Sayeed]

nated (*Interruptions*).....Some questions were raised that I would like to clarify them.

MR. CHAIRMAN: I would suggest that time is very limited.

SHRI MUFTI MOHAMMAD SAYEED: Firstly, the persons behind the 1984 riots would be brought to book. The current Government would like to award early punishment to the guilty and set up a special court for this purpose. This is essential.

Secondly, it has been demanded that action should be taken against the people who were involved in the looting of houses, shops and other establishments in 1984. About 200 cases are pending in this regard. Some 2000 lives were lost in these riots. Our next step had been in connection with the repealing of the 59th amendment. The most important right of mankind which has been given by the almighty is the right to life. Nobody has the authority to take away that right. Through the 59th (Amendment) Act, the fundamental right of man that is the Right to Life was taken away. We want that the earlier this law is deleted from the statute book better it would be. Therefore, if this amendment is passed it will be implemented early. After the President gives his assent to this Bill, efforts will be made to implement it as early as possible. Our friends have raised a number of questions, but it is not possible to reply to them the moment. A dead line has also been fixed in this regard.

MR. CHAIRMAN: Shri Bhajan Lal, please sit down. I am not giving you permission. I have not allowed you. Please sit down.

(*Interruptions*)

MR. CHAIRMAN: I have not given you permission. Nothing will go on record.

(*Interruptions*)*

MR. CHAIRMAN: I have not allowed you. Please sit down. Please you do not interrupt him.

SHRI MUFTI MOHAMMAD SAYEED: I have one request to make to the hon. Members that they should pass this amendment.

SHRI MADAN LAL KHURANA (South Delhi): Mr. Chairman, Sir, I have one submission to make.

MR. CHAIRMAN: No, it will not be allowed.

(*Interruptions*)

[*English*]

MR. CHAIRMAN: Please sit down. Don't interrupt. Please be in order.

(*Interruptions*)

SHRI RAJIV GANDHI: Yesterday, I agreed that we would have this Bill today and we would help the Government in passing this Bill. I found in the Bill that there is no date as to when this Bill will become operational. (*Interruptions*)

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): We are accepting the amendment, that immediately it should be effective.

MR. CHAIRMAN: All right; I would like to say that the amendment is with me, namely that the effect of this Bill be immediate; and that has already been accepted.

(*Interruptions*)

MR. CHAIRMAN: There will be no interruptions now. Kindly sit down.

(*Interruptions*)

SHRI RAM NAIK (Bombay North): I had suggested an amendment. (*Interruptions*)

MR. CHAIRMAN: There is no amendment suggested by you. You cannot move it now. Please don't interrupt.

I want to take the consent of the House—before I move on to the Private Members' Business, there is to be a statement made by the hon. Prime Minister on Bofors. If it is the consent of the House, then I can take this vote on this Constitution (Sixty-third Amendment) Bill at 6 o'clock.

SOME HON. MEMBERS: No.

(Interruptions)

MR. CHAIRMAN: 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—

(Interruptions)

[Translation]

SHRI LALU PRASAD: On a point of order, Sir.

MR. CHAIRMAN: The voting process begins with the clearing of the lobbies. Once the voting process has begun neither a point of order nor a constitutional issue can be raised. Till the voting process is completed, there will not be any interruptions.

(Interruptions)

[English]

MR. CHAIRMAN: 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

Division No. 5

AYES

Abdul Samad, Shri

Abedya Nath, Mahant

Acharia, Shri Basudeb

Advani, Shri L.K.

Agarwal, Shri J.P.

Aher, Dr, Daulatrao Sonuji

Ahmed, Shri Kamaluddin

Ajit Singh, Shri

Ali Shrimati Subhashini

Amat, Shri D.

Anand Singh, Shri

Anbarasu, Shri Era

Anwar Ahmad, Shri

Argal, Shri Chhaviram

Arunachalam, Shri M.

Ashokaraj, Shri A.

Baga Reddy, Shri M.

Baig, Shri Arif

Bais, Shri Ramesh

Baitha, Shri Mahendra

Bajpai, Dr. Rajendra Kumari

Bala, Dr. Asim

Balaraman, Shri L.

Banatwalla, Shri G.M.

Bankhele, Shri Kisanrao Baburao	Chavda, Shri Khemchandbhai Somabhai
Barman, Shri Palas	Chennupati, Shrimati Vidya
Basavaraj, Shri G.S.	Chidambaram, Shri P.
Basu, Shri Anil	Choudhury, Shri Saifuddin
Basu, Shri Chitta	Chowdhary, Shri Dasai
Beg, Shri Yusuf	Dandavate, Prof. Madhu
Behera, Shri Bhajaman	Danwe, Shri Pundlik Hari
Benjamin, Shri S.	Das, Shri Anadi Charan
Bhagey, Shri Gobardhan	Das, Shri Bhakta Charan
Bhajan Lal, Shri	Datta, Shri Amal
Bhakta, Shri Manoranjan	Deb Burman, Shri K.B.K.
Bhardwaj, Shri Parasram	Delkar, Shri Mohanbhai Sanjibhai
Bhargava, Shri Girdhari Lal	Dennis, Shri N.
Bhartiya, Shri Santosh	Deora, Shri Murli
Bhatia, Shri Ram Sewak	Deshmukh, Shri Ashok Anandrao
Bhattacharya, Shrimati Malini	Deshmukh, Shri Sudam Dattatrya
Bhattacharya, Shri Nani	Dev, Shri Sontosh Mohan
Bhuria, Shri Dileep Singh	Devi Lal, Shri
Bopche, Dr., Khushal Paras Ram	Dhakane, Shri Babanrao
Brahm Bhatt, Shri Prakash Koko	Dhankhar, Ch. Jagdeep
Brahm Dutt, Shri	Dhumal, Prof. Prem Kumar
Chakravorty, Shri Susanta	Dikshit, Shri Narasinghrao
Chandrasekhar, Shrimati	Dome, Dr. Ram Chandra
Chatterjee, Shri Nirmal Kanti	Fernandes, Shri George
Chatterjee, Shri Somnath	Gadgil, Shri V.N.
Chaudhary, Shri Ishwar	Gaikwad, Shri Udaysingrao Nanasaheb
Chaudhary, Shri Rudra Sen	Gandhi, Shri Rajiv

Gangadhar, Shri S.	Kabde, Dr. Venkatesh
Gangwar, Shri Santosh Kumar	Kalka Das, Shri
Giri, Shri Sudhir	Kalvi, Shri Kalyan Singh
Gudadinni, Shri B.K.	Kamble, Shri Arvind Tulshiram
Gujral, Shri I.K.	Kamson, Prof. Meijinlung
Gupta, Shri Dharampal Singh	Kareddula, Kumari Kamalaji
Gupta, Shri Indrajit	Kataria, Shri Gulab Chand
Handoo, Shri Piyare Lal	Kaushik, Shri Purushottam
Hannan Mollah, Shri	Khan, Shri Arif Mohammad
Hansda, Shri Matilal	Khan, Shri Sukhendu
Harish Pal, Shri	Khan, Zulfiquar Ali
Harshvardhan, Shri	Khandelwal, Shri Pyarelal
Heera Bhai, Shri	Khurana, Shri Madan Lal
Het Ram	Kotadia, Shri Manubhai
Hota Shri Bhabani Shankar	Kumaramangalam, Shri P.R.
Inder Jit, Shri	Kundu, Shri Samarendra
Jagpal Singh, Shri	Kurien, Prof. P.J.
Jamuna, Shrimati J.	Kushwaha, Shri Jagdish Singh
Janardhanan, Shri Kadambur M.R.	Lalu Prasad, Shri
Jangde, Shri Resham Lal	Lodhi, Shri Ganga Charan
Jatiya, Shri Satya Narayan	Mahabir Prasad, Shri
Jeevarathinam, Shri R.	Mahajan, Shrimati Sumitra
Jha, Shri Bhogendra	Mahale, Shri Haribhau Shankar
Jhikram, Shri Mohan Lal	Mahata, Shri Chitta
Jorawar Ram, Shri	Makkasar, Shri Shopat Singh
Joshi, Shri Dau Dayal	Malhotra, Shri Vijay Kumar
Ju Deo, Shri Dilip Singh	Malik, Shri Satya Pal

Mallikarjun, Shri

Mandal, Shri Sanat Kumar

Manemma, Shrimati T.

Manjay Lal, Shri

Manvendra Singh, Shri

Marbaniang, Shri Peter G.

Masudal Hossain, Shri Syed

Mayekar, Shri Gopalrao

Meena, Shri Nandlal

Meghwal, Shri Kailash

Mewar, Mahendra Singh

Mirdha, Shri Nathu Ram

Mishra, Shri Bal Gopal

Mishra, Shri Janeshwar

Mishra, Shri Rajmangal

Misra, Shri Satyagopal

Mohammed Shafi, Shri

Mukherjee, Shrimati Geeta

Munda, Shri Govinda Chandra

Munda, Shri Karia

Munjare, Shri Kankar

Murthy, Shri M.V. Chandrashekara

Muthiah, Shri R.

Naik, Shri Ram

Naikar, Shri D.K.

Nandi, Shri Yellalah

Narayanan, Shri K.R.

Narayanan, Shri P.G.

Nathu Singh, Shri

Nayak, Shri Nakul

Negi, Shri C.M.

Nehru, Shri Arun Kumar

Netam, Shri Arvind

Nitish Kumar, Shri

Odeyar, Shri Channaiah

Pal, Shri M.S.

Pal, Shri Rupchand

Palanisamy, Shri K.C.

Panda, Shri Raj Mangal

Pandey, Prof. Yadunath

Pandeya, Dr. Laxminarayan

Panwar, Shri Harpal Singh

Paranjpe, Shri Baburao

Paswan, Shri Chhedi

Paswan, Shri Sukhdeo

Patel, Dr. A.K.

Patel, Shri Arjunbhai

Patel, Shri Natubhai M

Patel, Shri Prahlad Singh

Patel, Shri Ram Pujan

Patel, Shri Shantilal Purushottamdas

Patel, Shri Somabhai

Patidar, Shri Rameshwar

Patil, Shri Basavaraaj

Patil, Shri Shivraj V.	Rameshwar Prasad, Shri
Patil, Shri Uttamrao	Rana, Shri Kashiram Chhabildass
Patil, Shri Uttamrao Lakmaurao	Ranga, Prof. N.G.
Patnaik, Shri Sivaji	Rao, Shri J. Chokka
Poojary, Shri Janardhana	Rao, Shri K. Ramamohan
Potdukhe, Shri Shantaram	Rao, Shri Srinivasa
Prabhu, Shri R	Rasheed Masood, Shri
Pramanik, Shri Radhika Ranjan	Rathod, Shri Uttam
Prasad, Shri R.S	Rathor, Dr. Bhagwan Dass
Prem Pradeep, Shri	Rawat, Shri Harish
Raghavji, Shri	Ray, Dr. Sudhir
Rai, Shri Kalpnath	Raychoudhuri, Shri Sudarsan
Rajeswari, Shrimati Basava	Reddy, Shri A. Venkata
Raju, Shri Bh. Vijakumar	Reddy, Shri B.N.
Rajveer Singh, Shri	Reddy, Shri Kasu V.K.
Rakesh, Shri R.N.	Reddy, Shri Kotla Vijaya Bhaskara
Ram Awadh, Shri	Reddy, Shri P. Narasa
Ram Babu, Shri A.G.S.	Reddy, Shri R. Surender
Ram Dhan, Shri	Reddy, Shri Rajamohan
Ram Prakash, Ch.	Routray, Shri Nilamani
Ram Sagar, Shri (Bara Banki)	Roy, Shri A.K.
Ram Sagar, Shri (Saidpur)	Roy, Shri Haradhan
Ram Saijwan, Shri	Roypradhan, Shri Amar
Ram Singh, Shri	Sai, Shri A. Pratap
Ramachandran, Shri Mullappally	Sai, Shri Larang
Ramadass, Dr. R.	Sai, Shri Nand Kumar
Ramamurthy, Shri K	Saini, Shri Gurdial Singh

Sait, Shri Ibrahim Sulaiman	Singh, Shri Ajay
Saran, Shri Daulat Ram	Singh, Shri Dharamgaj
Saroj, Shri Sarju Prasad	Singh, Shri Har Govind
Sartaj Singh, Shri	Singh, Shri Jagannath
Sarwar Hussain, Shri	Singh, Shri L.V.
Save, Shri Moreshwar	Singh, Shri Lokendra
Sayeed, Shri Mufti Mohammad	Singh, Shri Mandhata
Scindia, Shrimati Vijayaraje	Singh, Shri Maheshwar
Selvarasu, Shri M.	Singh, Prof. N. Tombi
Sema, Shri Shikiho	Singh, Shri Pratap
Shah, Shri Jayantilal Virchandbhai	Singh, Shri Radha Mohan
Shakeelur Rehman, Shri	Singh, Shri Ramashray Prasad
Shakya, Dr. Mahadeepak Singh	Singh, Shri Ram Naresh
Shakya, Shri Ram Singh	Singh, Shri Ram Prasad
Shankaranand, Shri B.	Singh, Shri Ramdas
Shanmugam, Shri P.	Singh, Shri Satya Pal
Shanta Kumar, Shri	Singh, Shri Sukhendra
Shastri, Shri Anil	Singh, Shri Surya Narayan
Shastri Shri Dharam Pal	Singh, Shri Tej Narayan
Shastri, Shri Yamuna Prasad	Singh, Shri Udai Pratap
Shekhada, Shri Govindbhai Kanjibhai	Singh, Shri Vishwanath Pratap
Shiwankar, Prof. Mahadeo	Sinha, Shrimati Usha
Shrivastava, Dr, Shailendranath	Sodhi, Shri Mankuram
Sidnal, Shri S.B	Solanki, Shri Surajbhanu
Silvera, Dr. C.	Sonkar, Shri Kalpnath
Singam, Shri Basavapunnaiah	Soz, Prof. Saifuddin
Singaravadivel, Shri S.	Srinivasan, Shri C.

Subedar, Shri	Verma, Shri Phoolchand
Sultanpuri, Shri K.D.	Verma, Shri R.L.P.
Suman, Shri Ramjilal	Verma, Shri Sheo Sharan
Sundararaj, Shri N.	Verma, Shri Upendra Nath
Sunil Dutt, Shri	Vijayaraghavan, Shri A.
Sur, Shri Monoranjan	Wadiyar, Shri Srikanta Datta Narasimharaja
Tarif Singh, Shri	Yadav, Shri Baleshwar
Tarwala, Shri Amratlal Vallabhdas	Yadav, Shri Chhotey Singh
Thakore, Shri Gabhaji Mangaji	Yadav, Shri Chun Chun Prasad
Thambi Durai, Dr.	Yadav, Shri Devendra Prasad
Thapa, Shri Nandu	Yadav, Shri Hukumdeo Narayan
Throat, Shri S.B.	Yadav, Shri Janardan
Thungon, Shri P.K.	Yadav, Shri Kailash Nath Singh
Tiraky, Shri Piyus	Yadav, Shri Mitrasen
Tiwari, Shri Janardan	Yadav, Shri Ram Sharan
Topdar, Shri Tarit Baran	Yadav, Shri Ramendra Kumar Ravi
Tyagi, Shri K.C.	Yadav, Dr. S.P.
Uma Bharati, Kumari	Yadav, Shri Sharad
Unnikrishnan, Shri K.P.	Yadav, Shri Ramjilal
Vaghela, Shri Shankarsinh	Yadvendra Datt, Shri
Varma, Shri Ratilal Kalidas	Yuvraj, Shri
Verma, Shri S.C.	Zainal Abedin, Shri
Vekaria, Shri S.N.	MR. CHAIRMAN: Subject to correction, the results of the division is:
Venkatesan, Shri P.R.S.	
Verma, Shri Dharmesh Prasad	Ayes: 342* Noes: Nil

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. CHAIRMAN: We shall now take up clauses 2 and 3. If it is then sense of the House, then I will take both these clauses together.

The Lobbies have been cleared.

The question is:

"The clauses 2 and 3 stand part of the Bill."

The Lok Sabha divided:

Division No. 6

AYES

Abdul Samad, Shri
Abedya Nath, Mahant
Acharia, Shri Basudeb
Advani, Shri L.K.
Agarwal, Shri J.P.
Aher. Dr, Daulatrao Sonuji
Ahmed, Shri Kamaluddin
Ajit Singh, Shri
Ali Shrimati Subhashini
Amat, Shri D.
Anand Singh, Shri
Anbarasu, Shri Era
Anwar Ahmad, Shri
Argal, Shri Chhaviram

Arunachalam, Shri M.
Ashokaraj, Shri A.
Baga Reddy, Shri M.
Baig, Shri Arif
Bais, Shri Ramesh
Baitha, Shri Mahendra
Bajpai, Dr. Rajendra Kumari
Bala, Dr. Asim
Balaraman, Shri L.
Banatwalla, Shri G.M.
Banera, Shri Hemendra Singh
Bankhele. Shri Kisanrao Baburao
Barman, Shri Palas
Basavaraj, Shri G.S.
Basu, Shri Anil
Basu, Shri Chitta
Behera, Shri Bhajaman
Benjamin, Shri S.
Bhagey, Shri Gobardhan
Bhajan Lal, Shri
Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhargava, Shri Girdhari Lal
Bhartiya, Shri Santosh
Bhatia, Shri Ram Sewak
Bhattacharya, Shrimati Malini

Bhattacharya, Shri Nani

Devi Lal, Shri

Bhuria, Shri Dileep Singh

Dhakane, Shri Babanrao

Brahm Bhatt, Shri Prakash Koko

Dhankhar, Ch. Jagdeep

Brahm Dutt, Shri

Dhumal, Prof. Prem Kumar

Chakravorty, Shri Susanta

Dikshit, Shri Narasingh Rao

Chandrasekhar, Shrimati

Dome, Dr. Ram Chandra

Chatterjee, Shri Nirmal Kanti

Fernandes, Shri George

Chatterjee, Shri Somnath

Gadgil, Shri V.N.

Chaudhary, Shri Ishwar

Gaikwad, Shri Udaysingrao Nanasaheb

Chaudhary, Shri Ram Prasad

Gandhi, Shri Rajiv

Chaudhary, Shri Rudra Sen

Gangadhar, Shri S.

Chavda, Shri Khemchandbhai Somabhai

Gangwar, Shri Santosh Kumar

Chennupati, Shrimati Vidya

Giri, Shri Sudhir

Chidambaram, Shri P.

Gudadinni, Shri B.K.

Choudhury, Shri Saifuddin

Gujral, Shri I.K.

Chowdhary, Shri Dasai

Gupta, Shri Dharampal Singh

Danwe, Shri Pundlik Hari

Gupta, Shri Indrajit

Das, Shri Anadi Charan

Handoo, Shri Piyare Lal

Das, Shri Bhakta Charan

Hannan Mollah, Shri

Datta, Shri Amal

Hansda, Shri Matilal

Deb Burman, Shri K.B.K.

Harish Pal, Shri

Delkar, Shri Mohanbhai Sanjibhai

Harshvardhan, Shri

Dennis, Shri N.

Heera Bhai, Shri

Deora, Shri Murl

Het Ram

Deshmukh, Shri Ashok Anandrao

Hota Shri Bhabani Shankar

Deshmukh, Shri Sudam Dattatrya

Inder Jit, Shri

Dev, Shri Sontosh Mohan

Jagpal Singh, Shri

Jamuna, Shrimati J.	Kurien, Prof. P.J.
Janardhanan, Shri Kadambur M.R.	Kushwaha, Shri Jagdish Singh
Jangde, Shri Resham Lal	Lalu Prasad, Shri
Jatiya, Shri Satya Narayan	Lodhi, Shri Ganga Charan
Jeevarathinam, Shri R.	Mahabir Prasad, Shri
Jha, Shri Bhoendra	Mahale, Shri Haribhau Shankar
Jhikram, Shri Mohan Lal	Mahata, Shri Chitta
Jorawar Ram, Shri	Makkasar, Shri Shopat Singh
Joshi, Shri Dau Daval	Malhotra, Shri Vijay Kumar
Ju Deo, Shri Dilip Singh	Malik, Shri Satya Pal
Kabde, Dr. Venkatesh	Mandal, Shri Sanat Kumar
Kalka Das, Shri	Manemma, Shrimati T.
Kalvi, Shri Kalyan Singh	Manjay Lal, Shri
Kamble, Shri Arvind Tulshiram	Manvendra Singh, Shri
Kamson, Prof. Meijinlung	Marbaniang, Shri Peter G.
Kapse, Prof. Ram Ganesh	Masudal Hossain, Shri Syed
Kareddula, Kumari Kamalaji	Mayekar, Shri Gopalrao
Kataria, Shri Gulab Chand	Meena, Shri Nandlal
Kaushik, Shri Purushottam	Meghwal, Shri Kailash
Khan, Shri Arif Mohammad	Mewar, Mahendra Singh
Khan, Shri Sukhendu	Mishra, Shri Nathu Ram
Khan, Zulfiquar Ali	Mishra, Shri Bal Gopal
Khandelwal, Shri Pyarelal	Mishra, Shri Janeshwar
Khurana, Shri Madan Lal	Mishra, Shri Rajmangal
Kotadia, Shri Manubhai	Misra, Shri Satyagopal
Kumaramangalam, Shri P.R.	Mohammed Shafi, Shri
Kundu, Shri Samarendra	Mukherjee, Shrimati Geeta

Munda, Shri Govinda Chandra	Patel, Dr. A.K.
Munda, Shri Karia	Patel, Shri Arjunbhai
Munjara, Shri Kankar	Patel, Shri Natubhai M.
Murthy, Shri M.V. Chandrashekara	Patel, Shri Prahlad Singh
Muthiah, Shri R.	Patel, Shri Ram Pujan
Naik, Shri Ram	Patel, Shri Shantilal Purushottamdas
Naikar, Shri D.K.	Patel, Shri Somabhai
Nandi, Shri Yellaiah	Patidar, Shri Rameshwar
Narayanan, Shri K.R.	Patil, Shri Basavaraj
Narayanan, Shri P.G.	Patil, Shri Shivraj V.
Nathu Singh, Shri	Patil, Shri Uttamrao
Nayak, Shri Nakul	Patnaik, Shri Sivaji
Negi, Shri C.M.	Poojary, Shri Janardhana
Nehru, Shri Arun Kumar	Potdukhe, Shri Shantaram
Netam, Shri Arvind	Prabhu, Shri R.
Nitish Kumar, Shri	Pramanik, Shri Radhika Ranjan
Odeyar, Shri Channaiah	Prasad, Shri R.S.
Pal, Shri M.S.	Prem Pradeep, Shri
Pal, Shri Rupchand	Raghavji, Shri
Palanisamy, Shri K.C.	Rai, Shri Kalpnath
Pande, Shri Raj Mangal	Rajeswari, Shrimati Basava
Pandey, Prof. Yadunath	Raju, Shri Bh. Vijakumar
Pandeya, Dr. Laxminarayan	Rajveer Singh, Shri
Panwar, Shri Harpal Singh	Rakesh, Shri R.N.
Paranjpe, Shri Baburao	Ram Awadh, Shri
Paswan, Shri Chhedi	Ram Babu, Shri A.G.S.
Paswan, Shri Sukhdeo	Ram Dhan, Shri

Ram Prakash, Ch.

Ram Sagar, Shri (Bara Banki)

Ram Sagar, Shri (Saidpur)

Ram Saiwan, Shri

Ram Singh, Shri

Ramachandran, Shri Mullappally

Ramadass, Dr, R.

Ramamurthy, Shri K.

Rameshwar Prasad, Shri

Rana, Shri Kashiram Chhabildass

Ranga, Prof. N.G.

Rao, Shri J. Chokka

Rao, Shri K. Ramamohan

Rao, Shri Srinivasa

Rasheed Masood, Shri

Rathod, Shri Uttam

Rathor, Dr. Bhagwan Dass

Rawat, Shri Harish

Rawat, Prof. Rasa Singh

Ray, Dr. Sudhir

Raychoudhuri, Shri Sudarsan

Reddy, Shri A. Venkata

Reddy, Shri B.N.

Reddy, Shri Kasu V.K.

Reddy, Shri Kotla Vijaya Bhaskara

Reddy, Shri P. Narasa

Reddy, Shri R. Surender

Reddy, Shri Rajamohan

Routray, Shri Nilamani

Roy, Shri A.K.

Roy, Shri Haradhan

Roypradhan, Shri Amar

Sai, Shri A. Pratap

Sai, Shri Larang

Sai, Shri Nand Kumar

Saini, Shri Gurdial Singh

Sait, Shri Ibrahim Sulaiman

Saran, Shri Daulat Ram

Saroj, Shri Sarju Prasad

Sartaj Singh, Shri

Sarwar Hussain, Shri

Save, Shri Moreshwar

Sayeed, Shri Mufti Mohammad

Scindia, Shrimati Vijayaraje

Selvarasu, Shri M.

Sema, Shri Shikiho

Shah, Shri Jayantilal Virchandbhai

Shakeelur Rehman, Shri

Shakya, Dr. Mahadeepak Singh

.Shankaranand, Shri B.

Shanmugam, Shri P

Shanta Kumar, Shri

Shastri, Shri Anil

Shastri Shri Dharam Pal

Shastri, Shri Yamuna Prasad

Singh, Shri Vishwanath Pratap

Shekhada, Shri Govindbhai Kanjibhai

Sinha, Shrimati Usha

Shiwankar, Prof. Mahadeo

Sodhi, Shri Mankuram

Shrivastava, Dr, Shailendranath

Solanki, Shri Surajbhanu

Sidnal, Shri S.B.

Sonkar, Shri Kalpnath

Silvera, Dr. C.

Soz, Prof. Saifuddin

Singam, Shri Basavapunnaiiah

Srinivasan, Shri C.

Singaravadivel, Shri S.

Subedar, Shri

Singh, Shri Ajay

Sultanpuri, Shri K.D.

Singh, Shri Dharamgaj

Suman, Shri Ramjilal

Singh, Shri Har Govind

Sundararaj, Shri N.

Singh, Shri Jagannath

Sunil Dutt, Shri

Singh, Shri L.V.

Sur, Shri Monoranjan

Singh, Shri Lokendra

Tarif Singh, Shri

Singh, Shri Mandhata

Tarwala, Shri Amratlal Vallabhdas

Singh, Shri Maheshwar

Thakore, Shri Gabhaji Mangaji

Singh, Prof. N. Tombi

Thambi Durai, Dr.

Singh, Shri Pratap

Thapa, Shri Nandu

Singh, Shri Radha Mohan

Throat, Shri S.B.

Singh, Shri Ramashray Prasad

Thungon, Shri P.K.

Singh, Shri Ram Naresh

Tiraky, Shri Piyus

Singh, Shri Ram Prasad

Tiwari, Shri Brij Bhushan

Singh, Shri Ramdas

Tiwari, Shri Janardan

Singh Shri, Sukhendra

Topdar, Shri Tarit Baran

Singh, Shri Surya Narayan

Tyagi, Shri K.C.

Singh, Shri Tej Narayan

Uma Bharati, Kumari

Singh, Shri Udai Pratap

Unnikrishnan, Shri K.P.

Vaghela, Shri Shankarsinh

Yadav, Shri Ramjilal

Varma, Shri Ratilal Kalidas

Yadvendra Datt, Shri

Verma, Shri S.C.

Yuvraj, Shri

Vekaria, Shri S.N.

Zainal Abedin, Shri

Venkatesan, Shri P.R.S.

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

Verma, Shri Dharmesh Prasad

Ayes: 341**

Verma, Shri Phoolchand

Noes: Nil

Verma, Shri R.L.P.

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.

Verma, Shri Sheo Sharan

Verma, Shri Upendra Nath

The motion was adopted

Vijayaraghavan, Shri A.

Wadiyar, Shri Srikanta Datta Narasimharaja

Clauses 2 and 3 were added to the Bill

Yadav, Shri Baishwar

Clause-1- (Short title and commencement)

Yadav, Shri Chhotey Singh

MR. CHAIRMAN: There are three amendments given notice of. First, I have an official amendment. The hon. Minister.

Yadav, Shri Chun Chun Prasad

Yadav, Shri Devendra Prasad

SHRI MUFTI MOHAMMAD SAYEED: Shri Kumaramangalam had given notice of an amendment. On almost the same lines I want to move an amendment. I beg to move:

Yadav, Shri Hukumdeo Narayan

Yadav, Shri Janardan

"Page 1, —

Yadav, Shri Kailash Nath Singh

For lines 5 and 6, substitute —

Yadav, Shri Mitrasen

"(2) It shall come into force with immediate effect." (3)

Yadav, Shri Ram Sharan

MR. CHAIRMAN: Amendment No. (1), Shri Kumaramangalam.

Yadav, Shri Ramendra Kumar Ravi

Yadav, Dr. S.P

SHRI RANGARAJAN KUMARAMANGALAM: Sir, I beg to move:

Yadav, Shri Satyapal Singh

Yadav, Shri Sharad

"Page 1, —

*The result of this Division applies to each of the clauses 2 and 3 separately.

**399, as corrected.

For lines 5 and 6, substitute —

"(2) It shall come into force on the 2nd day of January, 1990". (')

I want to say that my amendment original read as 'it shall come into force on the 2nd day of January, 1990.' The Minister also has moved an amendment, but with a slight change. I just want to see a small clarification and if that is given I would not press my amendment. Do the words 'with immediate effect' mean, on the passing of this Amendment Bill by both the Houses of Parliament and after obtaining the assent of the President? Will the President's assent be obtained by the 2nd January 1990?

SHRI MUFTI MOHAMMAD SAYEED: I can assure the hon. Member that as soon as possible we will do it. We have to see the convenience of the President also. We will do it as immediately as we can. (*Interruptions*)

MR. CHAIRMAN: Please don't argue. Your point has been answered by the Minister. Please say whether you accept it or not.

SHRI RANGARAJAN KUMARAMANGALAM: Sir, I just want to know whether it will be sent to the President for obtaining his assent before 2nd January 1990?

SHRI MUFTI MOHAMMAD SAYEED: Yes.

SHRI RANGARAJAN KUMARAMANGALAM: I view of the assurance given by the hon. Minister, I do not want to pass* my amendment.

SHRI PIYARE LAL HANDOO: Sir, I beg to move: -

"Page 1,—for lines 5 and 6

substitute—

"(2) It shall come into force on the 13th day of March, 1990." (2)

MR. CHAIRMAN: I shall not put the Government Amendment to the vote of the House. The question is:

"Page 1,—

for lines 5 and 6, substitute—

"2 (2) It shall come into force with immediate effect." (3)

The motion was adopted

MR. CHAIRMAN: Amendment No. 1, moved by Shri Rangarajan Kumaramangalam stands withdrawn. Amendment No. 2 moved by Shri Piyare Lal Handoo stands barred. Before I put Clause 1, as amended, to the vote of the House, this being a Constitution (Amendment) Bill voting has to be by my division. The lobbies have already been cleared.

The question is:

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

Now, Division

The Lok Sabha divided

Division No. 7

AYES

Abdul Samad, Shri

Abedya Nath, Mahant

Acharia, Shri Basudeb

Advani, Shri L.K.

Agarwal, Shri J.P.

*Since the member did not want to press the amendment it was deemed to have been withdrawn by the leave of the House under Direction 44 of the Direction by the Speaker, Lok Sabha (Fourth edition, 1989)

Aher, Dr, Daulatrao Sonuji

Ahmed, Shri Kamaluddin

Ajit Singh, Shri

Ali Shrimati Subhashini

Amat, Shri D.

Anand Singh, Shri

Anbarasu, Shri Era

Anwar Ahmad, Shri

Argal, Shri Chhaviram

Arunachalam, Shri M.

Ashokaraj, Shri A.

Baga Reddy, Shri M.

Baig, Shri Arif

Bais, Shri Ramesh

Baitha, Shri Mahendra

Bajpai, Dr. Rajendra Kumari

Bala, Dr. Asim

Balaraman, Shri L.

Banatwalla, Shri G.M.

Banera, Shri Hemendra Singh

Bankhele, Shri Kisanrao Baburao

Barman, Shri Palas

Basavaraj, Shri G.S.

Basu, Shri Anil

Basu, Shri Chitta

Behera, Shri Bhajaman

Benjamin, Shri S.

Bhagey, Shri Gobardhan

Bhajan Lal, Shri

Bhakta, Shri Manoranjan

Bhardwaj, Shri Parasram

Bhargava, Shri Girdhari Lal

Bhartiya, Shri Santosh

Bhatia, Shri Ram Sewak

Bhattacharya, Shrimati Malini

Bhattacharya, Shri Nani

Bhuria, Shri Dileep Singh

Brahm Bhatt, Shri Prakash Koko

Brahm Dutt, Shri

Chakravorty, Shri Susanta

Chandrasekhar, Shrimati

Chatterjee, Shri Nirmal Kanti

Chatterjee, Shri Somnath

Chaudhary, Shri Ishwar

Choudhary, Shri Ram Prasad

Chaudhary, Shri Rudra Sen

Chavda, Shri Khemchandbhai Somabhai

Chennupati, Shrimati Vidya

Chidambaram, Shri P.

Choudhury, Shri Saifuddin

Chowdhary, Shri Dasai

Dandavate, Prof. Madhu

Danwe, Shri Pundlik Hari

Das, Shri Anadi Charan

Das, Shri Bhakta Charan

Hansda, Shri Matilal

Datta, Shri Amal

Harish Pal, Shri

Deb Burman, Shri K.B.K.

Harshvardhan, Shri

Delkar, Shri Mohanbhai Sanjibhai

Heera Bhai, Shri

Dennis, Shri N.

Het Ram

Deora, Shri Murli

Hota Shri Bhabani Shankar

Deshmukh, Shri Ashok Anandrao

Inder Jit, Shri

Deshmukh, Shri Sudam Dattatrya

Jagpal Singh, Shri

Dev, Shri Sontosh Mohan

Jamuna, Shrimati J.

Devi Lal, Shri

Janardhanan, Shri Kadambur M.R.

Dhakane, Shri Babanrao

Jangde, Shri Resham Lal

Dhankhar, Ch. Jagdeep

Jatiya, Shri Satya Narayan

Dhumal, Prof. Prem Kumar

Jeevarathinam, Shri R.

Dikshit, Shri Narasinghrao

Jha, Shri Bhogendra

Dome, Dr. Ram Chandra

Jhikram, Shri Mohan Lal

Fernandes, Shri George

Jorawar Ram, Shri

Gadgil, Shri V.N.

Joshi, Shri Dau Dayal

Gaikwad, Shri Udaysingrao Nanasaheb

Ju Deo, Shri Dilip Singh

Gandhi, Shri Rajiv

Kabde, Dr. Venkatesh

Gangadhar, Shri S.

Kalka Das, Shri

Gangwar, Shri Santosh Kumar

Kalvi, Shri Kalyan Singh

Giri, Shri Sudhir

Kamble, Shri Arvind Tulshiram

Gudadinni, Shri B.K.

Kamson, Prof. Meijinlung

Gujral, Shri I.K.

Kapse, Prof. Ram Ganesh

Gupta, Shri Dharampal Singh

Kareddula, Kumari Kamalaji

Gupta, Shri Indrajit

Kataria, Shri Gulab Chand

Hannan Mollah, Shri

Kaushik, Shri Purushottam

Khan, Shri Arif Mohammad

Khan, Shri Sukhendu

Khan, Zulfiquar Ali

Khandelwal, Shri Pyarelal

Khurana, Shri Madan Lal

Kotadia, Shri Manubhai

Kumaramangalam, Shri P.R.

Kundu, Shri Samarendra

Kushwaha, Shri Jagdish Singh

Latu Prasad, Shri

Lodhi, Shri Ganga Charan

Mahabir Prasad, Shri

Mahale, Shri Haribhau Shankar

Mahata, Shri Chitta

Makkasar, Shri Shopat Singh

Malhotra, Shri Vijay Kumar

Malik, Shri Satya Pal

Mallikarjun, Shri

Mandal, Shri Sanat Kumar

Manemma, Shrimati T.

Manjay Lal, Shri

Manvendra Singh, Shri

Marbaniang, Shri Peter G.

Masudal Hossain, Shri Syed

Mayekar, Shri Gopalrao

Meena, Shri Nandlal

Meghwai, Shri Kailash

Mewar, Mahendra Singh

Mirdha, Shri Nathu Ram

Mishra, Shri Bal Gopal

Mishra, Shri Janeshwar

Mishra, Shri Rajmangal

Misra, Shri Satyagopal

Mohammed Shafi, Shri

Mukherjee, Shrimati Geeta

Munda, Shri Govinda Chandra

Munda, Shri Karia

Munjare, Shri Kankar

Murthy, Shri M.V. Chandrashekara

Muthiah, Shri R.

Naik, Shri Ram

Naikar, Shri D.K.

Nandi, Shri Yellaiah

Narayanan, Shri K.R.

Narayanan, Shri P.G.

Nathu Singh, Shri

Nayak, Shri Nakul

Negi, Shri C.M.

Nehru, Shri Arun Kumar

Netam, Shri Arvind

Nitish Kumar, Shri

Odeyar, Shri Channaiah

Pal, Shri M.S.

Pal, Shri Rupchand

Palanisamy, Shri K.C.	Rai, Shri Kalpnath
Pande, Shri Raj Mangal	Rajeswari, Shrimati Basava
Pandey, Prof. Yadunath	Raju, Shri Bh. Vijakumar
Pandeya, Dr. Laxminarayan	Rajveer Singh, Shri
Panwar, Shri Harpal Singh	Rakesh, Shri R.N.
Paranjpe, Shri Baburao	Ram Awadh, Shri
Paswan, Shri Chhedi	Ram Babu, Shri A.G.S.
Paswan, Shri Sukhdeo	Ram Dhan, Shri
Patel, Dr. A.K.	Ram Prakash, Ch.
Patel, Shri Arjunbhai	Ram Sagar, Shri (Bara Banki)
Patel, Shri Natubhai M.	Ram Sagar, Shri (Saidpur)
Patel, Shri Prahlad Singh	Ram Sajiwan, Shri
Patel, Shri Ram Pujan	Ram Singh, Shri
Patel, Shri Shantilal Purushottamdas	Ramachandran, Shri Mullappally
Patel, Shri Somabhai	Ramadass, Dr. R.
Patidar, Shri Rameshwar	Ramakrishna, Shri V.
Patil, Shri Basavaraj	Ramamurthy, Shri K.
Patil, Shri Shivraj V.	Rameshwar Prasad, Shri
Patil, Shri Uttamrao	Rana, Shri Kashiram Chhabildass
Patnaik, Shri Sivaji	Ranga, Prof. N.G.
Poojary, Shri Janardhana	Rao, Shri J. Chokka
Potdukhe, Shri Shantaram	Rao, Shri K. Ramamohan
Prabhu, Shri	Rao, Shri Srinivasan
Pramanik, Shri Radhika Ranjan	Rasheed Masood, Shri
Prasad, Shri R.S.	Rathod, Shri Uttam
Prem Pradeep, Shri	Rathor, Dr. Bhagwan Dass
Raghavji, Shri	Rawat, Shri Harish

Rawat, Prof. Rasa Singh

Ray, Dr. Sudhir

Raychoudhuri, Shri Sudarsan

Reddy, Shri A. Venkata

Reddy, Shri B.N.

Reddy, Shri Kasu V.K.

Reddy, Shri Kotla Vijaya Bhaskara

Reddy, Shri P. Narasa

Reddy, Shri R. Surender

Reddy, Shri Rajamohan

Routray, Shri Nilamani

Roy, Shri A.K.

Roy, Shri Haradhan

Roypradhan, Shri Amar

Sai, Shri A. Pratap

Sai, Shri Larang

Sai, Shri Nand Kumar

Saini, Shri Gurdial Singh

Sait, Shri Ibrahim Sulaiman

Saran, Shri Daulat Ram

Saroj, Shri Sarju Prasad

Sartaj Singh, Shri

Sarwar Hussain, Shri

Save, Shri Moreshwar

Sayeed, Shri Mufti Mohammad

Scindia, Shrimati Vijayaraje

Selvarasu, Shri M.

Sema, Shri Shikho

Shah, Shri Jayantilal Virchandbhai

Shakeelur Rehman, Shri

Shakya, Dr. Mahadeepak Singh

Shankaranand, Shri B.

Shanmugam, Shri P.

Shanta Kumar, Shri

Shastri, Shri Anil

Shastri Shri Dharam Pal

Shastri, Shri Yamuna Prasad

Shekhada, Shri Govindbhai Kanjibhai

Shiwankar, Prof. Mahadeo

Shrivastava, Dr. Shailendranath

Sidnal, Shri S.B

Silvera, Dr. C.

Singam, Shri Basavapunnaiiah

Singaravadivel, Shri S.

Singh, Shri Ajay

Singh, Shri Dharamgaj

Singh, Shri Har Govind

Singh, Shri Hari Kishore

Singh, Shri Jagannath

Singh, Shri L.V.

Singh, Shri Lokendra

Singh, Shri Mandhata

Singh, Shri Maheshwar

Singh, Prof. N. Tombi	Thambi Durai, Dr.
Singh, Shri Pratap	Thapa, Shri Nandu
Singh, Shri Radha Mohan	Throat, Shri S.B.
Singh, Shri Ramashray Prasad	Thungon, Shri P.K.
Singh, Shri Ram Naresh	Tiraky, Shri Piyus
Singh, Shri Ram Prasad	Tiwari, Shri Brij Bhushan
Singh, Shri Ramdas	Tiwari, Shri Janardan
Singh, Shri Sukendra	Topdar, Shri Tarit Baran
Singh, Shri Surya Narayan	Tyagi, Shri K.C.
Singh, Shri Tej Narayan	Uma Bharati, Kumari
Singh, Shri Udai Pratap	Unnikrishnan, Shri K.P.
Singh, Shri Vishwanath Pratap	Vaghela, Shri Shankarsinh
Sinha, Shrimati Usha	Varma, Shri Ratilal Kalidas
Sodhi, Shri Mankuram	Verma, Shri S.C.
Solanki, Shri Surajbhanu	Vekaria, Shri S.N.
Sonkar, Shri Kalpnath	Venkatesan, Shri P.R.S.
Soz, Prof. Saifuddin	Verma, Shri Dharmesh Prasad
Srnivasan, Shri C	Verma, Shri Phoolchand
Subedar, Shri	Verma, Shri R.L.P.
Sultanpuri, Shri K.D.	Verma, Shri Sheo Sharan
Suman, Shri Ramjilal	Verma, Shri Upendra Nath
Sundararaj, Shri N.	Vijayaraghavan, Shri A.
Sunil Dutt, Shri	Wadiyar, Shri Srikanta Datta Narasimharaja
Sur, Shri Monoranjan	Yadav, Shri Baleshwar
Tarif Singh, Shri	Yadav, Shri Chhotey Singh
Tarwala, Shri Amratlal-Vallabhdas	Yadav, Shri Chun Chun Prasad
Thakore, Shri Gabhaji Mangaji	Yadav, Shri Devendra Prasad

Yadav, Shri Hukumdeo Narayan

The motion was adopted

Yadav, Shri Janardan

The Enacting Formula and the Title were added to the Bill

Yadav, Shri Kailash Nath Singh

SHRI MUFTI MOHAMMAD SAYEED:

Yadav, Shri Mitrasen

Sir, I move:

Yadav, Shri Ram Sharan

"That the Bill, as amended, be passed."

Yadav, Shri Ramendra Kumar Ravi

MR. CHAIRMAN: 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.

Yadav, Dr. S.P.

Yadav, Shri Satya Pal Singh

Yadav, Shri Sharad

Let the Lobbies be cleared—

Yadav, Shri Ramjilal

Now the Lobbies have been cleared.

Yadvendra Datt, Shri

The question is:

Yuvraj, Shri

"That the Bill, as amended, be passed.

Zainal Abedin, Shri

The Lok Sabha divided:

NOES

Division No. 8

Handoo, Shri Piyare Lal

AYES

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

Abdul Samad, Shri

Ayes: 340*

Abedya Nath, Mahant

Noes: 1

Acharia, Shri Basudeb

Advani, Shri L.K.

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.

Agarwal, Shri J.P.

Agnihotri, Shri Rajendra

The motion was adopted

Aher. Dr, Daulatrao Sonuji

Clause 1 was added to the Bill

Ahmed, Shri Kamaluddin

MR. CHAIRMAN: The question is:

Ajit Singh, Shri

"That the Enacting Formula and the Title stand part of the Bill."

Ali Shrimati Subhashini

Amat, Shri D.

Anand Singh, Shri

Anbarasu, Shri Era

Anwar Ahmad, Shri

Argal, Shri Chhaviram

Arunachalam, Shri M.

Ashokaraj, Shri A.

Baga Reddy, Shri M.

Baig, Shri Arif

Bais, Shri Ramesh

Bartha, Shri Mahendra

Bajpai, Dr. Rajendra Kuman

Bala, Dr. Asim

Balaraman, Shri L.

Banatwalla, Shri G.M.

Bankhele, Shri Kisanrao Baburao

Barman, Shri Palas

Basavaraj, Shri G.S.

Basu, Shri Anil

Basu, Shri Chitta

Beg, Shri Yusuf

Bega Ram, Shri

Behera, Shri Bhajaman

Bengali, Singh Dr.

Benjamin, Shri S.

Bhagat, Shri H.K.L.

Bhagey, Shri Gobardhan

Bhajan Lal, Shri

Bhardwaj, Shri Parasram

Bhargava, Shri Girdhari Lal

Bhartiya, Shri Santosh

Bhatia, Shri Ram Sewak

Bhattacharya, Shrimati Mallni

Bhattacharya, Shri Nani

Bhosle, Shri Prataprao Baburao

Bhuria, Shri Dileep Singh

Bopche, Dr., Khushal Paras Ram

Brahm Bhatt, Shri Prakash Koko

Brahm Dutt, Shri

Chakravorty, Shri Susanta

Chandrasekhar, Shrimati

Chatterjee, Shri Nirmal Kanti

Chatterjee, Shri Somnath

Chaudhary, Shri Ishwar

Chaudhary, Shri Rudra Sen

Chavda, Shri Khemchandbhai Somabhai

Chennupati, Shrimati Vidya

Chidambaram, Shri P.

Choudhury, Shri Saifuddin

Chowdhary, Shri Dasai

Dandavate, Prof. Madhu

Danwe, Shri Pundlik Hari

Das, Shri Anadi Charan

Das, Shri Bhakta Charan

Das Gupta, Dr. Biplab	Gupta, Shri Dharampal Singh
Datta, Shri Amal	Gupta, Shri Indrajit
Deb Burman, Shri K.B.K.	Hannan Mollah, Shri
Delkar, Shri Mohanbhai Sanjibhai	Hansda, Shri Matilal
Dennis, Shri N.	Harish Pal, Shri
Deora, Shri Murli	Harshvardhan, Shri
Deshmukh, Shri Ashok Anandrao	Heero Bhai, Shri
Deshmukh, Shri Chandubhai	Het Ram, Shri
Deshmukh, Shri Sudam Dattatrya	Hota Shri Bhabani Shankar
Dev, Shri Sontosh Mohan	Inder Jit, Shri
Devi Lal, Shri	Jagpal Singh, Shri
Dhankhar, Ch. Jagdeep	Jai Parkash, Shri
Dhumal, Prof. Prem Kumar	Jamuna, Shrimati J.
Dikshit, Shri Narasingh Rao	Janardhanan, Shri Kadambur M.R.
Dinesh, Singh Shri	Jangde, Shri Resham Lal
Dome, Dr. Ram Chandra	Jatav, Shri Than Singh
Dore, Shri Raja Ambanna Nayak	Jatiya, Shri Satya Narayan
Fernandes, Shri George	Jawali, Dr. Basavaraj
Gadgil, Shri V.N.	Jeevarathinam, Shri R.
Gaikwad, Shri Udaysing Rao Nanasaheb	Jena, Shri Srikanta
Gajapathi, Shri Gopi Nath	Jha, Shri Bhogendra
Gandhi, Shri Rajiv	Jhikram, Shri Mohan Lal
Gangadhar, Shri S.	Jorawar Ram, Shri
Gangwar, Shri Santosh Kumar	Joshi, Shri Dau Dayal
Giri, Shri Sudhir	Ju Deo, Shri Dilip Singh
Gudadinni, Shri B.K.	Kalka Das, Shri
Gujral, Shri I.K.	Kalvi, Shri Kalyan Singh

Kamble, Shri Arvind Tulshiram

Kamson, Prof. Meijinlung

Kareddula, Kumari Kamalaji

Kataria, Shri Gulab Chand

Kaul, Shrimati Sheila

Kaushik, Shri Purushottam

Khan, Shri Arif Mohammad

Khan, Shri Sukhendu

Khan, Zulfiquar Ali

Khandelwal, Shri Pyarelal

Khurana, Shri Madan Lal

Kotadia, Shri Manubhai

Kumaramangalam, Shri P.R.

Kundu, Shri Samarendra

Kushwaha, Shri Jagdish Singh

Lalu Prasad, Shri

Lodhi, Shri Ganga Charan

Mahabir Prasad, Shri

Mahajan, Shrimati Sumitra

Mahale, Shri Haribhau Shankar

Mahata, Shri Chitta

Makkasar, Shri Shopat Singh

Malhotra, Shri Vijay Kumar

Malik, Shri Satya Pal

Mallikarjun, Shri

Mandal, Shri Sanat Kumar

Manemma, Shrimati T.

Manjay Lal, Shri

Manvendra Singh, Shri

Marbaniang, Shri Peter G.

Masudal Hossain, Shri Syed

Mayekar, Shri Gopalrao

Meena, Dr. Kirodi Lal

Meena, Shri Nandlal

Meghwal, Shri Kailash

Mewar, Mahendra Singh

Mirdha, Shri Nathu Ram

Mishra, Shri Bal Gopal

Mishra, Shri Janeshwar

Mishra, Shri Rajmangal

Misra, Shri Satyagopal

Mohammed Shafi, Shri

Mukherjee, Shrimati Geeta

Munda, Shri Govinda Chandra

Munda, Shri Karia

Munjare, Shri Kankar

Murthy, Shri M.V. Chandrashekara

Muthiah, Shri R.

Naik, Shri G. Devaraya

Naik, Shri Ram

Naikar, Shri D.K.

Nandi, Shri Yellaiah

Narayanan, Shri K.R.

Narayanan, Shri P.G.

Nathu Singh, Shri

Nayak, Shri Nakul

Negi, Shri C.M.

Nehru, Shri Arun Kumar

Netam, Shri Arvind

Nitish Kumar, Shri

Odeyar, Shri Channaiah

Pacherwal, Shri Gopal

Pal, Shri M.S.

Pal, Shri Rupchand

Palanisamy, Shri K.C.

Pande, Shri Raj Mangal

Pandey, Prof. Yadunath

Pandeya, Dr. Laxminarayan

Panwar, Shri Harpal Singh

Paranjpe, Shri Baburao

Paswan, Shri Chhedi

Paswan, Shri Ram Vilas

Paswan, Shri Sukhdeo

Patel, Dr. A.K.

Patel, Shri Natubhai M.

Patel, Shri Prahlad Singh

Patel, Shri Ram Pujan

Patel, Shri Shantilal Purushottamdas

Patel, Shri Somabhai

Patidar, Shri Rameshwar

Patil, Shri Basavaraj

Patil, Shri Shivraj V.

Patil, Shri Uttamrao

Patil, Shri Uttamrao Lakmanrao

Patnaik, Shri Sivaji

Poojary, Shri Janardhana

Potdukhe, Shri Shantaram

Prabhu, Shri R.

Pramanik, Shri Radhika Ranjan

Prasad, Shri R.S.

Prem Pradeep, Shri

Purohit, Shri Banwarilal

Raghavji, Shri

Rai, Shri Kalpnath

Raje, Shrimati Vasundhara

Rajeswari, Shrimati Basava

Raju, Shri Bh. Vijaykumar

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 Sajiwan, Shri

Ram Singh, Shri

Ramachandran, Shri Mullappally

Ramadass, Dr. R.	Sai, Shri Larang
Ramamurthy, Shri K.	Sai, Shri Nand Kumar
Rameshwar Prasad, Shri	Saini, Shri Gurdial Singh
Rana, Shri Kashiram Chhabildass	Saran, Shri Daulat Ram
Ranga, Prof. N.G.	Saroj, Shri Sarju Prasad
Rao, Shri J. Chokka	Sarwar Hussain, Shri
Rao, Shri K. Ramamohan	Sayeed, Shri Mufti Mohammad
Rao, Shri Srinivasa	Scindia, Shrimati Vijayaraje
Rao, Shri V. Krishna	Sekhar, Shri M.G
Rasheed Masood, Shri	Selvam, Shri Kanci Paneer
Rathod, Shri Uttam	Selvarasu, Shri M.
Rawat, Shri Harish	Sema, Shri Shikiho
Rawat, Prof. Rasa Singh	Shah, Shri Jayantilal Virchandbhai
Ray, Dr. Sudhir	Shakeelur Rehman, Shri
Reddy, Shri A. Venkata	Shakya, Dr. Mahadeepak Singh
Reddy, Shri B.N.	Shankaranand, Shri B.
Reddy, Shri Kasu V.K.	Shanmugam, Shri P.
Reddy, Shri Kotla Vijaya Bhaskara	Shanta Kumar, Shri
Reddy, Shri P. Narasa	Shastri, Shri Anil
Reddy, Shri R. Surender	Shastri, Shri Dharam Pal
Reddy, Shri Rajamohan	Shastri, Shri Yamuna Prasad
Routray, Shri Nilamani	Shekhada, Shri Govindbhai Kanjibhai
Roy, Shri A.K.	Shiwankar, Prof. Mahadeo
Roy, Shri Haradhan	Shrivastava, Dr. Shailendranath
Roypradhan, Shri Amar	Shukla, Shri Vidyacharan
Sahay, Shri Subodh Kant	Sidnal, Shri S.B
Sai, Shri A. Pratap	Silvera, Dr. C.

Singam, Shri Basavapunnaiiah

Singaravadivel, Shri S.

Singh, Shri Ajay

Singh, Shri Har Govind

Singh, Shri Jagannath

Singh, Shri L.V.

Singh, Shri Lokendra

Singh, Shri Mandhata

Singh, Shri Maheshwar

Singh, Prof. N. Tombr

Singh, Shri Pratap

Singh, Shri Radha Mohan

Singh, Shri Ramashray Prasad

Singh, Shri Ram Naresh

Singh, Shri Ram Prasad

Singh, Shri Ramdas

Singh, Shri Satya Pal

Singh, Shri Sukhendra

Singh, Shri Surya Narayan

Singh, Shri Tej Narayan

Singh, Shri Udai Pratap

Singh, Shri Vishwanath Pratap

Singh, Deo, Shri A.N.

Sinha, Shrimati Usha

Sodhi, Shri Mankuram

Solanki, Shri Surajbhanu

Sonkar, Shri Kalpnath

Soz, Prof. Saifuddin

Sreenivasa Prasad, Shri V.

Brinivasan, Shri C.

Subedar, Shri

Sultanpuri, Shri K.D.

Suman, Shri Ramjilal

Sundararaj, Shri N.

Sunil Dutt, Shri

Sur, Shri Monoranjan

Suryawanshi, Shri Narsingrao

Tarif Singh, Shri

Tarwala, Shri Amratlal Vallabhdas

Thakore, Shri Gabhaji Mangaji

Thapa, Shri Nandu

Thorat, Shri S.B.

Thungon, Shri P.K.

Tiraky, Shri Piyus

Tiwari, Shri Janardan

Topdar, Shri Tarit Baran

Tyagi, Shri K.C.

Uma Bharati, Kumari

Umbroy, Shri Laeta

Unnikrishnan, Shri K.P.

Vaghela, Shri Shankarsinh

Varma, Shri B. Raja Ravi

Varma, Shri Ratilal Kalidas

Verma, Shri S.C.

Vekaria, Shri S.N.

NOES

Venkatesan, Shri P.R.S.

Handoo, Shri Piyare Lal

Verma, Shri Dharmesh Prasad

MR. CHAIRMAN: Subject to correction, the result of the Division is:

Verma, Shri Phoolchand

Ayes 360;

Verma, Shri R.L.P.

Noes : 1

Verma, Shri Sheo Sharan

Verma, Shri Upendra Nath

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.

Vijayaraghavan, Shri A.

Wadiyar, Shri Srikanta Datta Narasimharaja

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

Yadav, Shri Baleshwar

Yadav, Shri Chhotey Singh

The motion was adopted

Yadav, Shri Chun Chun Prasad

Yadav, Shri Devendra Prasad

[English]

Yadav, Shri Hukumdeo Narayan

MR. CHAIRMAN: Now statement by the Prime Minister.

Yadav, Shri Janardan

Yadav, Shri Kailash Nath Singh

PROF. SAIFUDDIN SOZ (Baramulla): Sir, I rise on a point of order. The Bill is passed. It was a very important item on the agenda. I have no objection to that. The House did not agree earlier to extension of time for this Bill. It has never happened that there is postponement of Private Members' Business. It is a Constitutional right. (*Interruptions*)

Yadav, Shri Mitrasen

Yadav, Shri Ram Sharan

Yadav, Shri Ramendra Kumar Ravi

Yadav, Dr. S.P.

Yadav, Shri Sharad

Now, Sir, I want re-scheduling of the business. Earlier the discussion on the communal situation was to come up at 2 PM and discussion on Panama at 6 PM. I want the House to agree to the discussion on communal situation at 6 PM and Panama discussion later.

Yadav, Shri Ramjilal

Yadvendra Datt, Shri

Yazdani, Dr. Golam

Yuvraj, Shri

MR. CHAIRMAN: Discussion on communal situation will precede discussion on Panama. Now please sit down.

Zainal Abedin, Shri

16.45 hrs.

**STATEMENT BY PRIME MINISTER RE:
BOFORS ISSUE**

THE PRIME MINISTER (SHRI VISHWANATH PRATAP SINGH): Sir, we are trying to take the House into confidence on the Bofors issue because the Government has taken a decision to debar Bofors from future contract and also taken a decision to review the present contract. In that context, I am sharing with the House as to what was the background in which we have come to this decision,

Sir, ever since the news broke in April, 1987 that large payments had been made as commissions by Bofors into secret Swiss bank accounts in connection with the 155 mm gun contract with the Government of India, the entire nation has been most anxious to know all the facts. The Government of India immediately came out with the statement that the news-item was false, baseless and mischievous. The then Government also said that during negotiations it had "made it clear that the Company should not pay any money to any person in connection with the contract." Many felt assured that the Government would deal effectively with the culprits because the statement also promised that "Any breach of this policy by anyone will be most severely dealt with".

2. A few days later in April, 1987, the then Minister of Defence stated in Parliament that Government did not approve of the appointment of Indian agents acting for foreign suppliers and that the Defence Secretary had told the Companies bidding for the contract that the Government of India will disqualify a firm in case it comes to its notice that an agent had been appointed by a foreign firm.

3. The Report of the Swedish National Audit Bureau was made available to Government in June, 1987. Even though a vital portion of this Report was withheld by the Swedish Government, it clearly established that very large payments had been made by

Bofors to various persons in connection with the Indian contract. This demolished the then Government's case that the allegations earlier made in the media were false and baseless.

4. The records show that there was a flurry of activity on the receipt of the Swedish National Audit Bureau Report. The then Government immediately took the decision to go about setting up a Joint Parliamentary Committee to enquire into the whole matter. The then Rajya Raksha Mantri, Shri Arun Singh, recorded a note on 10th June, 1987, which I would like to quote in full. It reads as follows:—

"On 4 June, in meeting held in FNO, we were informed that the Swedish Government had forwarded a copy of their National Audit Bureau Report on the 'Bofors' case to our Government and that the Swedes were going to make the document public based on various discussions held on CCPA, Cabinet and with opposition leaders, Government of India announced its decision to establish a Parliamentary Committee to examine the Swedish findings etc. Since then no further discussion have been held with us and no further announcements made. In sum, the Swedis have confirmed the following:—

- (a) Payments of 100000 SAK per month to Anatronc General Corporation in India.
- (b) Payments of 31.5 million SAK to an account in Switzerland in November/December' 86. The payee is not stated but could be 'Lotus' (whoever that is?)
- (c) Payments of something between 175-250 million SAK as 'winding-up' charges to 'others'.

In replying to the debate in the Rajya Sabha, I had made the following basic points:—

- (a) GOI policy was that no payments were to be made to anyone as commission in relation to this contract.
- (b) This policy had been communicated both to the company (Bofors) and to the Swedish Government.
- (c) This communication had been understood by both those parties and they had recommended that understanding to us.
- (d) Therefore, if any payments had been made, "there must be something wrong with that payment".

Taking this logic further, I then went on to say that we as Government are very interested in finding out if anything has been paid and, to quote: "If we find something has been paid, we will definitely pursue each of these questions: what? When? Where? how? to whom? and why?" It is my understanding that the National Audit Bureau Report has confirmed unequivocally that payments have been made and I stand by my statement in the Rajya Sabha that such payments are grossly violative of all stated GOI policy as communicated to and understood by both Bofors and the Swedish Government; it must therefore follow that we as GOI must pursue this matter to a logical conclusion in terms of the questions I myself had posed in my reply to the debate. Given the above, I have taken the liberty of asking officers of the Department of Defence to draft two letters—one to Bofors and one to the Swedish Government. In these we are seeking answers to our questions. I recommend that we send these to our Ambassador in Sweden for him to deliver. He should be told that he should inform both the Swedish Government and the company that unless they give us the information we want, we will have no alternative but to cancel the contract for the FH 77 B 155 mm Powitzers.

I am fully cognisant of the fact that this cancellation will have some negative impact on our Defence preparedness but you may

like to reconfirm with COAS whether we can live with that. In my view we must be prepared to go to this extent of cancellation because our very credibility as a Government is at stake and what is worse, the credibility of the entire process of Defence acquisitions is also at stake.

I would be most grateful if this note and the draft letters could be forwarded by you to the Prime Minister after you have seen them."

Shri Arun Singh put up this note to the then Raksha Mantri, Shri K.C. Pant, with the request that the note along with the draft letters proposed to be addressed to Bofors and to the Swedish Government be forwarded to the Prime Minister. Shri Pant signed this note in endorsement on 11th June '87 and put it up to the former Prime Minister.

5. On this, the former Prime Minister recorded a minute which reads as follows:—

"It is unfortunate that MOS/AS has put his personal prestige above the security of the nation before even evaluating all aspects. I appreciate his feelings as he had been dealing with Defence almost completely on his own with my full support but that is not adequate reason to be ready to compromise the security of the nation. Has he evaluated the actual position vis-a-vis security? Has he evaluated the financial loss of a cancellation? Has he evaluated the degree of breach of contract by Bofors if any? Has he evaluated the consequences for all future defence purchases if we cancel a contract unilaterally? Has he evaluated how rival manufacturers will behave in the future? Has he evaluated how GOI prestige will plummet if we unilaterally cancel a contract that has not been violated? To the best of my belief the Swedish Audit report upholds GOI position and does not contradict it. What we need to do is to get to the roots and find out what precisely has been happening and who

[Sh. Vishwanath Pratap Singh]

all are involved. Kneejerk reactions and stomach cramps will not serve any purpose. RRM has run the Ministry fairly well but there is no reason to panic, specially if one's conscience is clear."

6. Unfortunately, this minute recorded by the then Prime Minister on 15th June, 1987 was received in the Ministry of Defence only on 21st July, 1987 a few days after Shri Arun Singh demitted office on 18th July 87. In the meantime, however, communications were sent to the Swedish Government and to Bofors. The Ministry of Defence wrote a strong letter on 16th June, 1987 to Bofors charging them with violation of the contract and breach of a solemn assurance that no agent or middleman would be employed by them and demanding full and detailed information from the Company with regard to these payments.

7. Towards the end of June, 1987, the Ministry also sought the opinion of the Attorney General for India. In his opinion,—I am laying* that opinion on the Table of the House—received on 4th July, 1987, the AG expressed the view that "if AB Bofors have engaged an Indian agent, it is contrary to the condition precedent to the contract and Government of India has an option either to treat them as a breach and sue them for damages or to keep alive the contract and sue them for breach of warranty." He also maintained that there could be "no other payment which they could legitimately make for winding up of any alleged agency agreement as nothing of that sort was disclosed by them to Government of India except the service contract on payment of 100,000 SEK per month.")

8. The AG also expressed the view that "Bofors has no right to claim that the Company has to maintain secrecy as of utmost importance especially within defence area." He said that if the matter goes into arbitration

or to Court, it would be governed by Indian law and Bofors "will be bound to disclose the particulars of the alleged middlemen and the payments made to them." The AG went on to advise that "the Government should take a firm stand even to the extent of threatening Bofors with the consequences of termination of the contract in view of the breach committed by them of the conditions precedent to the contract." At the same time, the AG cautioned that "in the event of cancellation, litigation by way of arbitration is inevitable. Though the Government of India has a strong case, one cannot always predict the outcome of litigation or arbitration."

The AG also noted that the Government may have to make alternative arrangements for the purchase of guns, if required. But "if Bofors persist and continue to adopt this persistent attitude of non-disclosure, there seems to be no other option left for the Government than taking stern steps."

9. Then there is the recommendation made by the former Chief of Army Staff, General Sundarji, conveyed in two notes in June-July, 1987. His note dated 15th July, 87 which is similar to the one recorded on 13th June, 1987 reads as follows:—

"Reference discussion in RRM (A)'s office of this morning. My views on the strategic implications are contained in the succeeding paragraphs.

"It is essential that we get the full information as to the moneys paid to various individuals by Bofors or their agents in connection with the gun deal. They may readily give us this information; however, we should go to the extent of threatening to cancel our contracts if they do not part with this information.

"M/s Bofors have invested vast amounts, marshalled a large workforce and commissioned a number of sub-contractors to execute the contract. A threat to cancel the contract will hurt

*[See No. LT.—265/90]

them enough to make them understand the inescapable requirement to part with complete information.

"If the threat does not work, and in the worst case leads to the cancellation of the contract, I believe that the delay in procurement of 155 mm guns would perhaps be about 18 months to 2 years. I believe that we could live with this delay and take a calculated risk. Negotiations will have to be re-opened soonest with France and the UK, so that we can get a near matching weapon system to fill the large void in vital artillery support to our field formations. If we negotiate with both France and the UK, the former will not be able to hike up their prices.

"In sum, I recommend that in the interest of vindicating National Honour we apply full pressure on Bofors to part with the information needed for legal action against the culprits and accept the risk that this might in the worst case lead to a cancellation of the contract."

10. The first and only significant disclosures by Bofors were made in their discussions with the officers of the Government of India in September, 1987. It then came out that an amount in excess of 319 million kroners, corresponding to Rs. 64 crores at the then prevailing rate of exchange, had been paid by Bofors to three companies, namely, Svenska, AE Services and Pitco-Moresco-Molneao. Even though the record of discussion stands already published in the various newspapers, it would be useful to take note of certain facts contained in the records. While giving details, Bofors admitted that in the case of the Moresco the payments were made into code-named accounts viz. that of Lotus. They have also admitted that except for Moresco, the payments were made through normal banking channels. It is interesting that payments to Moresco were not made through banking channels. *Prime facie*, this is strong evidence to indicate the clandestine nature of these irregular payments.

11. Certain definite conclusions emerge from the facts recapitulated by me on the basis of the record. In brief, these are:

One, that Bofors committed a violation of the Contract and a breach of solemn assurances not to use agents or middlemen in connection with the Indian contract. This conclusion has been clearly recorded in June '87 by the Defence Secretary, by Shri Arun Singh, Minister of State, and by the Defence Minister, Shri K.C. Pant. It was also the opinion given by the Attorney General for India on 4th July, 1987.

Two, it was also established that Bofors had paid large sums of money relating to the Indian Contract and had entered into an agreement with one company, namely, AE Services, in November, 1985, well after they were clearly informed of Government of India policy in day, 1985. It is of course obvious that they did not agree to divulge this information to the Government of India despite repeated requests.

Three, Legal opinion is available on record, holding that the company's conduct amounted to an actionable wrong and that the Government were entitled to know the names of the recipients and to recover the amounts.

12. It is established on record that the officers and Ministers concerned at that time were all of the view that action should be taken against Bofors on these grounds. This was supported by legal opinion. In fact the Attorney General also mentioned in his opinion that if Bofors plea of secrecy were tenable then, and I quote, "they can violate the condition precedent insisted upon by the Government of India and agreed to by them to the effect that there should be no middlemen. They can with impunity enter into a contract with a middleman and on the pretext of secrecy can refuse to divulge particulars. This cannot be the true position....."Unquote.

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In other words, the condition itself becomes futile if they are allowed with impunity to avoid disclosing the details.

13. The decision of the present Government to debar Bofors from future contracts is a natural consequence of the facts established and the views available on the records of the Defence Ministry.

14. As regards the existing contracts it is important to recognise that the situation prevailing in 1987 was one in which a cancellation, or the threat of cancellation, would have been very effective. In mid-1987, the fulfilment of the Contract was still in the initial stages and its cancellation, therefore, would have meant a real and significant loss of business to the supplier. Moreover, the consequent loss of employment may well have caused serious concern not merely to Bofors but also in other quarters. Of the two contracts, namely, the Supply Contract and the Licence Agreement for Licence Production in India, the Supply Contract stands nearly fulfilled and the Company has already received the bulk of the payment due to them.

15. The preparatory work for the implementation of this Licence Agreement is near the stage of finalisation, but its implementation has not commenced. We have now to review all relevant aspects pertaining to these contracts.

16. The enquiries conducted so far have failed to inspire public confidence. Only a preliminary enquiry has been instituted by the CBI as late as in November, 1988 and that too for tax evasion and concealment of income. The Public Prosecutor of Stockholm in Sweden had started enquiries in this case and had made a request for assistance through Interpol in September 87. This request was considered in a meeting held on 1st October 1987. taken by the Home Minis-

ter, and attended by the Minister of State, Shri Chidambaram, Special Secretary (A) of PMO and Defence Secretary, and it was decided to divert this request to JPC. It seems that no response was made and no cooperation was extended to the Public Prosecutor in Stockholm, Sweden.

17. As regards the exercise undertaken by the JPC in which the Opposition parties declined to participate it is too well-known for me to repeat it again here. Considerable time has elapsed since the allegation first made in April 87 and those involved in the case have had plenty of time and opportunity to cover the tracks and build up their alibis. This is a situation which we have inherited.

18. Our first step has been to expeditiously review, the relevant records and to re-assess the existing position with a view to revitalising the investigative effort necessary in this case. We have also issued orders to debar Bofors from future contracts, as I said earlier, thereby putting the Company on notice that we mean business.

19. In conclusion, I would like to reiterate the resolve of this Government to enforce the law, recover the amounts paid and ascertain the identity of the recipients. There is no compromise on this. For if no action is taken on default of such a contract condition, parties to future contracts would not be deterred from violating such conditions in the future. We have instructed the investigative agencies to pursue their inquiries and investigations as per law. At the Government level, the review of the whole case is underway and very soon the matter is going to be taken up with the foreign Governments through diplomatic channels and with the Swiss authorities in terms of the Memorandum of Understanding between India and Switzerland. I would like to assure the House that this matter will be pursued to its logical conclusion keeping the Parliament and the people informed of progress.

17.00 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 Sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 6) Bill, 1989 which was passed by the Lok Sabha at its sitting held on the 26th December 1989, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

(Interruptions)

MR. CHAIRMAN (SHRI JASWANT SINGH): Kindly sit down. Kindly be in order.

(Interruptions)

MR. CHAIRMAN: Your leader is standing. I am going to recognize your leader. Now Mr. Rajiv Gandhi.

SHRI RAJIV GANDHI (Amethi): In the debate yesterday evening in this House, the Prime Minister had promised to lay the files of the Prime Minister's office relating to the Bofors issue on the Table of this House today. Now it is already five minutes past 5 p.m. I would like to know from the Government whether they are going to fulfil that promise of the Prime Minister or not.

(Interruptions)

MR. CHAIRMAN: Can anybody respond to that?

(Interruptions)

MR. CHAIRMAN: Kindly sit down.

THE MINISTER OF ENERGY AND MINISTER OF CIVIL AVIATION (SHRI ARIF MOHAMMAD KHAN): The Prime Minister has today stated all the facts before the House. *(Interruptions)*

SOME HON. MEMBERS: No.

SHRI ARIF MOHAMMAD KHAN: Let me complete. *(Interruptions)* Don't behave like this. *(Interruptions)*

MR. CHAIRMAN: Not like this.

MR. CHAIRMAN: Please sit down. I would like tall the intemperate remarks that have been made to remain as part of the proceedings of this House. None of the intemperate remarks would be expunged, and I would like them to remain on the record of the House, so that we come to know what is happening when it comes to important discussions like this.

Would the Government like to answer the Leader of the Opposition?

(Interruptions)[*Translation*]

SHRI LALU PRASAD (Chapra): The submarine and West land Helicopter issues are also going to be discussed.

(Interruptions)[*English*]

MR. CHAIRMAN: When this important matter is before the House, kindly sit down.

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI U. UPENDRA): The two documents relating to the promise made by the Prime Minister yesterday have already been placed before the House. They have been duly authenticated. *(Interruptions)*

[*Translation*]

SHRI PRAKASH KOKO
BRAHMBHATT: Submarine, ships and
ammunition all issues will be taken up. Be
patient. (*Interruptions*)

[*English*]

SHRI RAJIV GANDHI: Sir, I would beg
to you to withdraw the transcript of yesterday
evening's proceedings. (*Interruptions*) I
especially wanted all the documents be-
cause I did not want him to partially present
them, to present a case. The Prime Minister
today has presented my nothing, without
presenting the reply to my notings, that were
given. That is specifically why I had said
'whole documents'; and yesterday in this
House, the Prime Minister agreed that he
would lay all the documents on the Table of
this House today. (*Interruptions*)

MR. CHAIRMAN: Kindly sit
down. (*Interruptions*)

I shall go through the transcript of the
proceedings in the House. I shall apprise the
hon. Speaker of the transcript; I shall apprise
the hon. Speaker of what the Government
has replied, and I shall leave it to the hon.
Speaker to decide on this issue.

SHRI RAJIV GANDHI: One more point.
Today is the last day of the Session. His
commitment was for today; it is not for the
next day. The House will be sitting late today;
there are two more debates to be held today.
I presume the House will sit late. I hope the
Government will come forward in this time.

MR. CHAIRMAN: I note the point. I do
not want to make it into a question-and-
answer session. All that I have said will be
referred to the hon. Speaker, and the assur-
ances given by the Government will be ful-
filled as per the hon. Speaker's directions,
and in accordance with the transcript of the
proceedings.

Now Shri L.K. Advani.

SHRI L.K. ADVANI (New Delhi): My
point was very simple. We are now about to
start our non-official business. Normally, it
was to commence at 3.30 p.m.; and have it
from 3.30 to 6 p.m. which means 2 1/2 hours.
Do we stick to that schedule, so that it starts
at 5.10 p.m. and goes for 2 1/2 hours—
because one of the resolutions stands in my
name, which I regard as important, viz. relat-
ing to electoral reforms. When do we take up
the next programme? When is it to con-
clude? This is what I would like to know.

MR. CHAIRMAN: I shall have to take
the consensus of the House on this particu-
lar matter. (*Interruptions*)

PROF. SAIFUDDIN SOZ (Baramulla):
The first discussion is on the communal
situation.

MR. CHAIRMAN: Please listen to me.
I shall have to take the consents of the House
about the 'Private Members' Resolutions:
when the consent of the House was taken,
on account of the Constitution (Amendment)
Bill and the Prime Minister's statement, the
implication was that today's Private Mem-
bers' Bills and Resolutions business etc.
shall not be taken up. I have already ruled
that the first item to be taken up at 18.00 hrs.
today is the discussion on the communal
situation; thereafter on Panama; and if, after
that, the House wishes to take up the Private
Members' Business, it is upto the House.

(*Interruptions*)

SOME HON. MEMBERS: No.

(*Interruptions*)

MR. CHAIRMAN: I do not recognize
you. I have not recognized you.

(*Interruptions*)

[*Translation*]

SHRI KALPNATH RAI (Ghosi): Mr.
Speaker, Sir, yesterday the hon. Prime
Minister had said that he would lay all the

papers on the Table of the House. The entire Press has reported this... (*Interruptions*)

MR. CHAIRMAN: There is no point of order.

(*Interruptions*)

SHRI BHAJAN LAL (Faridabad): On a point of order, Sir.

MR. CHAIRMAN: Under which rule are you raising the point of order?

(*Interruptions*)

SHRI BHAJAN LAL: We need your protection. We want all files to be laid on the Table of the House as assured by the hon. Prime Minister yesterday.

(*Interruptions*)

[*English*]

MR. CHAIRMAN: You are intemperate and disorderly. Whatever this hon. Member says will form part of today's proceedings.

(*Interruptions*)

SHRI MANDHATA SINGH (Lucknow): I venture to suggest, regarding today's agenda, that we have still about an hour left for the non-official business. (*Interruptions*)

MR. CHAIRMAN: Are we doing it, when you are interrupting like this?

SHRI MANDHATA SINGH: I wish to remind you that the hon. Speaker who was in the chair in the morning, had assured us that at 18.00 hrs., notices under rule 377 would be taken up.

MR. CHAIRMAN: This statement was taken up. (*Interruptions*)

SHRI MANDHATA SINGH: He said that the discussion on the communal situ-

ation, as already ruled, would precede the discussion on Panama. (*Interruptions*)

MR. CHAIRMAN: You are intruding into the time for Private Members' Business. Please sit down. (*Interruptions*)

17.16 hrs.

FOREST (CONSERVATION) AMENDMENT BILL*

(Amendment of sections 2 and 4)

[*English*]

SHRI HARISH RAWAT (Almora): I beg to move for leave to introduce a Bill further to amend the Forest (Conservation) Act, 1980.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill further to amend the Forest (Conservation) Act, 1980."

The motion was adopted

SHRI HARISH RAWAT: I introduce the Bill.

17.17 hrs.

PUBLIC AND PRIVATE SCHOOLS (ABOLITION) BILL*

[*English*]

PROF. SAIFUDDIN SOZ (Baramulla): I beg to move for leave to introduce a Bill to provide for abolition of public and private schools in India.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a

Bill to provide for abolition of public and private schools in India."

The motion was adopted

PROF. SAIFUDDIN SOZ: I introduce the Bill.

"That leave to granted to introduce a Bill to provide for a comprehensive Crop Insurance Scheme and for matters connected therewith."

The motion was adopted

PROF. N.G. RANGA: I introduce the Bill.

17.18 hrs.

CONSTITUTION (SCHEDULED CASTES) ORDER (AMENDMENT) BILL*

(Amendment of the Schedule)

[English]

SHRI KHEMOCHANDBHAI SOM-ABHAI CHAVDA (Patan): I beg to move for leave to introduce a Bill further to amend the Constitution (Scheduled Castes) Order, 1950.

MR. CHAIRMAN: The question is

"That leave be granted to introduce a Bill further to amend the Constitution (Scheduled Castes) Order, 1950."

The motion was adopted

SHRI KHEMOCHANDBHAI SOM-ABHAI CHAVDA: I introduce the Bill.

17.19 hrs.

CROP INSURANCE SCHEME BILL*

[English]

PROF. N.G. RANGA (Guntur): I beg to move for leave to introduce a Bill to provide for a comprehensive Crop Insurance Scheme and for matters connected therewith.

MR. CHAIRMAN: The question is:

[English]

SHRI INDRAJIT GUPTA (Midnapore): Mr. Chairman, Sir, Mr. Deshmukh is trying to draw your attention to the fact that last Friday an unfinished discussion on his Resolution had ended.

MR. CHAIRMAN: I am aware of it. I am actually trying to help him. I am giving permission for Members to introduce the Bills.

These will not be taken up in this session.

(Interruptions)

MR. CHAIRMAN: It will be taken up between now and six o'clock. I am actually trying to work for him. He does not recognise

17.20 hrs.

CONSTITUTION (AMENDMENT) BILL*

(Insertion of new Article 19A)

[English]

SHRI CHITTA BASU (Barasat): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted

SHRI CHITTA BASU: I introduce the Bill.

17.20 1/2 hrs.

CONSTITUTION (AMENDMENT) BILL*

(Substitution of new article for Article 263)

[English]

SHRI CHITTA BASU (Barasat): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted

SHRI CHITTA BASU: I introduce the Bill.

17.21 hrs.

CONSTITUTION (AMENDMENT) BILL*

(Insertion of new Part XIA)

[English]

SHRI CHITTA BASU (Barasat): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted

SHRI CHITTA BASU: I introduce the Bill.

17.21 1/2 hrs.

CONSTITUTION (AMENDMENT) BILL*

(Insertion of new article 16A)

[English]

SHRI CHITTA BASU (Barasat): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted

SHRI CHITTA BASU: I introduce the Bill.

17.22 hrs.

CONSTITUTION (AMENDMENT) BILL*

(Amendment of the Preamble, etc.)

[English]

SHRI RAM NAIK (Bombay North): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted

SHRI RAM NAIK: I introduce the Bill.

The motion was adopted

17.22 1/2 hrs.

CONSTITUTION (AMENDMENT) BILL*

(Insertion of new Articles 23A, 23B and 23C)

[*Translation*]

SHRI YAMUNA PRASAD SHASTRI (Rewa): I beg to move for leave to introduce a bill further to amend the Constitution of India.

[*English*]

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted

[*Translation*]

SHRI YAMUNA PRASAD SHASTRI: I introduce the Bill.

17.23 hrs.

CONSTITUTION (AMENDMENT) BILL*

(Amendment of Articles 84 and 173)

SHRI MULLAPPALLY RAMACHANDRAN (Cannanore): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

SHRI MULLAPPALLY RAMACHANDRAN: I introduce the Bill.

17.23 1/2 hrs.

NEWSPAPERS (PRICE AND PAGE) BILL*

[*English*]

SHRI V.N. GADGIL (Pune): I beg to move for leave to introduce a Bill to provide for the regulation of the prices charged for newspapers in relation to their pages and of matters connected therewith for the purpose of preventing unfair competition among newspapers so that newspapers may have fuller opportunities of freedom of expression.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill to provide for the regulation of the prices charged for newspapers in relation to their pages and of matters connected therewith for the purpose of preventing unfair competition among newspapers so that newspapers may have fuller opportunities of freedom of expression."

The motion was adopted

SHRI V.N. GADGIL: I introduce the Bill.

17.24 hrs.

HIGH COURT AT BOMBAY (ESTABLISHMENT OF A PERMANENT BENCH AT PUNE) BILL*

[*English*]

SHRI V.N. GADGIL (Pune): I beg to move for leave to introduce a Bill to provide

for the establishment of a permanent Bench of the High Court of Bombay at Pune.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill to provide for the establishment of a permanent Bench of the High Court at Bombay at Pune."

The motion was adopted

SHRI V.N. GADGIL: I introduce the Bill.

17.24 1/2 hrs.

CONSTITUTION (AMENDMENT) BILL*

(Insertion of new article 16A)

[English]

SHRI AMAR ROYPRADHAN (Cooch Behar): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted

SHRI AMAR ROYPRADHAN: I introduce the Bill.

17.25 hrs.

RESOLUTION RE: CONVERSION OF NARROW GAUGE RAILWAY LINES INTO BROAD GAUGE—*CONTD.*

[English]

MR. CHAIRMAN: Now we go to Private Members' Resolutions. Item No. 25, further

discussion of the Resolution moved by Shri Sudam Deshmukh.

On the last Private Members' Resolution day, I had said that every Member had been given an opportunity to intervene. I said that I will give time only for the hon. Minister to reply and for the mover of motion to respond to the Minister's reply, I hope Mr. Deshmukh will realise I am trying to work for him.

[Translation]

THE MINISTER OF RAILWAYS (SHRI GEORGE FERNANDES): Mr. Chairman Sir, the Resolution moved in the House on the 22nd concerned a 225 kms. long narrow gauge line in Vidarbha. All points raised by the mover are valid. This railway line is owned by a private company but it is being run by the Government and not by any private management. When the Government took over the responsibility of running this railway, the understanding was that the Government could take-over this railway line subject to certain conditions.

17.26 hrs.

[SHRIMATI GEETA MUKHERJEE *in the Chair*]

There was also an agreement that once in every 10 years, the Government could initiate a move to take-over this railway line and also decide the cost at which this project would be undertaken. The agreement was entered into in 1916 and since then after every 10 years the Government considered the proposal for the take-over of this railway line. The last time such a proposal came up before the Government was in 1986. During discussions between the private company, the Railway Board and the Maharashtra Government, it was decided that the Government would not take-over the railway line but would reconsider this proposal in 1996 on the basis of this agreement. So the first problem before us is that if we abide by the terms and conditions of this agreement be-

[Sh. George Fernandes]

tween the Government and the Company we will have to wait for a further period of seven years. Madam, we can, of course, think in terms of taking over this railway line as a special case but there are 2-3 problems which I would like to point out. Firstly, in spite of the fact that this railway line is in the ownership of a private company, the Government is running it despite heavy losses. The hon. Member who moved the Resolution said day before yesterday that the railway line passes through agricultural land where oranges and cotton are grown. But the daily haulage on this line during the past 1 1/2 years has been seven tonnes on an average. So far as movement of passengers on this line is concerned, the daily average during the past 1 1/2 years has been 200 passengers. During the discussions held in 1986, the argument put forward was that as the railway line was incurring heavy losses, the railway administration was not interested in the take-over in its present state. When the Maharashtra Government was approached they declined to take any responsibility in this matter. Their plea was that the State Road Transport Corporation was running its services along the 225 kms. long route of the railway line i.e., 113 kms. from Murtajapur to Yeotmal, 77 kms. from Murtajapur to Achalpur and 35 kms. from Phulgaon to Arvi. Therefore, there is no need to consider taking over this railway line.

Madam, the issue of earnings from this railway line is also a complicated one. On an average the daily income from freight haulage is Rs. 150. Not much of freight is transported along this route.

SHRI SUDAM DATTATRYA DESHMUKH (Amravati): Freight carriage has been stopped.

SHRIGEORGE FERNANDES: Madam, I have the figures for the last 11-12 years with me. The figures I have quoted pertain to 1978-79. So far as the earnings are concerned, this railway line has shown a declin-

ing trend. During the 18 months of 1988 and 1989, 16.29 lakh passengers travelled on this route. In the last 18 months, 11,37,815 passengers travelled on this route whereas there has been a 5 to 7 per cent increase in the number of passengers carried by the Indian Railways as a whole. There has been a gradual decline in income on this line over the last 12 years. When the income from freight traffic is Rs. 150 a day and that of from sale of tickets is Rs. 3000/- a day as against such a huge operating cost, you can well imagine how difficult for us to operate this service. The Central Railway has incurred a loss of about Rs. 2.25 crore in operating this Railway line last year. As against an annual expenditure of Rs. 2.50 crores, it fetches revenue not more than Rs. 17 to 18 lakh a year.

Madam Chairman, I am not saying that as the line in question is incurring losses, this area should not be developed by the Railway. It is a fact that the Railways is the best mode of freight as well as passenger traffic. I do not believe in this theory that the expansion of railways should not be undertaken at the place where it is incurring losses. Though such argument is often given that the concern running in losses should be closed. There are people in the country who believe in this theory to be applied universally on factories as well as transport organisations. As a matter of fact, I believe in this principle neither in theory nor in practice. We have with us detailed information in regard to income and losses on various lines. No definite criterion can be evolved in respect of laying of new railway lines, expansion of railways and continuance of old tracks. As I have already stated that we have legal difficulty. The main hinderance in taking over this line is that of legal stipulation of ten years which was first signed in 1916 and so on after every ten years. We are not in a position to find any solution to this problem as the position was last reviewed in 1986. During the course of discussion, I explained the position with regard to one such 225 km long railway line in Vidarbha region. As many as 33 Members participated in the discussion which took place on last Friday.

SHRI SUDAM DUTTATREYA DESHMUKH: I have an amendment on it.

SHRI GEORGE FERNANDES: Yes, I am aware of it and I will come to it also. You will be surprised to know that this railway line is situated in Vidarbha region of Maharashtra about which people are least concerned and which is backward to the extent that we have launched a movement to develop the vidarbha region. As many as 33 Members belonging to 9 different states took part in the debate on this railway line and highlighted the problems of their respective areas. I welcome the discussion because it is a major problem and Railways play a significant role in the development of people and the economy of the country. I said it on that day itself that we discussed it as if it were a mini budget. The problems highlighted by the Members with regard to their respective areas have been noted down. We are aware of the high expectations of the people from the Government. During the course of discussion held on last Friday, a demand for laying 3623 kms new railway line was made in the House. Similarly, a demand for converting about 3085 kms metre gauge into broad gauge has been made. As regards the doubling the railway line, the demand is of about 737 kms. As regards the demand of constructing a bridge across the river Ganga, it involves an expenditure of about Rs. 225 crores. Yet another demand is of electrification of track. Thus during the discussion held on last Friday, the hon. Members made several demands which involved an estimated expenditure of about Rs. 8892 crores. The Government have assessed the development projects of the railways undertaken during the last 4 to 5 years. We are going to spend Rs. 250 crores only on laying of new railway lines this year whereas the demand made in the House would involve Rs. 5000/- crore. Similarly, we are going to spend Rs. 80,90 crore on gauge conversion, whereas an amount not less than Rs. 2.5 to 3 thousand crore would be required to meet the demands of the hon. Members. So it is very difficult for us to accept or reject a particular line for gauge conversion. On a 2 hours discussion on conversion of a narrow gauge

railway line into broad gauge in Vidarbha region, 33 Members took part in the debate and made demands involving Rs. 10,000 crores. Sensing the trend, it is difficult for me to imagine the demands to be made by the hon. Members during the course of discussion on the Railway Budget. Therefore, I understand the importance of this question and that is why I said that I should be happy to have this discussion as it enabled me to have an advance idea of the demands to be made by the Members. A number of demands have been made by the hon. members. These pertain to several constituencies. So it would not be possible to discuss all of them today, nor do I consider it to be necessary. I beg to be forgiven for this.

SHRI MAHADEV RAI SHIVSHANKAR (Chimboor): I have an amendment on it.

SHRI GEORGE FERNANDES: Your amendment is with regard to railway line from Gondia to Chandrapur.

[*English*]

SHRI H.K.L. BHAGAT (East Delhi): For a few seconds permit me to speak. I shall be grateful if the hon. Minister enlightens us on this because there was a proposal at one stage—of course I know it from the initial stage for a Metro railway in Delhi with Soviet assistance. But I read in newspaper that hon. Minister has stated that Delhi will not get it. I would like to know the position, as to where does it stand? We should get it in Delhi; it belongs to the nation and nine million people are living there. I would like to know from the Minister as to whether the newspaper report is correct, if he said it, he should reconsider that.

[*Translation*]

SHRI GEORGE FERNANDES: Mr. Chairman, Sir, the point raised by the hon. Member is absolutely correct. When I attended my office in the Rail Bhawan for the first time, I was asked question in a Press conference to express my views in regard to the proposed metro railway in Delhi about

[Sh. George Fernandes]

which the hon. Member has just now stated that a negotiation was going on with the Soviet Union. I only said that on 16.4 kms. stretch of metro railway in Calcutta, an amount of Rs. 700 crores has so far been spent. If such a huge amount of Rs. 1300 crore is spent on a stretch of 16.4 kms. metro line in Delhi, it attaches no significance except beautification of the city. For a developing country like us, it has no utility.

SHRI JAIPRAKASH AGGARWAL: It is not beautification but a facility.

(*Interruptions*)

[*English*]

SHRI H K L BHAGAT: You know the grounds for that

[*Translation*]

SHRI GEORGE FERNANDES: It is correct. I do not want to enter into controversy of words. (*Interruptions*)

[*English*]

I will not go into any debate

[*Translation*]

All right, I appreciate your point. As regards our priority is concerned, we will give priority to the development of those areas where no facilities are available. This is my thinking but this does not mean that no attention would be paid to the problems of urban areas and no facilities will be provided there. I do not mean that the problems of the cities should be sidetracked. But it would be difficult to do both things at the same time.

[*English*]

SHRI H K.L. BHAGAT: May I request the hon. Minister to give us a chance to meet him all the M.Ps from Delhi—before he takes the final decision?

[*Translation*]

SHRI GEORGE FERNANDES: The matter would be discussed during the debate on the Railway Budget. If you want to discuss the matter with me, you are welcome at any time. (*Interruptions*)

SHRI R.N. RAKESH (Chail): The hon. Minister is very well aware that there is a city named Fatehpur in Uttar Pradesh. He has visited the place several times. Demand for constructing an over-bridge near Fatehpur Railway Station has been made many times but of no avail. You are requested to take steps for construction of the over-bridge.

SHRI GEORGE FERNANDES: It is not a question hour. (*Interruptions*)

SHRI GEORGE FERNANDES: In regard to the amendment given by Shri Shrivankar, I would like to tell him that there is a narrow gauge line from Gondia to Chandrapur. A survey was conducted earlier in the year 1980 but the matter was left undecided. As the matter has now come up for reconsideration, a new survey is being conducted again in respect of the railway track between Jabalpur and Gondia and between Barahat and Hatangi. This survey was started in 1983. We expect that a report thereon will be submitted very shortly. Moreover, a proposal has been received from the committee for the Expansion of Railway Network that the entire railway line from Chandrapur to Gondia and Jabalpur should be converted into broad-gauge line and one more direct railway line from South to North should be provided as there is only one railway line for rail journey from South to North. The aforesaid proposal of the committee is at present under consideration of the Planning Commission. So, we are sure that as soon as we receive a report on the proposal from the Planning Commission and the report of survey being conducted since 1903 in respect of Gondia-Chandrapur and Jabalpur-Chandrapur rail sections, we will certainly discuss the same. I would also like to make it clear to Shri Shrivankar....(*Interruptions*)....

Mr. Chairman, Sir, as I have already said, I am not going to discuss all the points raised by each and every hon. Member. However, I would like to submit that we will certainly discuss each and every proposal submitted during the debate on last Friday. We will discuss them not only for the sake of discussion, but will also take into account the sentiments and problems of all the hon. Members and wherever possible, take all the steps to provide immediate relief and undertake the construction work. We will try to do all that we can do in this regard.

[English]

SHRI INDRAJIT GUPTA (Midnapore): I had made a very modest demand—not running into thousands of kilometres or hundreds of crores of rupees. I wanted to know why in an already existing suburban network of electrified trains around Calcutta metropolis, one missing link, which runs only for 40 to 45 kilometres, has been left unattended to. Will that link be supplied?..... (Interruptions)...

[Translation]

SHRI GEORGE FERNANDES: Mr. Chairman, Sir, first, I would like to reply to Shri Inderjit... (Interruptions)... It is not a new but a long standing demand and it is not only Shri Indrajit Gupta who has raised it here, but it was also the residents of Calcutta who had personally raised it. We will discuss it and take all the possible steps in this regard.

PROF. YADUNATH PANDEY (Hazaribagh): Mr. Chairman, Sir, even after 40 years of independence, Hazaribagh has not been connected with a rail link. Though it is a scheduled caste and scheduled tribe area, to this day it has remained completely neglected. During the freedom struggle, it was the place where Shri Jai Prakash Narain was put behind the bars, from where he had escaped in the year 1942. So, Hazaribagh should be connected with railway line. Though a survey had been conducted and accordingly an estimate had been prepared in 1977, but till today no step has been taken in

respect of this 294 kilometres of railway track.

SHRI NATHU SINGH (Dausa): Mr. Chairman, Sir, a proposal for the conversion of the railway track from Delhi to Ahmedabad via Jaipur into broad gauge line has been pending for long. Hence this railway track should be converted into broad-gauge track.

SHRI GEORGE FERNANDES: Mr. Chairman, Sir, I have already said... (Interruptions)....

[English]

MR. CHAIRMAN: Hon. Members, if you exhaust all your demands now, what will you do during the discussions on the railway budget?

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

[Translation]

SHRI PHOOL CHAND VERMA (Shajapur): Madam Chairman, the railway line from Indore to Dohad has been given the administrative sanction along with the clearance of the project by the Planning Commission but nothing has been done in this regard. The hon. Minister may please state as to by what time the work on that line is going to be started?....(Interruptions).....

SHRI GEORGE FERNANDES: I can only say that all the demands are justified. A demand was made in respect of the Chhitouni bridge. But you know it very well that this bridge had collapsed in 1924. Work on it is yet to be undertaken.....(Interruptions)....

PROF. RASA SINGH RAWAT (Ajmer): I would like to request you to take up the conversion of Delhi-Ahmedabad narrow gauge railway line into broad gauge line because to this day, the cities like Ajmer and Jaipur in Rajasthan have not been connected with the broad-gauge line. Hence, Delhi-Ahmedabad narrow gauge line should be converted into broad gauge line.

SHRIGEORGE FERNANDES: Madam Chairman, I would like to tell all the hon. Members that we will discuss with them the points and problems raised by them here during the discussions and besides that during the last three weeks I have received a number of letters from about 250 Members regarding the working and operation of railways in their constituencies. All these things will be taken into account at the time of discussion with the members and all those works and programmes as will be feasible within the constraints of the Budget will be taken up. However, I would like to make it clear that if each and every Member insists on an instant and concrete work in respect of the railway line in his constituency, you all will agree that it is not possible for me.

SHRI MURLI DEORA (Bombay South): What is going to be done in respect of Bombay?

SHRI GEORGE FERNANDES: I accept that you have submitted about Bombay. Others have also submitted about their constituencies. We will do as much as it is possible.

Madam Chairman, we will do, whatever is possible, regarding the railway line about which Shri Sudam Dattatreya Deshmukh has asked to take a final decision. But there are certain legal difficulties in it. In view of these legal difficulties and the proposed structure of zonal development, I would try to realise their aspirations and do all that what is possible in this regard. On that ground, I would like to request him to withdraw his resolution. I would like to thank all those hon. Members who have given their suggestions about the preparation of railway budget. They have expressed their views on the occasion of this discussion on this precise resolution.

With these words, I conclude and hope that the hon. Member will be pleased to withdraw his resolution.

SHRI SUDAM DATTARYA DESHMUKH (Amravati): Mr. Chairman, Sir,

I am grateful to all those 35 hon. Members of this House who have expressed their views on my resolution and supported it. Besides their participation in the discussion on my resolution, they have raised the problems of the whole country regarding the railways. They have pointed out the places where there is need of laying new railway lines and to provide railway facilities in those areas where they are not available. However the criterion of economic viability and the pressure of passenger traffic will not be basis of our decision in respect of the laying of new railway lines in these areas which have not been hitherto covered by the rail net work. It will be our sincere intention to cover such areas because it is a good step and it should be done. The information given regarding the railways in my constituency is not correct. Firstly, there is no ticket collector. Only money is collected from the passengers. The second thing that you have stated is also based on a wrong information. As this railway line is going to be closed, no parcels or other articles and goods from the traders are accepted for booking and there is also no transportation of timber from this area. Hence they have reduced the railway income. That is why you are saying all these things.

SHRI GEORGE FERNANDES: We are going to take steps to improve the situation.

SHRI SUDAM DATTARYA DESHMUKH: Another fact about which you have not given information is that the Government of Maharashtra is saying all along that the Central Government is not prepared to cancel this contract. But you are saying altogether a different thing. The plea given by them is that alternative arrangement is available there. Alternative arrangement are available everywhere. They are available even in Bombay and Delhi. The bombayites are rich people so they can start a new train also. Hence, before all those steps you are going to take in 1997, you should give the assurance that this railway line will be nationalised and I am sure that you are going to give that assurance. With that thing in view, I am going to withdraw my resolution. (*Interruptions*).

[English]

MR. CHAIRMAN: Many Members are raising their hands. As you know, naturally, according to rules we cannot reopen the whole discussion again. So, I am sorry. The Minister has already invited you all to place your demands in writing to him so that he can consider them before the Budget. I request all the Members who wish to speak now to resume their seats...*(Interruptions)*...He will do that.

(Interruptions)

18.00 hrs.

MR. CHAIRMAN (SHRIMATI GEETA MUKHERJEE): No interruptions please.

SHRI MAHADEORAO SHIWANKAR (Chimur): I seek leave of the House to withdraw my amendments No. 1 and 2 of the Resolution of Shri Sudam Deshmukh.

MR. CHAIRMAN: Has the hon. Member leave of the House to withdraw his amendments?

MANY HON. MEMBERS: Yes.
Amendment Nos. 1 and 2 were, by leave withdrawn

SHRI SUDAM DESHMUKH: I seek leave of the House to withdraw my Resolution.

MR. CHAIRMAN: Has the hon. Member leave of the House to withdraw his Resolution?

MANY HON. MEMBERS: Yes.
The Resolution was, by leave, withdrawn.

18.02 hrs.

RESOLUTION REGARDING POLL REFORMS

SHRI L.K. ADVANI (New Delhi): I beg to move:

"That this House is of the opinion that

against the background of the Ninth General Elections, poll reforms should be urgently undertaken, more particularly to curb the influence of money-power and muscle power, and to ensure that future elections held in this largest democracy of the world are completely free and fair."

MR. CHAIRMAN: You may please continue next time.

(Interruptions)

[English]

MR. CHAIRMAN: If you do like this, what am I to understand?

(Interruptions)

MR. CHAIRMAN: Shri Brahm Dutt.

SHRI BRAHM DUTT (Tehri Garhwal): Madam, yesterday, when the Prime Minister was replying to the debate on the Motion of Thanks on President's Address, the Leader of the Opposition, Shri Rajiv Gandhi demanded that all the papers regarding Bofors should be laid on the Table of the House, and it is on record in the debates of this House, that the Prime Minister promised to lay them on the Table of the House today. And today he only made a statement. What he laid on the Table of the House is a bunch of papers which are totally incomplete...*(Interruptions)*. The Prime Minister should not behave like this...*(Interruptions)*.

MR. CHAIRMAN: When I have given permission to one hon. member to make his point, all the others should listen. Even I could not hear what is saying. Please order. Yes Mr. Brahmadutt, what is your point?

SHRI BRAHM DUTT: Madam, the Prime Minister may be requested to come to the House and lay all papers relating to Bofors issue on the Table of the House..*(Interruptions)* All the papers must

[Sh. Brahm Dutt]

be laid on the Table of the House. Otherwise it will be an insult to this House... (*Interruptions*) There are two alternatives. Either they have to say that they have already laid all the papers on the Table of the House or... (*Interruptions*)

MR. CHAIRMAN: I call upon Shri Mufti Mohammad Sayeed to read out the statement.

(*Interruptions*)

18.06 hrs.

[*English*]

STATEMENT BY MINISTER DISAPPEARANCE OF SHRI JAGDEV SINGH KHUDIAN MEMBER OF PARLIAMENT

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Sir, I rise to inform the House of a disturbing development concerning an Honourable Member of Parliament

Shri Jagdev Singh Khudian had returned to his house in village Khudian of Faridkot District, at about 2200 hours on December 27. He was found missing from his room in the morning of December 28 when bed tea was sent to him. The search, however, started later on since the family members felt that he might have gone out some where. The suspicion regarding his absence arose when his family members found that his jacket, which he normally wore while going out of station, was hung on one of pegs in the room. It also contained his purse and papers. Later when the search started the police reportedly found only one set of footprints suspected to be of Shri Jagdev Singh Khudian himself going towards the Rajasthan Feeder through his own field which is located by the side of the Rajasthan Feeder Canal. This canal passes from near the village and is located at a distance of about one half to three fourth of

a kilometer from the house of Shri Jagdev Singh. The search party found his pair of shoes, turban and shawl near the bank of the canal. According to the police which had taken the statement of his son and nephew, Shri Jagdev Singh Khudian was somewhat perturbed ever after his election. The Police was informed. SSP of the District personally went to the spot on receipt of information and directed the investigation. However, till reports last came in, it has not been possible to get any clue to the Hon'ble Member's whereabouts or to the possible reasons for his disappearance. Vigorous search is going on and a special team headed by a DIG of Police has reach the site. The Government of Haryana and Rajasthan and their Police officers have been alerted and requested to help in search operations. Punjab Government has also arranged for closure of the flow of water in the canal to help the search for him.

Shri Jagdev Singh Khudian was given security arrangements after he filed nomination papers for election to Lok Sabha. He was given two gunmen, an escort of an Head Constable and three Constables and armed guard of one Head Constable and four Constables at his residence. However, he returned these arrangements on 8th November, 1989 and in spite of advice from the Punjab Police, he declined to have any security arrangements.

I can assure the House that all possible efforts are being made to trace out the whereabouts of the Hon'ble Member. From the information received so far, it is not possible to say whether any foul play can be suspected. As is well known, the Government has started a process of bringing Punjab back to normalcy. We have great hope from the newly elected Members of Parliament of this State that they would help us in achieving this aim. The disappearance of the Hon'ble Member at this juncture is a matter of special concern for all of us.

I am sure that the Hon'ble Members of this House would join me in wishing for the

welfare of Shri Jagdev Singh Khudian and for his safe and early return to his family.

[English]

(Interruptions)

MR. CHAIRMAN: Will you please resume your seats and let me understand what you want? I am not able to hear anything.

(Interruptions)

MR. CHAIRMAN: May I take it that you want to shout and not listen?

SHRI DINESH SINGH (Pratapgarh): Madam Chairperson, the Chairman before you had heard us and he also heard the Leader of the Opposition. He said that he would convey our views to the Hon. Speaker and that the Speaker's ruling would be conveyed to us. (Interruptions) In the meantime, the transcript of yesterday's proceedings was also placed before the Speaker and he had seen from the transcript that there was a specific commitment by the Hon. Prime Minister to place all the files with the Prime Minister on Bofors on the Table of the House. (Interruptions) The record has been seen by the Hon. Speaker. (Interruptions)

THE MINISTER OF HOME AFFAIRS (SHRIMUFTI MOHAMMAD SAYEED): Why do you not listen to us? Please listen to us. (Interruptions)

MR. CHAIRMAN: Hon. Members, if you want to make any submissions and after that if you want my answer, then you must give me an opportunity. It seems to me that you are more interested in making noise.

(Interruptions)

MR. CHAIRMAN: What should I do? Will you let me answer? Now, Mr. Chidambaram, what do you want to say?

SHRI P. CHIDAMBARAM (Sivaganga): I wish to support what Mr. Dinesh Singh

submitted to you. Madam, the transcript is a property of the House. The transcript is available. We have seen the transcript. You are most welcome to see the transcript. We do not want to do anything but ask the Prime Minister to stand by his promise which is there in the transcript. The Prime Minister categorically said that all the files will be brought. The leader of the Opposition asked him to bring all the files and he said "I will". "I will bring all the files. I shall do it tomorrow itself, not much delay".

Those are the words. Now, where are the files? I have seen three sheets which he has placed on the Table. One is Mr. Arun Singh's noting. That is one page of a file. The other is General Sundarji, note which I do not know whether it belongs to a file or does not belong to a file. The third is the Attorney general's opinion. I take it that the Government has only these three papers on Bofors and all the other files have been misplaced or destroyed by the New Government? Where are the files? (Interruptions)

SHRI NATHU SINGH GURJAR (Dausa): Madam, today morning the Speaker has given a ruling that Matter under Rule 377 will be taken up at 6 O' Clock. Please take up Matter under Rule 377 now... (Interruptions)

SHRI MANDHATA SINGH (Lucknow): Madam Chairperson, I venture to make a suggestion. The views expressed by the opposition—by Mr. Dinesh Singh and others—may be conveyed to the Prime Minister. And if there is any transcript—I cannot disbelieve my ears—last night Prime Minister has said that not even a single file is available all the files were destroyed... (Interruptions)

MR. CHAIRMAN: I allowed him.

SHRI MADHATA SINGH: We had to bear with you for about half an hour. Please bear with me I agree with you that the transcript of the proceedings is the property of the House and if you have the good fortune of looking through the transcript, that might be a portion of the transcript... (Interruptions) Please be patient. (Interruptions)

SHRI SAIFUDDIN CHOUDHURY (Katwa): Madam, thank you for giving me the permission to speak on this. Now that the Prime Minister has committed has been there on the transcript. This can be checked up. Another thing, what the Prime Minister said yesterday is this. All the files are not available in the Prime Minister's Office. If that is the practical difficulty of this Government, then they must take it clear again today whether many of the files are missing from the Prime Minister's Office or destroyed by the earlier Government...*(Interruptions)*

SHRI DINESH SINGH (Pratapgarh): What is the difficulty in placing the files on the Table?...*(Interruptions)*

THE MINISTER OF ENERGY AND MINISTER OF CIVIL AVIATION (SHRI ARIF MOHAMMAD KHAN): Absolutely there is no difficulty. All these facts have already been laid on the Table of the House. There will be more and more...*(Interruptions)* Madam, if they are raising certain questions, then let them also hear the clarifications.
(Interruptions)

SHRI HARISH RAWAT (Almora): Why do you not make the files as the property of the House?... *(Interruptions)*

SHRI ARIF MOHAMMAD KHAN: I can understand their impatience. Please bear with me for a minute. When the Prime Minister had intereved in the discussion on the President's Address, it was the hon. Leader of the Opposition who said again and again that all the files should be laid on the Table of the House. While responding to the query of the hon. Leader of the Opposition, the Prime Minister categorically said in the House that all the files pertaining to Bofors are not even with the Principal Secretary. He said categorically...*(Interruptions)* Let it be clarified. In fact all the records are there if I am not speaking the truth. *(Interruptions)* Let me complete. We have heard you patiently. Let me complete my formulation. *(Interruptions)* In fact, the the hon. Prime Minister sought the cooperation of the Leader of the Opposition so that all the papers and all the files

pertaining to Bofors may be located and brought to one place. What the Prime Minister had stated was not that all these files would be laid on the Table of the House, but he said that all the facts would be laid on the Table of the House and that has been done by the hon. Prime Minister....*(Interruptions)*

SHRI HARISH RAWAT: You please hear me...*(Interruptions)*

MR. CHAIRMAN: Two Members, one is the Whip and another a very important Member, have already put the question. Now it is turn of the Minister of Parliamentary Affairs to clarify.

SHRI HARISH RAWAT: I am on a point of order...*(Interruptions)*

MR. CHAIRMAN: I am on my legs. Please take your seat first of all. Under which rule you are raising the point of order? Tell me which rule has been infringed.

SHRI HARISH RAWAT: I am raising the point of order under rule 222. The Prime Minister had promised yesterday that he would lay the relevant files regarding Bofors on the Table of the House. But today the Prime Minister has made a statement. And that is also a partial statement. He has concealed something from the country, from the House. When he was asked to do so, he ran away from the House. That is why, we are raising this. You kindly ask the Prime Minister to come before the House.

MR. CHAIRMAN: There is no point of order. I do not see what is the point of order....

(Interruptions)

SHRI B. SHANKARANAND (Chikkodi): Madam, Chairperson, you have allowed me to say something...*(Interruptions)*

SHRI ARIF MOHAMMAD KHAN: Madam, please be indulgent to Shankaranand Ji. He knows more about Bofors.

SHRI B. SHANKARANAND: Yes, I know. I will tell you...*(Interruptions)*. Madam, will you please see the transcript?...*(Interruptions)*. Madam, Chairman, don't read the book. Please see the proceedings. Today the Prime Minister himself made a statement in the House and he never said that he does not have the files....*(Interruptions)*. May I request you not to read the rules book, read the transcription? Don't read the book. There is nothing there. You read the transcription. You will find what is there, what the Prime Minister committed. *(Interruptions)*. I request you to look into the transcription and what is written there, and ask the Prime Minister to lay the files on the Table of the House. Don't side with the Prime Minister...*(Interruptions)*

MR. CHAIRMAN: Now, that is all. You have spoken for half-an-hour and plenty of your party Members have been speaking together...

(Interruptions)

MR. CHAIRMAN: I have allowed you to speak, you have spoken...

(Interruptions)

SHRI P. CHIDAMBARAM: Please allow me one minute, Madam.

MR. CHAIRMAN: I have already allowed time to you, Mr. Chidambaram. You cannot have it all the time. Now I have called the Minister for Parliamentary Affairs and then I will come out with my own observation...

(Interruptions)

MR. CHAIRMAN: No, you have already spoken...

(Interruptions)

SHRI P. CHIDAMBARAM: Madam, he is yielding to me...*(Interruptions)*.

MR. CHAIRMAN: It is your Members who are all talking together....

(Interruptions)

SHRI P. CHIDAMBARAM: Madam, paragraph 4 of the statement says... *(Interruptions)*

MR. CHAIRMAN: One second. If you are serious, when one of your Members is speaking, at that time you should not interrupt...*(Interruptions)*

SHRI P. CHIDAMBARAM: Madam, here is this very statement of the Prime Minister.

MR. CHAIRMAN: What is this? Just now you spoke.

SHRI P. CHIDAMBARAM: He is yielding to me, Madam. Why are you objecting when he is yielding to me? Madam, paragraph 4 of the hon. Prime Minister's statement made to the House says: "The records show that there was a flurry of activity..." He has seen those records, he has those records. Paragraph 11 says: "Certain definite conclusions emerge from the facts recapitulated by me on the basis of the records." He has seen the records, he has the records. Paragraph 12 says: "It is established on record that the officers and Ministers concerned at that time..." He has seen that record, he has that record. Paragraph 10 says: "The first and only significant disclosures by Bofors were made in their discussion with the officers of the Government of India in September, 1987." He has those minutes; he has seen those minutes. Where are those files?...*(Interruptions)*. And finally, paragraph 16 says there was a meeting in the Home Ministry attended by the Home Minister...etc. etc. He has seen the file, he knows who attended. Where are those minutes? These are files in the possession of the Prime Minister. In the Prime Minister's office there must be those records. He has seen those records. Let him produce all those files...*(Interruptions)*.

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): Madam Chairman, I am surprised that the hon. Members opposite are acting like innocent virgins. (*Interruptions*). Please hear me. Please sit down. (*Interruptions*). I repeat, you are innocent virgins...(*Interruptions*). Madam, many of them have worked as Ministers in the Centre, some of them were Chief Ministers. They know very well that the files are never tabled in the House. (*Interruptions*). Please hear me. Please sit down. (*Interruptions*)

MR. CHAIRMAN: You can't teach me by asking me not to read the rules.

(*Interruptions*)

MR. CHAIRMAN: Please sit down. And you are behaving now...

(*Interruptions*)

MR. CHAIRMAN: He heard you and you have to hear him now.

(*Interruptions*)

SHRI BRAHM DUTT (Tehri Garhwal): The files are there. Let them put the files here.

(*Interruptions*)

MADAM CHAIRMAN: Please, MR. Chidambaram and you, now let him complete.

SHRI P. UPENDRA: There were instances here and in other State Legislatures where files are kept sometimes with the Presiding Officers for examination by certain selected people or extracts from the files are tabled on the Table of the House. These are the two procedures. Never the files are brought to the House any time. Let them show any instance when the files have been brought to the House. (*Interruptions*). I don't yield. Please sit down. (*Interruptions*)

18.39 hrs.

[SHRI JASWANT SINGH *in the Chair*]

SHRI P. UPENDRA: Mr. Chairman, Sir, shall I continue?

(*Interruptions*)

SHRI ARIF MOHAMMAD KHAN: I can understand your anguish. The Company whose official Shri Shankaranand has described as 'honoured guest', they have been faithful to you. I can understand your anguish. The same Company whose official was described by you as 'honoured guest', has been barred from any future contract. So, I can understand your anguish. (*Interruptions*) We are not going to treat them as honoured guest. I can understand your anguish.

(*Interruptions*)

SHRI P. UPENDRA: Sir, in response to the demand of the Leader of the Opposition, the Prime Minister offered to place certain documents on the Table of the House. (*Interruptions*)

MR. CHAIRMAN: Let the Government say what it has to say. Kindly do not interrupt him.

SHRI P. UPENDRA: When the Prime Minister has offered to place certain documents, it is in the discretion of the Government and the Prime Minister to select such documents which can be placed before the House. (*Interruptions*)

SHRI P. UPENDRA: In the public interest whatever will have to be placed on the Table of the House we will place them. I can also assure that this is not the last document; more documents are coming about Bofors. (*Interruptions*)

MR. CHAIRMAN: If you feel that you are in a position to answer all the allegations, please restrain yourself.

(Interruptions)

SHRI P. UPENDRA: Sir, those hon. Members who are very vociferous about the placement of the records today, some of them were the Members of the previous Government which brought an amendment to the Commissions of Enquiry Act not to place certain reports of some commissions. (Interruptions)

Lastly, I can assure them that whatever the Government feels has to be placed, definitely it will be placed on the Table of the House. (Interruptions)

MR. CHAIRMAN: I have recognised Shri H.K.L. Bhagat.

SHRI H.K.L. BHAGAT (East Delhi): Mr. Chairman, Sir, after the Parliamentary Affairs Minister has spoken, you have given opportunity to speak for a former Parliamentary Affairs Minister. I wish to say that today, the Parliamentary Affairs Minister seems to be taking a position as if some of the documents are privileged which the Prime Minister did not take yesterday. He made a very categorical statement that he shall place all the P.M.O. files. (Interruptions)

I wish to say that the position the Government did not place any files....

(Interruptions)

Why are they trying to be secretive? They have been showing Bofors. Bofors—The Hindu! Now, we are showing 'The Hindu'. What is wrong with that? Place them on the Table of the House. Why are you afraid of that?

Lastly, Mr. Chairman, he has every right to use any language he wants; he is a Parliamentary Affairs Minister now. But we should not behave like he was behaving there.

You can criticise us *dadal* or whatever language you use. But you have no business to denigrate the industrial workers. You seem

to have a contempt for the industrial workers. You should be ashamed of that. (Interruptions) Your Prime Minister said, you are an open Government. But why are you running away? Why are you running out with open Government? Why are you afraid of placing those files on the Table of the House? Are you trying to destroy them? Place them today. Let the House see those files. (Interruptions)

[Translation]

SHRI LALU PRASAD (Chhapra): Mr. Chairman, Sir, my point of order is that hon. Members of the Opposition are having some problems as they are not acquainted with the rules of procedure. The Lok Sabha Secretariat had organised a three day camp for new Members ...(Interruptions)....Let the Lok Sabha Secretariat organise another three day training camp for opposition Members as well as their Leader so that they do not face problems in future...(Interruptions)....and make their points. All this discussion is going on with little regard to rules of procedure. They did not say anything when he was giving the reply. When he left the Chamber, then someone told him that he had not fulfilled his role as leader of Opposition properly. Then he returned to the Chamber. So all these hon. Members alongwith the leader of the Opposition should go through a training camp organised by Lok Sabha Secretariat so that they know how the House functions...(Interruptions).....

[English]

SHRI RAJ MANGAL PANDEY (Deoria): Mr. Chairman, in the whole parliamentary history, the whole file has never been placed before the House. Only the relevant papers are always placed. It is a matter of interpretation what the relevant papers are. It is for the Treasury Benches to say what are the relevant papers. It is not the job of the Opposition to say what would be the relevant papers that we have to place. It is for us to decide. It is for the Treasury Benches, the Prime Minister to decide what are those

[Sh. Rajmangal Pandey]

relevant papers that are to be placed on the Table. (*Interruptions*)

It is not only this. I would like to remind the hon. Members sitting on the Opposition Benches that the Prime Minister told me that in the case of certain aspects on Punjab and Jammu and Kashmir, he did not confer with his own Ministers and he unilaterally takes certain decision, and he does not even communicate to his own Council of Ministers. What does it indicate? There are certain matters which are the prerogatives of the Prime Minister which concern the unity and integrity of the nation. (*Interruptions*) In such a situation, they cannot demand that the whole file should be placed. What could they expect are the relevant papers only.

(*Interruptions*)

PROF. SAIFUDDIN SOZ (Baramulla): Mr. Chairman, believe me, I feel at ease when you are in the Chair because you know the rules and you have respect for rules. Now, Sir, earlier you made the observation...

MR. CHAIRMAN: Is that an observation against the Chair?

PROF. SAIFUDDIN SOZ: No, Sir. It is an observation you have made I want to remind you. you said. "Transcript of the proceedings is the property of the House and I will refer those proceedings to the Hon. Speaker." You would also get the Speaker's decision. Kindly give the decision already made. It took 50 minutes to initiate the discussion on communal situation in the country. It is my right to ask you to give the decision.

MR. CHAIRMAN: I appreciate your point. But it is not a point of order.

[*Translation*]

PROF. SAIFUDDIN SOZ: I was reminding you.

MR. CHAIRMAN: You have no need to

remind me. I am well aware of my duties.

[*Translation*]

SHRI PHOOL CHAND VERMA (Shajapur): Mr. Chairman, Sir, I would like to draw your attention....

MR. CHAIRMAN: Please be as brief as possible while raising your point of order.

SHRI PHOOL CHAND VERMA: I am raising my point in as brief as possible. (*Interruptions*) In the morning the hon. Speaker had fixed 6.00 p.m. for matters under Rule 377. The present discussion has already taken a lot of time, so I request that matters under Rule 377 be taken up now.

MR. CHAIRMAN: What were you saying Tiwariji?

SHRI BRIJ BHUSHAN TIWARI (Domariaganj): Sir, when the ruling has been given that the hon. Speaker will see the transcript....

MR. CHAIRMAN: Let us not get into arguments.

SHRI BRIJ BHUSHAN TIWARI: When the ruling in the matter has been given, why is this subject being discussed?

MR. CHAIRMAN: Would you like to say something hon. Shri Hukumdeo?

SHRI HUKUMDEO NARAYAN YADAV (Sitamarhi): Mr. Chairman, Sir, my point of order is that when the hon. Railway Minister finished replying to a Resolution moved on the day of Private Members Bill and Resolutions, according to the rules private Member, hon. Shri Advani's resolution should have been taken up. One day has been fixed for Private Members' Bills and Resolutions and only that business should be taken up. When this Motion was to be moved, the Opposition interrupted the proceedings by raising another matter. This was not good on their part. This is not the time for taking up Government business. This time has been exclusively set

apart for Private Members business. How for it is justified to do away with the time allotted for Private Members business? I want to know the Chair's ruling in this matter. According to rules, this is injustice on the part of the Opposition.

(Interruptions)

MR. CHAIRMAN: One at a time please.

SHRI HUKUMDEO NARAYAN YADAV: My second point of order is that important issues like the Panamanian problem and communal riots were slated for discussion in this House after taking up Private Members' Resolutions. The Opposition's intension is not to allow proper discussion on communal riots in the House. That is why they are creating pandemonium.

MR. CHAIRMAN: There is no point of order.

[English]

SHRI BAL GOPAL MISHRA (Bolangir): The Council of Ministers is bound by rules of secrecy and whatever the Prime Minister has thought proper, he explained it and in spite of that, they are compelling us to behave like them in the Bofors deal which you cannot in the national interest.

[Translation]

SHRI YUVRAJ (Katihar): Whatever information they had regarding the Bofors file has been laid on the Table of the House. Whatever had to be read out has been read out. All they had asked for has been laid on the Table of the House. Now they are demanding the entire file. The Bofors has dragged them to such a length. I wonder where it will land them now.

MR. CHAIRMAN: Now please take your seat.

[English]

MR. CHAIRMAN: Only one of you can

raise the point of order. Hon. Shri Mallikarjun raised a point of order.

SHRI MALLIKARJUN (Mahubnagar): You referred to Rule 376. After the termination of one item on the Order Paper and before taking up another item, I can raise a Point of Order under Rule 376.

I am not talking about the conventions. The conventions are that the extracts may be laid on the Table of the House or whatever they like, they may place it on the Table of the House. But what I am telling is that the Prime Minister of this country, with all his wisdom at his disposal, has committed to this august House about laying the documents. When the Leader of the Opposition urged upon him to lay on the Table of the House all the files pertaining to Bofors, the Prime Minister of this country has not once but thrice committed to this august House: "I will lay on the Table of the House all the files pertaining to Bofors." *(Interruptions)* Therefore, before the commencement of the other item on the business, it should be clarified....

MR. CHAIRMAN: I am giving my ruling on your point of order. I have understood it. Kindly sit down. The hon. Shri Mallikarjun referred to rule 376 raising a point of order. Rule 376 is very clear, I quote rule 376 (5):

"A point of order is not a point of privilege."

Rule 376 (6): "A member shall not raise a point of order—(a) to ask for information..."

So, there is no point of order.

(Interruptions)

SHRI CHIRANJI LAL SHARMA (Karnal): Sir, I am on a point of order.

(Interruptions)

MR. CHAIRMAN: I recognise Shri Chiranjil Lal Sharma. Others may kindly sit down. I will come to your point of order also.

SHRI CHIRANJI LAL SHARMA: Sir, under Rule 376 I am on a point of order. Facts are facts. They must be squarely placed. The hands of the clock cannot be put back. Whatever is there on record is the property of the House. You are the best judge to say as to what we are saying is based on facts or not. The hon. Prime Minister was pleased to make a categorical statement, commitment on the Floor of the House to produce the entire record and the files pertaining to Bofors. Should he not honour his commitment? (*Interruptions*)

MR. CHAIRMAN: I have understood it. I don't have to be briefed. That is not a point of order. You can come under something else. The House has its method of getting the Government fulfil its assurances. You cannot come on a point of order. That is not point of order. I recognise hon. Shri Kumaramangalam.

SHRI RANGARAJAN KUMARAMANGALAM (Salem): Sir, under the rules, a point of order can be raised when it deals with the business of the House.

MR. CHAIRMAN: Under which rule you are raising your point of order?

SHRI RANGARAJAN KUMARAMANGALAM: Under Rule 376 itself, I am raising a point of order saying that a point of order is with regard to the proceedings of the House—I mean the transcript. It is the property of the House. It must be available to the Members to refer to. I have been asking for this. It was shown to me once and then it was withdrawn again and then again it had to be called for. Is this proper? If the House is going to be conducted like this, then what will happen?

MR. CHAIRMAN: I would like to rule on what hon. Shri Kumaramangalam raised. A point of order can only be about the business before the House. The point of order cannot be about transcript of previous proceedings. I recognise Raja Saheb Dinesh Singh. I will call every one.

SHRI DINESH SINGH (Pratapgarh): Mr.

Chairman, Sir, I would not like to misuse your confidence. I am not on a point of order. I am merely making a submission to you that I would not wish to take up the time of the House in recalling the statement that you had made earlier... (*Interruptions*) I am sorry for the disturbance. All that I was trying to say is that a transcript is now available. If you would kindly go through the transcript and then decide as to whether a commitment has been made by the Prime Minister and whether it needs to be fulfilled, that will be a good thing. I would not like to reinforce this because this has already appeared in the newspaper.

19.00 Hrs.

MR. CHAIRMAN: You cannot rely on this, we have to go by the transcript.

SHRI DINESH SINGH: Yes, we must go by the transcript. Thank you, Sir.

SHRI SHIVRAJ V. PATIL (Latur): Points of order can be raised with respect to the procedure in the House. They do not relate only to the rules. They relate to the Constitution also which guides this House, the rules also, the conventions, the directions and the procedure also. What is in dispute here in this House is whether a particular statement was made by the hon. Prime Minister or not. We do not need the speeches from this side and the speeches from other side to decide whether a particular statement, whether a particular assurance was given by the hon. Prime Minister or not. By referring to the transcript that can be decided. So it should be easy for anybody who is presiding over the House to refer to the transcript and then say whether that statement was made or not. If that is not followed and if I am allowed to say that this statement was made and others are allowed to say that this statement was not made, it will not solve the issue. When there is a procedure, you have to inform us by following the procedure. (*Interruptions*)

I am on a point of order and I am, not on anything else. This matter is before the

House, the Presiding Officer and this House cannot be in doubt as to what was stated on the floor of the House. The records can be gone through.

MR. CHAIRMAN: You have been repetitious, now kindly sit down. You made two points. One is that a point of order is a blanket permission which can be raised about anything.

SHRI SHIVRAJ V. PATIL: Not anything.

MR. CHAIRMAN: I am sorry, don't argue.

SHRI SHIVRAJ V. PATIL: Please do not go on saying don't argue. That is very impolite to the Member. (*Interruptions*)

MR. CHAIRMAN: You are arguing with the Chair. You have the experience of being the Chairman.

SHRI SHIVRAJ V. PATIL: That is why I am saying, don't say all the time don't argue with the Chair.

MR. CHAIRMAN: Your conduct is not in harmony with your utterances.

SHRI SHIVRAJ V. PATIL: Your words are not in... (*Interruptions*)....

MR. CHAIRMAN: I will request that all those observations may please form part of the record. They must form part of the proceedings. Nothing shall be expunged.

You wanted clarifications on two points... (*Interruptions*) Please do not interrupt. You wanted calcification about transcript and you said a point of order enables you to raise any issue in the House.

SHRI SHIVRAJ V. PATIL: Not any, Sir, I am making a very humble submission. What I have said is a part of the record. I have not said that anything can be raised as a point of order. What I have said is that the matters which pertain to the Constitution, the

rules, the conventions and the directions can be raised as a point of order. All the time you cannot ask me to refer to the rules.

MR. CHAIRMAN: I have understood the point. I am now referring to the rules. The rule is very specific. Rule 376 (2) says:

"A point of order may be raised in relation to the business before the House at the moment."

Therefore at the moment the business before the House is not what you are referring to. You can say that you are aggrieved about a certain aspect of the proceedings that had taken place earlier and you have got a request to make to the Government. But cannot raise it as a point of order.

So far as the aspect of transcript is concerned, I shall come to it subsequently.

[*Translation*]

SHRI HARISH RAWAT (Almora): Yesterday in reply to a point made by the leader of the Opposition, the Hon. Prime Minister said in clear terms that every single file in the P.M.'s office, connected with the Bofors issue would be laid on the Table of the House. This was the impression we got and you can also verify it from the copy of the speech. I can agree that the Hon. Prime Minister might have said so in haste. But under Rule 114 A, he had the opportunity to correct his statement the next morning and say that he would place only some documents. But he did not do so. When the Hon. Prime Minister have his statement for the second time, he mentioned words record of file. He used the word 'file' thrice and also said that he has see the file. This much is clear. In spite of that the file was not tabled. This clearly means that the Hon. Prime Minister wants to conceal something from the people and the House which is not right. We want justice from you in this regard. As Members of the House it is our right to demand that the Hon. Prime Minister should fulfil the commitment which he made in the House. Secondly, even though he had the

[Sh. Harish Rawat]

opportunity to correct his statement, he repeatedly used the word 'file' and 'record' in his later statement. If he is not tabling it as per his promise, it implies that he want to conceal something from the country and the House and he wants to shirk from his responsibility, which is not proper. We want your ruling in this matter.

MR. CHAIRMAN: Hon. Shri Akbar, there is no point of order in the question which you have raised regarding the Government assurances.

(Interruptions)

[English]

SHRI M.J. AKBAR (Kishanganj): Sir, thank you. I feel, Sir, there is a very simple solution to this whole controversy when so much of the time of the House is being taken by the House. I am as upset as many other about the issue of communalism. This difficulty could be sorted out by a very simple method, viz. your reading out the transcript to the House. *(Interruptions)* We want to know as to what exactly has happened and what has not happened and then, on the basis of the transcript, in your own judgement, you can take a decision. *(Interruptions)*

SHRISONTOSH MOHANDEV (Tripura West): Sir, under what rule you are torturing us? Why don't you read the transcript? *(Interruptions)* You are not doing that way. *(Interruptions)*

MR. CHAIRMAN: Don't interrupt him.

SHRI M.J. AKBAR: For the last three days, I have heard over and over again from the Government that they will do everything possible, even go to the extent of amending the Official Secrets Act of this Government, in order to make it more open Government, in order to put all the information before the people of India. I am stunned and surprised that on Bofors, they do not want to put all the

information before the people of India. I cannot understand this. I would like them to explain. *(Interruptions)*

[Translation]

SHRILALUPRASAD: You cannot interfere in the proceedings of the House. Mr. Chairman, Sir, the time of the House is the time of the nation.

AN. HON. MEMBER: These arguments have already taken one hour. An hour has been wasted before the matters under rule 377 are taken up.

SHRI NATHU SINGH GURJAR: Do they want the matters of public importance under rule 377 should not be taken up in the House? Mr. Chairman, Sir, the time of the House is the time of the nation. We cannot play with it. One hour has already been wasted. We should not repeat it. I am on a point of order. One hour of the House has been wasted.

MR. CHAIRMAN: Please resume your seat. I have called his name. I cannot call your name unless I have heard his point. Please take your seat and listen to him.

(Interruptions)

[English]

SHRI C.K. JAFFER SHARIEF (Bangalore North): Mr. Chairman, Sir, I want to make a submission. I am deeply hurt. I am in the Lok Sabha for the fifth term. We have sat on this side as well as on the other side. *(Interruptions)*

The problem is at 6 O' clock communal situation was to come for discussion on which I understand every side of the House is interested. It is a burning national problem where everyone should be concerned. Unfortunately some of the commitments made by the Leader of the House, the hon. Prime Minister on that question—the question was raised in this House...*(Interruptions)*

All that I would request is that it is a strange experience that I have. (*Interruptions*) It is for you to control the members opposite. They must know how to behave in the House. My submission to all the members who are sitting on that side is that some of them were earlier members on this side. Maybe the verdict of the people has made us to change the sides. There is no doubt about it. The government which swears that it is an open government; a government which swears that it has given right to the source of information, the members sitting on this side demanded some information. Why should they shirk from keeping all the files on the Table of the House?

[*Translation*]

MR. CHAIRMAN: Please be seated. You will also be given time to speak.

(*Interruptions*)

SHRI BRAHM DUTT (Tehri Garhwal): Mr. Chairman, Sir, my first submission is whether you have gone through yesterday's proceeding? If so, I would like to know, through you, as to what the Government is doing with regard to the hon. Prime Minister's promise to table the documents? This is my second submission. (*Interruptions*)

THE MINISTER OF ENERGY AND MINISTER OF CIVIL AVIATION (SHRI ARIF MOHAMMAD KHAN): Mr. Chairman, Sir, a ruling in this regard has already been given in the morning. You have said that whatever is on the record of the House, is there with the hon. Speaker. We will abide by the ruling which is given by him in that regard. (*Interruptions*)

Mr. Chairman, Sir, I have already submitted that you can look beyond what the hon. Prime Minister has said and you will find that we have started taking action in the matter. (*Interruptions*)

[*English*]

Please let me complete. You are not

supposed to disturb me. The Government has already imposed a bar on Bofors for any future contract and a review into the purchase has already been ordered. (*Interruptions*)

SHRI BRAHM DUTT: We have done, not you. (*Interruptions*)

SHRI ARIF MOHAMMAD KHAN: I am not yielding. A point of order can be raised only in respect of the business which is before the House. (*Interruptions*)

[*Translation*]

I have already told you what the Prime Minister said yesterday. Accordingly he has already made a statement and the facts had been laid on the Table of the House. You want to influence the enquiry which the Government has ordered in this matter. We would not allow you to influence the enquiry... (*Interruptions*)

SHRI NATHU SINGH (Dausa): Mr. Chairman, Sir, the members of the opposition have been repeating the same issue again and again and it has been going on for about an hour and a quarter. My submission is that there are some rules to conduct the proceedings of the House and to raise an issue in the House. If they were to raise this issue, they could have raised it on some other occasion and in some other form. At present, we are discussing the communal riots. They do not want to participate in this discussion deliberately. They want this discussion to be postponed. They are interrupting the proceedings of the House, so that they could stage a walk-out. I would like to submit that Matter Under Rule 377 is a very important subject.

MR. CHAIRMAN: The sooner you stop interrupting, the sooner we can take up matters under Rule 377.

SHRI RAM NAIK: Mr. Chairman, Sir, I am raising a point of order about the business before the House. The discussion on Private Member's Resolution has been

[Sh. Ram Naik]

completed and as per the decision taken earlier, discussion on matters under Rule 377 was to be taken up thereafter followed by discussion on communal riots. My point of order is that discussion under Rule 377 should be taken up right away and other issues raised by the hon. Members could be referred to the Assurances Committee since the issues are related to that Committee...*(Interruptions)*

SHRI HAMENDRA SINGH BENERA (Bhilwara): Mr. Chairman, Sir, my submission is that you call the names of the members to raise matters under Rule 377. Today being the last day of the session, we would like to raise several issues of public importance. Let all the members be given two minutes time each. *(Interruptions)*

[*English*]

PROF. SAIFUDDIN SOZ (Baramulla): Sir, I am on a point of order.

MR. CHAIRMAN: What is your point of order?

PROF. SAIFUDDIN SOZ: As per your interpretation, under Rule 376, Sub-section 2, I want to know the business of the House at the moment.

MR. CHAIRMAN: It is Matters under Rule 377.

PROF. SAIFUDDIN SOZ: Kindly listen to me for half a minute....*(Interruptions)*...I have quoted the rule which is Rule 376, Sub-section 2. I want to know the business and the schedule of business of the House...*(Interruptions)*...There will be a discussion. Kindly hold the House to order for a moment. You are an efficient Chairman. *(Interruptions)*

MR. CHAIRMAN: Yes, it will be in order.

[*Translation*]

PROF. SAIFUDDIN SOZ: I feel very

much distressed. Through a point of order, I would like to ask as to what is the Business before the House right now. Secondly, if we take up discussion on communal situation, it will take two-three hours.

[*English*]

Sir, there is a convention. The Parliamentary Affairs Minister may not arrange any dinner for the Members of Parliament. But we cannot take the members of the media for granted. There should be a dinner for the members of the media and the staff of the Lok Sabha Secretariat because it will be a discussion of about four hours. When will there be a discussion on communal situation? I want your ruling.

MR. CHAIRMAN: I will give the ruling. Kindly take your seat

PROF. SAIFUDDIN SOZ: No. I am on a point of order.

MR. CHAIRMAN: The business before the House is Matters under Rule 377 and as soon as this business is over, we will take up the discussion on communal situation.

[*Translation*]

SHRI IBRAHIM SULAIMAN SAIT (Manjeri): I wanted to say that discussion on Communal Situation was fixed for 6.00 p.m. We are already late by an hour. Let the discussion on this subject start now.

[*English*]

DR. BIPLAB DASGUPTA (Calcutta South): Mr. Chairman Sir, I have been repeatedly trying to draw your attention by raising my hand for the last one hour. I do not have that much vocal power to dominate this House. And I am denied an opportunity. I am making this submission to all the Members of the House as a new Member of the House. This is not the way that the House should be run. Members who raise their hands quietly with discipline should be allowed to speak. My submission is this. Like them we are also interested in knowing the truth about Bofors.

Barring two individuals here, all of us are interested in knowing about Bofors. But the question is how to get the truth. Yesterday, Mr. V.P. Singh made a statement. Until that transcript comes, we just do not know what he said in his statement. If he had said that he will lay all the files on the Table, then I do not understand his statement, the simple reason being he cannot physically bring all the files and place them on the table. There are hundreds of files I would like to make another point. What I suggest is this which was also suggested by some Members. Let us wait or the transcript to arrive. Only then we can make some decisions. It is physically impossible to bring all the files here. Only the relevant portions can be laid on the Table of the House. (*Interruptions*)

PROF. SAIFUDDIN SOZ: I want a discussion on the communal situation I am not yielding. (*Interruptions*)

MR. CHAIRMAN: Now, before we take up matters under Rule 377, I have to rule on the points raised earlier by a number of Members from the Opposition. In their submissions, requests and points of orders, they had said that certain assurances given by the hon. Prime Minister as demanded by the Opposition had not been fulfilled. What the Chair and already announced earlier during the day was that once the transcript of the proceedings was available, that transcript would be examined by the hon. Speaker and necessary orders, clarifications issued by the hon. Speaker. That ruling of the Chair still stands.

Second, what the hon. Members from the Opposition have been demanding under various points of order and submissions is that fulfilment of the assurance given by the Government must be ensured today. What the Government has said is that certain types of files in their interpretation, are such as cannot be laid on the table of the House. Whatever the Government thought was necessary and relevant in this matter has been laid on the Table of the House. if however, the Opposition continues to be dissatisfied with what the Government has

done, the Opposition is well within its rights to either move the Speaker, with due notice, about the fulfillment of an assurance given by the Government or, secondly, to move, if they so decide, a motion of privilege or whatever they feel is necessary, against the Government.

We shall now proceed with matters under Rule 377.

[*English*]

19.27 hrs.

MATTERS UNDER RULE 377

- (1) **Need to Include the Nayaka, Naik, Beda Valmiki, Parivara and Talavara tribes in the Scheduled Tribes list**

SHRI V. SREENIVASA PRASAD (Chamarajanagar): Mr. Chairman, considering the difficulties experienced by the students and Government employees and the pressure of the Nayaka community, the Government of Karnataka has recommended the inclusion of synonyms of Nayaka already included in constitutional Schedule as tribes namely Valmiki, Beda, Parivara, Talavara as long back on 16th August, 1984, and 28th November, 1984 and the same is pending finalization by the Government of India.

I propose the removal of anomaly and hardship to the community and for according recognition to the synonyms for Nayaka or Nayakda as done in respect of Banjara, Lambani, Bhovi, Korama and Koracha by Union Home Ministry.

The Nayaka community which is widely called as Parivara in the Mysore District is very much agitated over the injustice caused to them. This community is densely populated with over 4.5 lakhs in this district and they are most backward in all walks of life namely socially, educationally and economically. The average percentage of literacy is

[Sh. V. Sreenivasa Prasad]

very much less than that of the scheduled caste.

Therefore, I urge upon the Union Government for inclusion of 'Nayaka, Naik, Beda, Valmiki, Parivara and Talwara' under scheduled tribe list as synonyms of Nayaks community.

19.29 hrs.

[DR. THAMBI DURAI *in the Chair*]

(II) Need to implement the Bachawat Board recommendations

SHRI H.K.L. BHAGAT (East Delhi): Sir, Government is aware of the apprehensions in the minds of the working and non-working journalists in the newspaper establishments regarding the non-implementation of the Bachawat Board recommendations which were accepted by the previous Government. As reported in the press, some newspapers establishments have already adopted a negative approach which is creating not too happy a situation. I request the Government to take all possible steps at the earliest to see that the recommendations are implemented by all concerned so that the journalists and other concerned get a sense of satisfaction.

[*Translation*]

(III) Need for providing ration cards to the Jhuggi dwellers in Delhi.

SHRI TARIF SINGH (Outer Delhi): Mr. Chairman, Sir, I would like to draw your attention towards the problems being faced by more than 10 lakh jhuggi dwellers living in 725 jhuggi clusters and various other settlements in Delhi. They have not been provided with ration cards for the last several years and in the absence of general civic amenities, they are leading a hellish life.

I would like to urge the Government that ration cards should be provided to them

immediately and until such time they are rehabilitated, civic amenities should be provided to them.

(IV) Need to construct a railway bridge over the Ganga river in Sonapur (Bihar)

SHRI RAJ MANGAL MISHRA (Gopalganj): Mr. Chairman, Sir, if a railway bridge over the Ganga river is constructed at Sonapur (Bihar), which comes under the North—Eastern Railway, North—Bihar and Patna would be connected and this would pave way for speedy development of North-Bihar.

I would like to urge the Minister of Railways to accord approval to the construction of this bridge urgently.

(V) Need for payment of un-employment allowance to unemployed youth

[*English*]

SHRI NATHU SINGH (Dausa): Unemployment among youth has always been a big problem in the country. The previous Government failed to solve the problem. The current anti-reservation stir is also the outcome of growing restlessness because of unemployment. The National Front had in its manifesto promised to make 'Right to Work' a fundamental right. The manifesto had also promised to give employment to the youth or at least provide unemployment allowance to those whom it could not give employment. They have done well in constituting a Cabinet Sub-Committee on Right to Work.

I request that the Committee should be asked to submit its report within a month. The time-bound functioning of the Committee will strengthen the faith of the people in the National Front manifesto. Pending the report, I suggest that, to begin with, an un-employment allowance of Rs. 100/- per month be paid to each unemployed youth from 1 January 1990. Let this be a new year gift from the new Government.

[Translation]

(vi) **Need to clear the proposed Punpun Dargha Project in Bihar**

SHRI RAMASHRAY PRASAD SINGH (Jahanabad) : Mr. Chairman, Sir, India is a land of the farmers and agriculture is the main occupation, but the Government's indifferent policy towards agriculture is making it unremunerative day-by-day. It is particularly so in Bihar where only 18 per cent of agricultural land is under irrigation and due to the undue delay in according approval to projects, the estimated cost of the projects escalates 3 or 4 times. This increases the financial burden of the State Government and agricultural production suffers. For example, the Punpun Dargha Project was sent to the Central Government by the Government of Bihar for approval in 1980. It is still pending with the Central Water Commission. Had approval been granted at that time, the aforesaid scheme would have been implemented and the State would have been saved of the financial burden. Now the estimated cost of the project has increased four times.

I would like to demand from the Government that the Punpun Dargha project should be immediately cleared so that it may be successful.

(vii) **Need to ensure remunerative price to onion growers**

SHRI HARIBHAU SHANKAR MAHALE (Malegaon): Mr. Chairman, Sir, there has been a decline in the price of onion since the beginning of this year. The price has slumped to Rs.40 to Rs.50 per quintal from Rs.200 to Rs.250 per quintal in the beginning of the year. If the prices of onion continue to decline, the onion growers will suffer losses. I would like to draw the attention of the hon. Minister on this subject and would request him that NAFED should purchase onion at

reasonable prices and give 60 per cent of the price to the onion growers. If need be, onion should be exported. A committee should be set up to look into all aspects of this problem and to suggest measures to resolve it.

(viii) **Need to expedite construction of dams over the Kosi river for overall development of North Bihar**

[English]

SHRI BHOGENDRA JHA (Madhubhani): The Government of India sent a preliminary report for a multi-purpose high dam over river Kosi at Barakhshetra to His Majesty's Government, Nepal in 1981, who got the same examined by Japanese experts. It is learnt that the Japanese experts okayed the Indian project, apart from suggesting smaller projects for valleys upstream. The Government had assured the House in 1982 that the matter would be taken up with the H.M.G. at the political level.

It is not known as to what steps have been, or are being taken to expedite construction of this dam which is in the mutual interest of both India and Nepal.

Meanwhile, devastating floods, occasional droughts, chronic power famine and massive danger to road and rail communications in North Bihar and *tera*/region of Nepal are proving a stumbling block in their development. The remedy lies in multi-purpose dams over rivers Kosi at Barakhshetra, over Kamla and Shishapani and over Bagmati at Nanther. But the Government of Bihar does seem to be interested only in eastern embankments in the plains which go on increasing the ravages of floods, drought, damages to communications system etc. but not in any durable solution through multi-purpose dams.

I do urge upon the Union Government to expedite construction of the above dams.

[*Translation*]

- (ix) **Demand for banning printing of saree material and other publicity material for private parties in the Bank Note Press in Dewas (M.P) and confiscating such material already printed**

SHRI PHOOL CHAND VERMA (Shajapur): Mr. Chairman, Sir, the Bank Note Security Press of the Government of India situated at Dewas (Madhya Pradesh) is meant to print only currency notes, but the material obtained from there shows that the publicity material of Surat Sarees of producers Hemtax Group of Industries, Bombay is also being printed on a large scale in this press. The design of the publicity material, electroplates etc. have been prepared by the employees of the aforesaid press.

The entire publicity material has been printed in colour on the offset machine of this press. All these things are being done without the approval of the Ministry of Finance. There is apprehension that along with the said publicity material, printed sheets of currency notes can also be taken out from the Press.

Therefore, the said publicity material should be confiscated from the security point of view and a Central Government officer should be deputed to conduct an enquiry in this matter. Keeping in view the seriousness of this matter, the Government of Madhya Pradesh should be issued necessary directions so that the collector and the S.P. of Dewas could take action for confiscating the aforesaid material. It is also essential to take immediately action against the concerned officers of the press.

[*English*]

- (x) **Need for looking into the demands of the HMT workers in Tumkur (Karnataka)**

SHRI G.S. BASAVARAJU (Tumkur): HMT Watch Factory-IV is one of the most

prestigious public sector undertaking in Tumkur, my constituency. It was set up in 1978 in an industrially backward district in Karnataka. Nearly 2,800 employees are working in this factory, and most of them are from rural parts. Recently, there is an agitation of the workers against the management in support of their demands. Unfortunately, the management of HMT has not accepted their demands, and now they are going on hunger strike. Since the hunger strike and agitation are going on among the employees of the HMT, the situation will be aggravated and there will be a law and order problem in Tumkur city.

I request the Central Government to intervene and settle the matter early, in the interest of the HMT factory.

- (xi) **Need to improve the lot of the ex-servicemen**

SHRI CHITTA BASU (Barasat): Ex-servicemen have been agitating since long for the redressal of their grievances.

A high level Committee was set up which made 56 recommendations. although the Government have claimed that all recommendations have been fully or partly accepted, some of the major recommendations like (a) Enactment of Ex-servicemen Resettlement Act, (b) Setting up of Ex-servicemen Commission, (c) Appointment of Parliamentary Committee to oversee the implementation of scheme have not yet been accepted. In the absence of statutory backing, there can be no effective implementation of schemes particularly regarding the reservation of posts of ex-servicemen and monitoring other schemes/guidelines.

At present, there is no uniformity of rules relating to the counting of military service for the purpose of fixation of pay and seniority for ex-servicemen, re-employed in civil posts.

The demand of 'one rank—one pension' has been agitating the minds of ex-servicemen. But the Government have not

taken appropriate steps to remove the anomalies.

The Government have accepted the recommendations of High Level Committee for the introduction of a SEMFEX—I and SEMFEX—II schemes. But the ex-servicemen are experiencing some practical difficulties.

I would urge upon the Government to take necessary action for the improvement of the lot of the Ex-servicemen.

[*Translation*]

(xii) **Need for providing support price for agricultural produce and taking measures for the welfare of the farmers**

SHRI SATYANARAYAN JATIYA (Ujjain): Mr. Chairman, Sir, the farmers in the country are not getting remunerative prices for their produce. In Madhya Pradesh, arrangements made for procuring millet at the support price announced by the Central Government are inadequate with the result that the agricultural produce is being auctioned and the farmers are getting low prices. Besides, they are also not getting an adequate supply of power for irrigation purposes. Consequently, their crops are being damaged. Natural calamities too have caused damage to the crops.

Therefore, the Central Government is requested that in order to relieve the farmers of such hardships, the cooperative loans of the farmers should be written off. Remunerative prices should be provided for agricultural produce. All crops should be brought under the Crop Insurance Scheme and uninterrupted supply of power should be ensured.

(xiii) **Need for an expeditious completion of railway projects in eastern Uttar Pradesh**

SHRI MAHABIR PRASAD (Bansgaon): Sir, eastern Uttar Pradesh and Bihar are

backward in all respect. The principle reason behind it is the lack of proper transport facilities. This is so because railway facilities, which is an essential infrastructure for the industrialisation of any area, are very inadequate there. Therefore, which a view to provide proper railway facilities in this backward area, I myself took personal interest and started work on several fast-paced railway projects which are as follows:-

- (1) The work of converting Gorakhpur station, the head quarters of North Eastern Railway, into a model station;
- (2) Construction of 'Yatri Niwas' at Gorakhpur railway station.
- (3) Providing a computerised booking system at Gorakhpur;
- (4) construction of a railway line between sahjanwa and Dohrighat;
- (5) gauge conversion of Bhatni-Varanasi railway line;
- (6) gauge conversion of chapra-odihar railway line;
- (7) construction of Bagha-Chhitauni railway bridge.

Therefore, I would like to urge the hon. Minister of Railways, through you, that he should take personal interest in the expeditious completion of these railway projects on priority basis so that that the backwardness of the aforesaid region could be removed.

(xiv) **Demand for re-naming Bombay city as "Mumbai".**

SHRI RAM NAIK: (Bombay North): Mr. Chairman, Sir, the name of the capital of Maharashtra is not 'Bombay' but "Mumbai". Since the day of my becoming a member of this sovereign Lok Sabha, I have been observing that the name of the capital of Maharashtra is being written as 'Bombay' in the

[Sh. Ram Naik]

Hindi Proceedings of the House. The hon. Ministers and the hon. Members while speaking in Hindi, have also been referring to it as 'Bombay'.

I have the privilege of representing Mumbai as a Member of Parliament. Along with me, 5 other also represent Mumbai.

I would like to inform the hon. Members, the hon. Ministers and the Central Government that the name 'Bombay' is a distortion. Proper names are not to be translated. Therefore, use of wrong words should be stopped at once. If the Government changes its policy, the common man of Maharashtra will be delighted.

At the same time, I would like to draw the attention of the Government, the hon. Minister and the hon. Members to the constitution of India which was adopted in 1950. The name of the State in Hindi as included in the First Schedule to the Constitution is "Mumbai". Thereafter, in 1960, the States were reorganised and two separate states of Maharashtra and Gujarat were formed. The Central Government should issue instructions to all the departments that they should write the name of Bombay as "Mumbai" in future. Proper names are not to be translated. This rule of linguistics should be kept in mind and instead of Bombay the word 'Mumbai' should be used in English also.

[English]

MR. CHAIRMAN: Now we are going to take the next item—Discussion under Rule 193.

(Interruptions)

SHRI KALKA DAS (Karol Bagh): Mr. Chairman, there are two Discussions under Rule 193, one on U.S. intervention in Panama and the other on communal situation in the country. I want to know whether both the discussions will be taken up today as it is already late...(Interruptions)

MR. CHAIRMAN: First we shall take up communal situation. After that we shall take up the other one, according to the Agenda.

(Interruptions)

[Translation]

ONE HON. MEMBER: Sir, I had also given a notice but my name has not been called (Interruptions)

[English]

MR. CHAIRMAN: I want to inform the hon. Members that I can go only according to the approved list of names in regard to Matters under Rule 377.

(Interruptions)

MR. CHAIRMAN: Nothing goes on record.

(Interruptions)*

MR. CHAIRMAN: I would like to inform the hon. Members that dinner is arranged for the Members in Room Nos. 72 & 73 in the first floor.

SHRI B. RAJA RAVI VARMA (Pollachi): Mr. Chairman, Sir, my name is there in approved list under Rule 377.

MR. CHAIRMAN: When I called your name, you were not here. Now I allow you.

(xv) **Need to implement the Four Zone Pattern Scheme for Irrigation in some regions of Tamil Nadu**

SHRI B. RAJA RAVI VARMA : (Pollachi): Pappankulam, Uralpatti, Andigoundenur and some other villages in the eastern side of Udumalpet in Tamil Nadu are in the grip of severe drought. Under Parambikulam Aliyar Project Kiluvankatt Branch canal was constructed 10 years ago to irrigate 17,000 acres in the above area. But due to non-implementation of Four Zone pattern, water could not be released for irrigation through Kiluvankatur canal. I request the Government to take urgent steps to ensure implementation of the Four Zone pattern in Parambikulam Aliyar Project areas at the earliest.

19.50 hrs

DISCUSSION UNDER RULE 193

Communal Situation in the Country

[*English*]

PROF. SAIFUDDIN SOZ. (Baramulla): I want the Home Minister to be here before I raise a discussion on the communal situation.

MR. CHAIRMAN: Mr Arif Mohammad Khan is here. He will take down notes. The Home Minister is in the other House. He will come and join in due course... (*Interruptions*)

PROF. SAIFUDDIN SOZ: I am seriously telling you to call the Home Minister... (*Interruptions*)

MR. CHAIRMAN: Because of that we are not going to stop the proceedings... (*Interruptions*)

THE MINISTER OF ENERGY AND MINISTER OF CIVIL AVIATION (SHRI ARIF MOHAMMAD KHAN): I appreciate what Mr. Soz is saying. The Home Minister is busy in Rajya Sabha. I will take note of what Mr. Soz will say and he will definitely get response from the Home Minister. (*Interruptions*)

PROF. SAIFUDDIN SOZ: He must come while I am speaking. This shows your interest in this ... (*Interruptions*)

MR. CHAIRMAN: Mr. Arif will take care of what you will say

(*Interruptions*)

MR. CHAIRMAN: Please take your seats.

MR. CHAIRMAN: Please carry on.

PROF. SAIFUDDIN SOZ: Sir, I want this House to preserve, sustain, maintain and strengthen the traditions of this House.

That is why I was raising this. Now, Sir, I was saying that it is sickening when we hear of terrorism in Punjab and Jammu and Kashmir State. Everyday I pray for peace and tranquillity in Punjab and Jammu and Kashmir State and I pray for the unity and integrity of my country. Terrorism is a great problem but I consider communalism is a very great menace. I was very sorry that the President did not dwell on the communal situation in the country and he did not mention Bhagalpur in his Address. In my opinion.. (*Interruptions*) . Please do not interrupt.

AN HON. MEMBER: Please address the Chair.

PROF. SAIFUDDIN SOZ: But you do not interrupt. That is my appeal to you... (*Interruptions*)

[*Translation*]

Why do you get agitated whenever a prence is made to Bhagalpur.

[*English*]

Sir, I felt very sorry that the President did not mention Bhagalpur and the communal riots that took place. We have a long history of riots in this country. During these forty-two years, so many riots took place. There is no time to list them even. But the communal riots that took place in the recent past at Bhagalpur, at Monghyr, Sitamarhi, Sasaram, Badaun, Dhanbad, Indore and at other places had a design. As far as Bhagalpur riot is concerned, all people have agreed that the design in Bhagalpur was such that it was the worst communal situation experienced in this country since 1946-47. Even the Bihar Chief Minister, Jagannath Mishra said recently, while deploring these riots that this was the biggest riot in the country, and he agreed that the Congress party paid the price for that.

Most heinous crimes were committed in Bhagalpur and its suburbs, particularly in Chandheri and Lugain.. (*Interruptions*). I will talk about the Congress, I will talk about the

[Prof. Saifuddin Soz]

Janata Dal also, because I am speaking as a nationalist. You only bear with me. I will not spare anybody. It is not for nothing that I am initiating the discussion... (*Interruptions*).

[*Translation*]

SHRI JANARDHANA TIWARI (Siwan):
What has happened in Kashmir?

PROF. SAIFUDDIN SOZ: I would speak about Kashmir also. At the moment, we are discussing Bhagalpur.

[*English*]

MR. CHAIRMAN: I will request the Members to be patient. I will give opportunity to every Member. Let him say what he wants to say.

PROF. SAIFUDDIN SOZ: Massacre of innocent people, innocent men, women and children took place in Bhagalpur and at several places in Bihar. I am concentrating on Bhagalpur and particularly on Lugain because its design was very horrible—burning of children and women alive, cutting the limbs of helpless people and throwing them away. This is what happened at Bhagalpur. This is what happened at Chandheri. This is what happened at Lugain. The pattern remained the same everywhere, for these were meticulously organised riots. But Bhagalpur riots remained a class by themselves. In order that the House appreciates what actually happened at Bhagalpur, I will throw some light briefly on the incident that occurred in Lugain... (*Interruptions*).

20 hrs.

I want to understand, Mr. Chairman, through you, why are some of these Members interrupting because I am discussing communalism as a menace in this country, and they don't know—somebody was asking about Kashmir, I was the man who fought an election there and there was a terrible threat to my life and Janata Dal did not put up

a candidate there and little you talk. If you have any honour, any respect for the dignity of India, you should have brought honour for me also. (*Interruptions*). He was wanting me to tell him about Kashmir.

Mr. Chairman, I told you, I was to talk about Lugain. It was on 27th October 1989 that armed gangs attacked in a planned manner earmarked houses in that hamlet called Lugain. Fire was set to houses and the members of the families of the burning houses were massacred, women and children, people belonging to the minority communities; most brutally men, women and children were massacred and the household effects were looted and plundered. There was another gang whose duty was to plunder and loot the personal effects of those unfortunate people. Mr. Chairman, it is based on research. Then the corpses, 116 of them, were dragged and dumped in two wells and a pond. This was done with the help of constabulary. The entire hamlet was done to death and this drama of destruction and death was completed minutely as per the plan the the Chowki officer of Jagdishpur, Ramachander Singh, reported that it was a feud between two groups and he tried to hush up the matter and close Roznamcha saying that there were no deaths. And it was, Mr. Chairman, that weeks later, a couple of conscientious officers dugged out the truth. It was one officer, A.K. Singh, Additional District Magistrate, who visited Lugain on 19th November 1989, as late as that, not his fault because the Chowki Officer has closed the Roznamcha saying that there were no deaths. But since A.K. Singh had heard that there was some trouble, he went to that village to distribute relief and he was casually told there that there was some tension. As per deaths, there was no report, he was not told anything, but he could smell in that atmosphere, as also he could smell something foul and there was foul smell also and A.K. Singh suspected that something bad had happened in Lugain and he went to Bhagalpur. When he returned on 20th November, he ordered an inquiry. Now, see the constabulary in Bihar. He had discouraged the Additional District Magistrate. He was

told on his face that he was sensation monger, there were no deaths in Lughain and yet, he wanted to make an inquiry. Singh was dubbed as sensation monger. In the meantime, another officer from the Bihar Agricultural Services Mr. M.P. Sinha goes on a tour to that village Lughaine and he heard people speaking of the deaths. He confirmed before Mr. A.K. Singh that massacre of innocent people had taken place. He confirmed what Mr. A.K. Singh had suspected. I am bringing on record Mr. A.K. Singh as a conscientious officer. he proceeds with the prosecution and he made an application with the administration about the above incident. But that diseased administration was busy in elections and no heed was paid to what Mr. A.K. Singh had reported. In the meantime there were some transfers and finally DIG Mr. A. Dutt was appointed to conduct the enquiry. This was very late. As many Members of this House must be knowing, it was as late as on 3rd of December that Mr. Dutt went to Lughaine and it was confirmed to him. It was not before 8th of December that the fields were opened and human bodies were dug out. The riot had taken place on 27th October and the DIG Mr. Dutt had dug out the corpora from the fields on 8th of December. Even for that, the credit goes to a conscientious officer like Mr. A.K. Singh. When the DIG went to Lughaine the *kacha* road was blocked by Mr. Ramchander Singh and his gang. Then on 27th Mr. Ramchander's two sons were leading the gang. This is known to the DIG Mr. Dutt and to the present Bihar Government. They tried to block the DIG's road but failed. Mr. Ramchander Singh had tried to destroy all the evidences by digging up the corporate from the wells and dumping them into the field. He had grown mustard and cauliflower in those fields in order to destroy the evidence. He could hardly imagine that Mr. A.K. Singh, the Additional District Magistrate instead of giving *sabash* to Mr. Ramchander and his colleagues who are marauders would go in for prosecution against him. He never expected it. The DIG Mr. Dutt admitted when he went to Bhagalpur that Mr. Ramchander Singh was deeply involved in the crime. That places on record

the CPI Ex-MLA Mr. Naresh Dass and two eye-witnesses Mr. Sukhi Pandit and Mr. Buddu Mandal. They were called to Bhagalpur because there were threats for them and they could not speak openly in Lughaine. So they were taken in a vehicle to Bhagalpur to speak the truth. Mr. Ramchander Singh had tried all his methods in the game plan and even he grew a crop over the dead bodies, but he could not contain the foul smell from extremely contaminated and decomposed bodies. Truth cannot remain hidden for long. Since Mr. Arif Mohammad Khan who represents Mr. Mufti Mohammad Sayeed knows many verses by heart, I remind him how the truth could not remain hidden.

"Kareeb yaro hai roze masshar
Chhupega kushton ka khoon kyon kar
Jo chup rahegi zobane khanjar
Lahu Pukarega aasteen ka."

So, when all this happened, Mr. Ramachandra and his *goondas* could not suppress the truth. And, therefore, Mr. A.K. Singh, Dr. Dutt and others dug out the truth and the truth is before us. Mr. A.K. Singh and DIG, Mr. Dutt put so many question to the people of Lughaine particularly to *Sukhi Pandit* and *Vadumal* asking "How did you allow in your village such things when they were your brothers? Hindus and Muslims were to live together. Why did you remain silent?" Those people who do not know triterrorry like many people who are in politics told those officers, "What could we do? The whole atmosphere was against us and where would we go?" Very good stories appear in the Press. Every word that I speak in truth and nothing but the truth. Why does it pinch you? I do not understand. *Sukhi Pandit* and *Vadumal* just told them, "What could we do? The whole atmosphere was against us. At the best, we would go to the police. But here, the police is leading the gangsters to attack". They revealed the whole truth. They wept at the police. "But there was no energy in our bodies to save our brethren. We loved them; we respected them. We agree that we have to live in this country together", they said.

[Prof. Saifuddin Soz]

[Translation]

Mr. dear brother, these are not their words because they do not know the art of versification. I know what Vadumal and Sukhi Pandit told them. What they must have said on that occasion may be conveyed by Shri Arif Mohd. Khan to Shri Mufti Mohd. Sayeed in the following verse because he does not remember it. However I would like to bring it on record of the House that Shri A.K. Singh, Shri Vadumal and DIG Shri Dutt are very conscientious officers. What they were told by these simple and innocent village people, can be reproduced in the following words of a Pakistani poet Faiz:-

"Bane hain Aile Awas, Muddai bhi,
Munsif bhi,
Kise vakeel karein, kis se munsafi
chahen".

[English]

Those people said, "Where do we get justice? We would go to the Thana. But the Thana, Chowki officer is leading the gang. We cannot go there. They have joined the marauders, or they have planned the whole operation."

Mr. Chairman, when I mentioned Sukhi Pandit and Vadumal, I must also mention DIG who has mentioned that Gandhi Peace Foundation lent great support to the investigation. The Foundation Secretary, Mr. Kidar Chaurasia said, "it happened because there was inefficient administration". He gave another information that Muslims possessed land in that village and the marauders wanted to kill all of them so that they could possess the land. Gandhi Peace Foundation provided great help. They did a good job. Perhaps it was Mr. Vijay Kumar of the Gandhi Peace Foundation who was the first to give information about Laghaine. He must also be knowing the reasons why had riots of that nature taken place there.

[Translation]

There are persons who see all these things happening before their eyes. But they do not come forward. Just now you heard what Shri A.K. Singh had said about it and how the DIG, Shri Dutt acted in this matter.

[English]

This is what Gandhi Peace Foundation did. The Janata Dal leader...*... was involved in this gang. This is also proved on record. He did not meet even Raja Saheb when he went to Bhagalpur. With what face would he come there because during the elections, he raised the slogan—

[Translation]

Stamp the symbol of Sudarshan Chakra.

[English]

He is suspected to be one of the planners of these riots.

[Translation]

AN HON. MEMBER: ...He did not contest elections.

PROF. SAIFUDDIN SOZ: He worked for the party. I have not said it that he contested elections.

SHRI BRJ BHUSHAN TIWARI (Domariaganj): From where did you get this record?

(Interruptions)

[English]

PROF. SAIFUDDIN SOZ: This is on record. Why this massacre has taken place? (Interruptions)

[Translation]

SHRI RADHA MOHAN SINGH (Motihari): Mr. Chairman, Sir, he is in

*Not recorded.

the wrong... it means that he did not contest elections. (*Interruptions*)

PROF. SAIFUDDIN SOZ : He worked for the party. I have not said it that he contested elections.

SHRI BRIJ BHUSHAN TIWARI: From where did you collect this record?

PROF. SAIFUDDIN SOZ: I will produce that also. (*Interruptions*)

SHRI LALU PRASAD (Chhapra): Mr. Chairman, Sir,... has been an MLA in Bihar who achieved such heights popularity that none else could achieve among the Muslims in Bhagalpur. Muslims alone cast about four and a half lakh votes in favour of has been a Lok Dal MLA. I know that the Congress had its direct involvement in the riots in Bhagalpur. The party to which he has been lending his support has been taught a lesson by the people of Bhagalpur. He is making meaningless and irrational statements. Hence, it should be expunged from the record.

SHRI BRIJ BHUSHAN TIWARI: The hon. Member cannot make a mention of the name of a particular individual. It should not go on record.

[*English*]

MR. CHAIRMAN: Prof Soz, I do not want any names. Do not make any allegation when that person is not in the House. Whatever the names, names do not go on the record.

PROF. SAIFUDDIN SOZ: Why all names?

SHRI ARIF MOHAMMAD KHAN: Prof. Saifuddin Soz has mentioned the name of an hon. Member of this House and he has made an allegation of a very serious nature against him. Has he given as required under the rules, any notice to the Chair that he wants to make this allegation against a sitting Member, an hon. Member of this House and, if the

hon. Member (*Interruptions*) Let me complete my formulation. I am not going into the merits of his allegation. I am only saying whatever he has said. If he has not given you prior notice, this is against the rules and I think if the hon. Member will agree to withdraw these remarks. (*Interruptions*)

[*Translation*]

PROF. SAIFUDDIN SOZ: He says that he has not contested elections from that constituency. .. (*Interruptions*)...

SHRI ARIF MOHD. KHAN: Who says this ? He is the hon. Member. ... (*Interruptions*)...

SHRI HARISH RAWAT (Almora): He has never said it that he contested elections. He said that he simply assisted during the elections.. (*Interruptions*)..

[*English*]

SHRI ARIF MOHAMMAD KHAN: I think Shri Harish Rawat was not attentive while hon. Member was speaking because he referred to the election campaign. He referred to the candidature. Please go through the records.

PROF. SAIFUDDIN SOZ: I never said he fought election. I said during the election this was his slogan and I can give you a report in the press. He can defend his position in the House. I am not worried about that.

MR. CHAIRMAN: Prof. Saifuddin Soz., rule is here. If you want to make any allegation against a member, you have to give prior notice for that. When you have not given, please do not mention his name. That will not go on record. You have to get the prior permission.

PROF. SAIFUDDIN SOZ: It is nothing but what I see in the press, I am reporting to you.

MR. CHAIRMAN: Whatever it may be, if you want to talk about him, you have to get

the prior permission. My ruling is already given. It will not go on record. (*Interruptions*). I am not allowing anything to go on record. Prof. Saifuddin Soz to carry on.

PROF. SAIFUDDIN SOZ : I was giving you the copies of the worst riots. (*Interruptions*)

MR. CHAIRMAN: Don't circulate that book like that.

PROF. SAIFUDDIN SOZ: Finally, I was told that it happened because of Babri Masjid-Ram Janambhoomi dispute. What is the dispute about that? There is no dispute in my opinion. It belongs genuinely to Muslims. But it is pending before the Court. But so far as history is concerned, I may remind this House that there is essentially no dispute because the Hindus have protected in the past the status of the mosque. It was in 1949 that Mata Prasad, the constable who was on duty at the Babri Mosque who saw an idol being surreptitiously put in the Mosque first and he went to the *thana*. The persons who lodged the first FIR was also a Hindu— a Sub-Inspector of Police. Again in 1949 and in 1950 when the proceedings were taken to the court before the Sessions Judge, it is again the District Magistrate of Ayodhya Jankinath Ogra who deposed before the Judge and said that it was a vacant piece of land and the Mosque was constructed during Babar's time. Because of putting the idols there and the Hindus taking notice of that, Akshai Pandit, who is now called Akshai Brammachari who went on a fast in 1950 for 11 days. The then Home Minister of Uttar Pradesh, Shri Lal Bahadur Sahstri on whose a personal assurance that the Mosque would be restored to Muslims and religions institutions would be respected, secularism would prevail in this country that Akshai Pandit in the year 1950 broke his fast. So, in my opinion there is no dispute. Sir, when it is a matters before the Court, why should the BJP and the VHP have taken the that they would not honour the verdict of the Court. This was the background of refusal by the BJP.. (*Interruptions*) I want to complete and then they can speak. Mr. Khurana can speak

later.

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Chairman, Sir, I am on a point of order. I am repeating that...

[*English*]

He is not the spokesman of the B.J.P.

[*Translation*]

If the members of B.J.P. have to say something, they will speak themselves.

[*English*]

PROF. SAIFUDDIN SOZ: When the BJP is taking the position that they would not honour the Court verdict and its outfit the VHP is taking the position that they would not honour the Court Verdict that generated an atmosphere in this country.

[*English*]

SHRI MADAN LAL KHURANA: Lord Ram was born in Ayodhya, so a temple would be constructed there.

PROF. SAIFUDDIN SOZ: We will see how the temple would be constructed there.

[*English*]

MR. CHAIRMAN: Please order. Please be brief.

PROF. SAIFUDDIN SOZ: We had warned the then Home Minister, S. Buta Singh. We had told him to be responsible for this position.

[*Translation*]

SHRI HARISH RAWAT: Have you seen the way they are talking ?

SHRI ARIF MOHD KHAN: I have also listened to you.

[English]

PROF. SAIFUDDIN SOZ: We had warned the then Home Minister that the position taken by the BJP and the VHP was not correct. We had warned him. I was also one who had warned him directly that on the Railway Station, posters were hung.

[Translation]

"Welcome to the capital of Hindu Rashtra".

[English]

We had warned him that the Ram Shila Pujan procession had no religious sanction behind them and this was a political game. We have warned S. Buta Singh that these kind of processions would generate heat in the country; there would be blood-shed and there would be anarchy. We had also told him that Hedgewar Centenary Celebrations had been utilised to communalise the situation in the country. Sardar Buta Singh does not seem to have taken notice of what we protested against. The Congress has paid the price is ample measure for Sardar Buta Singh's mistakes, for his surrender before the VHP... (*Interruptions*). If you listen to me, you will know that I am speaking about the Congress also. I will not elaborate more on this because they paid the price.

It was Sardar Buta Singh's mistake. I wanted Shri Mufti Mohammad Sayeed to be here because he gave a written answer to a question yesterday which is not correct. It was my starred question. He gave an answer which is not borne by the record. That is not correct. He should not have taken the position that Sardar Buta Singh took on the plot number 586.

Sardar Buta Singh committed a mistake by not taking recourse to the court verdict. The court had decided on 7th November that the plot of land was the piece of land under dispute. On 8th November they got a clarification from the District Collector that this piece of land, although it was a very big

piece of land, is not close to Babri Mosque and therefore it is not under dispute. That was wrong and the hon. Home Minister had taken the position that the plot of land 586 is not a disputed piece of land. This is wrong. Because, he says, it has been further reported that the District Magistrate saying "I am not concerned with the District Magistrate of Faizabad". That is what he says. He has sought clarificatory orders of the Court. He does not know that even now Babri Masjid Action Committee has gone into contempt against these orders of the District Magistrate. It is before the Lucknow Bench of the High Court there. So, this position is not correct. (*Interruptions*)

[Translation]

SHRI RAM NAIK (Bombay North): Mr. Chairman, Sir, I am on a point of order. As per rules, if a matter is subjudice, it cannot be discussed in the House. That will be against the rules of procedure and conduct of Business in the House. Hon'ble member has said that the matter is subjudice. Hence, it should not be discussed in the House.

[English]

MR. CHAIRMAN: He is not discussing about the matter which is in the Court.

(*Interruptions*)

MR. CHAIRMAN: Mr. Soz, you may please restrict your speech by not going into those matters.

(*Interruptions*)

MR. CHAIRMAN: I told him not to discuss about the matter which is in the Court. Whatever is subjudice cannot be discussed.

PROF. SAIFUDDIN SOZ: Bhagalpur has raised so many questions for the nation. Before I raise these questions, I would like to know from the Home Minister as to what is the actual number of deaths in Bhagalpur because the figures he has given yesterday... (*Interruptions*)

[*Translation*]

AN HON'BLE MEMBER: Shri Bhagwat Jha will tell you.

PROF. SAIFUDDIN SOZ: Am I a pleader ! Am I pleading for anybody !

SHRI MADAN LAL KHURANA: You have not mentioned the name of Shri Bhagwat Jha

PROF. SAIFUDDIN SOZ: Shri Bhagat Jha is associated with Sardar Buta Singh.

[*English*]

The hon. Home Minister stated yesterday in an answer that in entire Bihar, including Bhagalpur, there were 482 deaths I challenge these figures to be incorrect

There is a Muslim body called Imarat-e-Shariat in Bihar. It has given figures and that is not complete also. It has already provided to the Chief Minister, a list of 742 people—men, women and children, who were killed, with their father's name and full addresses. This may not be a complete list. BBC put the deaths at 3,000. In rural India also, BBC has a credibility. You see, how even in rural India, people listen to the news broadcast by BBC. The BBC put the death at 3,000. Now there is a question. The Chief Minister of Bihar said recently that he has provided relief to 300 people or 300 families. Does it mean that only 300 people or families died? I understand that nearly 400 families have not received relief so far. What about that relief? How many people have been compensated? How many people have been wounded? Can it be left to the State Government of Bihar? It is a national question. Now, I am asking, will the Central Government do something on war-footing? Can I have an assurance from the Home Minister?

Now, Sir, the question that Bhagalpur has raised is for the whole nation. I will tell very briefly. What do you do with the constabulary in Bihar, UP and perhaps somewhere in North Bihar? This is the first ques-

tion. It has become communalised. Gian Committee report is here. It is nothing. It is an eye-wash. It avoided all questions. How PAC was responsible for the massacre in Malliana, Hashimpura and Meerut? How was constabulary responsible for the massacre there? How was it responsible for what had happened in Logaen? What are you going to do with this? People want protection from army. People want protection from BSF. They rejected constabulary as communal in Bihar and in UP. What are you doing with these communal constabularies? (*Interruptions*) I am speaking for the nation. (*Interruptions*) Did I not mention this? You tell me, did I not mention Shri Buta Singh? (*Interruptions*)

MR. CHAIRMAN: Don't create tension here. (*Interruptions*)

MR. CHAIRMAN: Let him speak. Why are you interfering?

(*Interruptions*)

[*Translation*]

SHRIMADAN LAL KHURANA: Hundred years old temples have been demolished in Kashmir. Tell us about that also. (*Interruptions*)

[*English*]

PROF. SAIFUDDIN SOZ: I have spoken about the constabulary. I am having 14 reports with me. These reports are gathering dust in the Home Ministry. There were so many commissions, which went into the riots in this country. What are its recommendations? Does anyone analyse these recommendations? When are you going to solve this problem? This is my question. There was a recommendation that there would be anti-riot police. What happened to that suggestion, what happened to that recommendation? What about the representation? (*Interruptions*)

MR. CHAIRMAN: I have given so many warnings. He goes on telling he will say very

briefly. This is applicable to everyone. Even when you are speaking, the something is applicable. That is what I am telling. So, we have to adjust certain things.

(Interruptions)

[*Translation*]

SHRI KALKA DAS (Karol Bagh): He has been levelling charges and blaming eminent people like Shri Hedgewar who was a great patriot. Has he been given absolute freedom? Can't we put a check on him...
(Interruptions)..

PROF. SAIFUDDIN SOZ: It is not an arena, it is Lok Sabha. Shri Arif will like you because he is your colleague.

SHRI KALKA DAS: He has levelled a number of allegations against Dr. Hedgewar. It should be expunged.

(Interruptions)

[*English*]

PROF. SAIFUDDIN SOZ: Do not put words into my mouth. I never said a word against the late Dr. Hedgewar.

[*Translation*]

SHRI KALKA DAS: You have just stated the Hedgewar centenary celebrations had been utilised to communalise the situation in the country... *(Interruptions)...*

[*English*]

PROF. SAIFUDDIN SOZ: Let me clarify that I never said anything against late Mr. Hedgewar.... *(Interruptions)...*

[*Translation*]

is being utilised to communalise the situation.... *(Interruptions)*

SHRI KALKA DAS: You should prove it... *(Interruptions)...*

PROF. SAIFUDDIN SOZ : I will prove it... *(Interruptions)....*

SHRI KALKA DAS : I am telling you that they have constructed mosques there by demolishing the temples....*(Interruptions)...*

[*English*]

PROF. SAIFUDDIN SOZ: Now what about representation of Muslim community in the Army and the Police in proportion to their population. I will give an example and, I hope, Shri Arif Mohammad Khan will convey to the Prime Minister and the Home Minister that in the U.P. PAC there are 40,000 personnel and the number of Muslim is only 125 *(Interruptions)*

My fifth suggestion is a question for the nation. There is a suggestion from Shri Kapil Dev Shastri of Janta Dal. I saw it in the press. He has made a suggestion that in every thana there is a temple and he says these temples should be demolished in order to save police of being communalised.

[*Translation*]

SHRI LALU PRASAD: Mr. Chairman, Sir, I am on a point of order. I would like to tell you that there are two groups of Muslims in Bhagalpur i.e. Ansaris and Sallans who had started riots in the city. A bomb was thrown on the S.P., Bhagalpur and 11 police personnel were injured. They had thrown that bomb on the occasion of Ram Shila Pujan, but these people have not been yet rounded up. All this is happening at the instance of the D.I.G. Shri Nasim Ahmed.

[*English*]

MR. CHAIRMAN: This is not a point of order. It is his discretion.

PROF. SAIFUDDIN SOZ: Will this government institute an inquiry into the riots of Bhagalpur and other places by a sitting judge of the Supreme Court? This is a matter which cannot be left to the Government of Bihar. Government must commit itself to accepting

[Prof. Saifuddin Soz]

the recommendations made by such an inquiry.

Now I come to my seventh suggestion. No doubt, Gian Prakash report is trash and humbug but one good suggestion has been made by that committee. Gian Prakash Committee made a suggestion.

AN HON. MEMBER: Who is Gian Prakash?

[Translation]

PROF. SAIFUDDIN SOZ: How could you know it? It is we who have undergone the sufferings. I will show you this in the Library.

[English]

Gian Prakash recommended that people, who show valour and exemplary traits of secularism—when a Hindu saves a Muslim, or when a Muslim saves a Hindu—in the riots, should be honoured publicly. Will you kindly locate such people? I refer to some like Sanje Jha and Raminder Singh who took a great risk and tried to save their Muslim brothers in Naya Bazar at Bhagalpur. Will you honour them publicly as Gian Prakash Report had said? You kindly note Sanje Singh, Raminder Singh and men like Naresh Dass, Budhoo Mandhal and Sukhi Pandit. Will you also honour officers like A.K. Singh and Ajeet Dutt. Will you send Ramchander Singh duty officer of Jagdishpur, and his like to gallows? he is still absconding. Will you honour public men who saved their brethren at the cost of their lives.

They are giving autonomy to Radio and Television. It is a very good thing. But will they secularise Radio and Television? I don't want Radio and Television to cover any Muharram *jakoos* any *Rath Yatra* or any other function. I want Radio and Television to be totally secular.

(Interruptions)

[Translation]

SHRI KALKA DAS : It goes to the credit of the Government that they have been made secular. You should praise this Government for it.

[English]

PROF. SHAILENDRANATH SHRIVASTAVA (Patna): Radio and Television have been secular. They are secular and will remain secular. Do you mean that Radio and Television are not secular? What do you mean by that?

PROF. SAIFUDDIN SOZ: When this subject comes, we will have a discussion on that. (Interruptions) Will you kindly rise above politics on this vital national issue and not apportion blame in future and call the National Integration Council and also issue a white paper on the riots in Bhagalpur and elsewhere?

I am concluding with a little paragraph of Justice D.P. Madon. I was emboldened by these good men who sacrificed their lives in Naya Bazar. Justice Madon reminds me of the same people. This is what he said in 1974:

"We have had enough of a time to hate and a time to kill, a time to destroy and a time to rend. Let there be now a time to heal and a time to build, a time to clasp hands and a time to be one. With the memory of those bright encounters, on the way, let us then end, in hope and confidence."

Thank you very much. (Interruptions)

MR. CHAIRMAN: When Members are speaking, don't become emotional as it will create problems in future. I request all the Members to be patient. I will give chance to all of you and you can raise your points at that time. If you become emotional the debate cannot be continued peacefully. You may have difference of opinion... (Interrup-

tions)... Please be patient. Mr. Jaffer Sharief may speak now.

SHRI C.K. JAFFER SHARIEF (Bangalore North): Mr. Chairman, Sir, I would like to start my speech with what we have been taught during the freedom struggle, i.e. in 1942 and 1947. What we were told and taught in our childhood and during freedom struggle is:

"Shimsa satyaseva brahmacharya sangraha:

Shareere sharamaswada sarvatra maye barjana

Sarvadharmi samantva swadeshi sparsha bhavna

Ehi mayoh updesha ehi sevave namrate vadati"

This is what we were taught. I am sorry that my learned friend, Mr. Advani is not here at this moment... (*Interruptions*)... I am glad that he has arrived just Now.. (*Interruptions*) Kindly bear with me and have mercy. This is the spirit which gave strength to every Indian, irrespective of caste, community and creed, who fought for the freedom. We can take the credit of freedom struggle from the day the British came to India. As was rightly pointed out by Mr. Advani, great leaders like Shri Bal Gangadhar Tilak, Shri Madan Mohan Malaviya, Lal Lajpat Rai, Mahatma Gandhi, Shri Jawaharlal Nehru, Sardar Patel, Shri Abul Kalam Azad and Shri Khan Abdul Gaffer Khan fought for our freedom. Sir, we are forgetting the history. That is the whole sad part of Indian politics today. We are often reminded of Moghul history. We forget all those great freedom fighters who taught us as to what is freedom and how dear is freedom to us. I belong to the state from where Tipu Sultan hailed. He organised the Indian rulers of those days, may be the Rajputs, may be the Hindus, may be the Muslims or others who struggled for the freedom of this country. He was not only the freedom fighter but a person who taught us what we talk as secularism today. Go and ask the Sringeri Jagath Guru in Chikmagalur as to when the Marathas invaded the Mutt, who came to the rescue and who gave the

real rehabilitation and relief. Even today, the crown which Swamiji wears was presented by the Nizam of Hyderabad. Sir, I do not want to waste my time. Much is talked about Ram temple and Ram Mandir. I must tell one thing with great respect that Ram is not in the temples. He should be in the hearts, not keeping an idol in the temple. What is the difference between Hindu, Sindhi and we, Muslims? Even in Hinduism, we talk of *Aakhaar* and *Niraakhaar*. Those who believe in *Niraakhaar* in your community agree with us, which we also profess. We do not know the form of God. This is all the difference. You want to exhibit and demonstrate to the world that Islam is intolerant to other religions. Go and see Indonesia and Malaysia! They talk of Lord Rama more than mere Ram Bhaktas here. I have discovered this on my part. I am sorry to say that we are here because of what we have done previously. We have paid the price. Do not commit the same mistake ! We should be concerned about humanity as a whole. Who stopped when we talked about nuclear explosion ? We are concerned about apartheid, we are concerned about humanity but what do we do here ? It is an accident of fate and it is good that we are here and they are there. Let us not hide the truth. The truth is that Ram Janma Bhoomi and Babri Masjid are sitting here together. I compliment the Leftist Government for they did not allow any procession in their State. I want to be on record and I have been on record that even when my own party was in power, when we were sitting on that side, I did not spare anybody, whether he is the Chief Minister of UP or Gujarat. I do not want to blame the present Government because it has come just a week or two ago. They have along time to go and it is going to be a test. I feel concerned and I am one with Prof. Soz. Mr. Mufti Mohammad Sayeed should have been here. He has the distinction of being the first have been here. He has the distinction of being the first Muslim Home Minister stepping into the shoes of Sardar Patel : This is a debate concerning him. This Government has the distinction of appointing a Muslim as its Home Minister. He should have been here. I am sorry that he is not there. The fact

[Sh. C.K. Jaffer Sharief]

remains yesterday, today, every day and more or less for the last two years, the debate on Bofors is going on and on. If you really believe that Bofors has placed you there, I am happy. Please go ahead and let us not misunderstand. Mr. Advani is speaking very good about the freedom of electronic media. Mr. Advani, I am one with you. Neither you will be there nor I will be there. We will all be dead and go up in another 25 years or 40 years, according to whatever God has written in our account. So, let us understand and think over as to what we are going to leave behind. Look at the mass media, the films ! A man in public life is shown as a rapist, as a criminal as a drug smuggler, as a swindler, etc. Do you think that the future generation will have faith in this system? What will they learn from this system? We are sitting and talking of sovereignty and freedom of this country. Are we going to leave this freedom for others, the coming generations, or are we going to end this freedom here itself? My friends are sitting in the gallery. I have great respect for them. Without them, we cannot survive. All our mistakes are pointed out by them and we owe a great deal to them, because through them we get education. But what do we like today? Sensational news. What is today a sensational news? It is not the constructive work being done either by a scientist or an engineer or by an agriculturist or a farmer or an industrial worker. The sensational news today is how many buses have been broken, how many cinemas we have set on fire, how many trains we have a derailed. Let us ponder over that. We will not be here and we will leave our children and grand children to live and they are the ones who will remember us.

I have gone to a number of places like Moradabad, Meerut, Bhiwandi, Indore, Allahabad and other places. I must tell my BJP friends here that I have even gone to RSS *shakhas*. I have learnt something out of them. I used to go there when I was a young boy. Before joining the Congress, I was a *sewadal* volunteer. I was very enamored of

this when I was a student. I used to attend the *shakhas* and used to say what is being taught today

"Namaste sada vatsale matrubhoomi"

I got something and I learnt something from you. What

I feel asked today as an Indian is:

[*Translation*]

Do we have to learn about the glory of India from you? Are the Muslims of India not aware about the glory of their country ?

[*English*]

Why all this today? I can understand some people who have come from the other part during 1947 have faced such problems, or the persons who have gone from here are not recognised even till today. They are suffering and they are *achhuts* there. But why do you treat us a second class citizens? Why do you doubt our faith in the country's unity and solidarity. Why do you think that you are the only saviour of India or *Hindustan*? Not we. Why do you think that it is only your blood that is Indian and our blood is not Indian ? Something shameful.

Prof. Soz. was talking of Hegdewar. Who can question and who can denigrate a patriot who had the best of values, but what was the design in the celebrations to mobilize the Hindus? Why can't we project our patriots, those who taught us the Indianhood as the national heroes ? Why do you want to divide the Indian community into sections as Hindus, Muslims, as Sikhs or as *Isais*? The history has inherited so many religions and we should learn to live and that is how India is great today—unity in indiversity. That is where our strength lies. What are we going to do today? Can we deny the fact that the *Iyenger* Muslims voted for the Janta Dal and the *Iyenger* Hindus voted for BJP? What is the net result? The net result is that we are sitting here. Can we deny that fact? It is all right that Congress is out of power. I am

happy about it because it gives us time to think where we have gone wrong.

21 hrs.

I must say, I have great respect for Advani Ji. He made an honest confession that with the Left they had basic differences in certain ideologies, policies and programmes. Congress is a product of freedom struggle. A lot of people were there. Shri Shyama Prasad Mukherjee went out or Acharya Kripalani left with KMP. Jaya Prakashji left for PSP. People who joined the Freedom Struggle left the Congress and they formed their own parties. Can we say that they were not patriots? Why do you denigrate us today? I am sorry, my friend Shri V.P. Singh, the Prime Minister is not here. He is my good friend and we were together in the Government. But why should he shy of taking the name of Jawaharlalji and Indiraji? For so long he was in our Government. He was the Chief Minister of Uttar Pradesh. He was in the Rajiv Gandhi's Government. Why should we go to such levels? Should we not pass on some healthy traditions for the future generations? Is power all that important? Are we going to live with this power for ever? Yesterday you were not there in power. And today we are not in power and you are here. You talk about changing the education policy and so on. Please do whatever you want to do. I do not come in your way and I am not going to question you. But if you do not inculcate certain values, if you do not establish good precedents and a good and healthy system in the country and if you do not rise above religious and communal barriers, you will not be forgiven. I am sorry that my Government also committed some mistakes. It gave recognition to some self-appointed so called religious leaders who traded with the prestige of the Government. Had it not been so, this situation would not have arisen. We the minority representatives of the Government were not recognised and outsiders who are sitting here and shouting were recognised and honoured. They were taken more into confidence. I am sorry about it. We have paid the price. But I am not bothered about it. With

all humility, I would appeal to Advaniji and his party not to raise any issues which are going to be controversial. Do not create a sense of insecurity in the minds of the people. We are all brothers. I do not mind accepting you even as my big brother. But treat me with love and affection and give me a sense of security. You talked in Simla about how you were going to have a Common Civil Code. Do you really want this Government to survive? What are the issues that you are raising? Today you have increased your number here. Not only those blocks, take this entire block too. Who prevents you? Ours is a democratic system. When your chance comes after Shri V.P. Singh, you can take it. We do not mind. What is wrong in it? You are as patriotic as we are. You also have to rule the country in a democratic system. Every party is in power in some State or the other. The Janata Dal ruled in our State also. Sometimes you may rule and sometimes we. In this democratic system, we keep on changing. It is the will of the people which prevails ultimately. But let us not vitiate the atmosphere and create further crises.

As you have rightly pointed out yesterday, you have your priorities. You have priorities on Punjab, priorities on Kashmir and priorities on the subject that is being debated today. Let me say that this is not a small subject. Unfortunately, for our political ends, we have taken it to the streets, to the villages and towns and upto the young children. We should now wash the dirt. We should not allow the atmosphere to be further polluted. We should see to it that at least the future generations should be free from such situations. I tell you my friends, we should go outside and listen about India to know what people think about us and what people talk about us. We feel that we should be in a position to raise our heads high today as a nation. But when we come here and see what happens, and then those people outside ask us what is happening in India, we bow our heads in shame.

I am not talking as a party-man today. The party is nothing to me when the interest of the nation comes. Our forefathers and we

[Sh. C.K. Jaffer Sharief]

ourselves when we were young have given the best part of our lives for the sake of this country, in the service of the down-trodden and weaker sections.

I am in Parliament for the fifth time. I could not even dream of being here, if the basic character of the Indian people had not been secular. Indian people are basically secular; only we are opportunists. We try to divide Indian people in the name of religion and communities, just to achieve our political ends. I beg of you: let us rise above at least once, for the sake of posterity. None of us are going to live for long, but all that we speak is going to be on record. Can you deny this fact?

Yesterday, you spoke about some Judge. How many people who have retired, have joined political parties? They were earlier in service. Take the police officers. After their retirement, which political party have they joined? What would have been their attitude during the period of their service? I am not saying that you doubt them or distrust them. They are part of the system; but if we encourage them and if they become a party to that, where will it all end? I do not want to take much time. My Arif and Mr Gujral are both here. They will convey this to my friend Mr. V.P Singh, the Prime Minister of this country: I am very happy that he had said that Dr. Ambedkar's photograph would be put up in the Central Hall. It is a very good gesture. I am happy, and I congratulate him.

Will the Government at least now think of putting up a monument to remember the first freedom fighter of this country viz. Tipu Sultan who fought the British, organised Indians and gave lessons in secularism? If you agree, please let me know. I hope you will do it. My friends at the left, right and the centre will all cooperate.

There is one issue which is still remaining to be sorted out, viz. the Ram Janma Bhoomi Babri Masjid issue. It is there before the Judiciary. The judiciary is supreme. When

we talk of freedom of so many systems, we must respect this system. I hope all of us will do it. If any section tries to question its wisdom, then such challenges will go on.

Secondly, I personally feel that on emotional issues we should try to sit together and solve them. I am not much of a religious leader; but there are people like me who do namaaz. I do not think any religion is bad, any religion for that matter. If a culprit does not confess his guilt in the Supreme Court, he will at least confess it before the house of God—it may be a masjid, mandir, gurdwara or a church. It can be any place. These are the places where a man tried to mould his character and moral fibre. I am not against any religion. I am not against any temple. I am not against any mosque. I am not against any gurdwara. I am not against any Church. Only thing is we should not mix religion with politics. There is no point in blaming one another. All right, if some body has committed a mistake, at least you should start with a clean slate. Somebody should prove that we are clean we are sincere, we are going to be true. I hope that we have learnt the lesson. Let us not commit further blunders. Let us all begin with a clean slate to make the Indian secular fabric stronger and keep Indian's head high in the world and make India a strong secular socialist India not only for the Indian people but all the masses who are looking towards India for its leadership and the future destiny of humanity.

[*Translation*]

SHRI BRIJ BHUSHAN TIWARI (Domriaganj): Mr. Chairman, Sir, a very serious matter is under discussion in the House today. Communal harmony is the basic condition for strengthening democracy and making the country strong and prosperous. But if a concrete solution to the communal problem is not found out, there will be no meaning of discussing this problem here. It is a fact that attempts are being made to spread hostility and hatred between Hindus and Muslims in the country today and I believe that the major reason behind this

state of affairs is that the party which has been in power since independence and till recently, that is the congress party, has spread communalism in the country to a maximum extent. I was just listening to an hon. Member who said that in a democracy, a party may be in power one day and another day it may be out of power. It would have been better if he had conveyed it to his leader that Governments come and go, parties come into being and split but the basic values over which the entire democratic framework is based should not be bargained with. Had it been so, the Congress Government which had been responsible for the spread of communalism in the country by using the Hindu card and the Muslim card continuously would not have indulged in such things. The most shameful aspect is that maximum number of riots have taken place in the congress ruled States and I would like to know from my friends in the opposition as to why has it been so? I would also like to know that the committees set up to go into the communal riots...

SHRI RAJ MANGAL PANDEY (Deoria): It is not that maximum number of riots have taken place there but that riots have taken place only in the congress ruled States and not a single incident of riot has occurred in non-congress ruled States.

SHRI BRIJ BHUSHAN TIWARI: Shri Pandey has rightly remarked that incidents of riot have not taken place in the non-Congress ruled States. The reports of the various committees set up to go into the riots were not placed on the Table of the House. The people of the country were not informed as to who was responsible for these riots and what punishment has been awarded to them. Had such action been taken, perhaps the riots could have been checked, and communal harmony could have been restored. Let us recall as to where our former Prime Minister had paid his visit. He went to Devraha Baba to seek his blessings. The then Minister of Home Affairs and Dr. Balram Jakhar had also visited Devraha Baba for the same purpose. I know Devraha Baba because he belongs to my district. I recall that Dr. Lohia

about whom many people have a phobia, had criticised the then President, Dr. Rajendra Prasad when he cleaned the feet of brahmins at Rashtrapati Bhavan. He said that if we are truly committed to secularism and modernity, we cannot associate ourselves with such conservative and regressive way of thinking and caste based traditions. Because such an action regardless of the sentiments behind it, will create feelings of inferiority and insecurity among the minority community and weaker sections of the country. In regard to the Bhagalpur riots, Shri Bhagwat Jha Azad has himself made a statement in the Press that a conspiracy has been hatched by certain elements which include officers and some leaders of the Congress and they have together organised these riots. As per his statement, the reasons behind the outbreak of these riots can be found in the inner factionalism of the Congress Party. One faction has used these riots to humiliate another faction.

SHRI KALPANATH RAI (Ghosi): Such a statement was never given.

SHRI BRIJ BHUSHAN TIWARI: You go and read the newspaper. That is why I would like to submit that Dr. Lohia had also stated that it was the duty of every Hindu to save the life of every Muslim even at the cost of his own life. Why did Dr. Lohia make such a statement? It was because the Hindu-Muslim issue is not merely related to these two communities but is related to Kashmir, Punjab and Pakistan. After all Pakistan was created to solve the problem of communal riots in the country. The then Congress leaders had thought that if the country was partitioned, the communal riots would come to an end. If we can put a check on communal riots and infuse a feeling of communal harmony and brotherhood among the Hindus and Muslims of this country, I believe that there will be no barriers of hatred between India and Pakistan. If the Berlin Wall can be demolished, China and Taiwan and even North and South Vietnam can merge into one nation, then a day may also come when India and Pakistan may reach the stage of their reunification. Then there will be no threat to the security of

[Sh. Brij Bhushan Tiwari]

the borders of this country. Being it so, we can concentrate on several other big problems facing us. In this way we can avoid the heavy expenditure on our defence due to which we find ourselves unable to spend money on our poverty and unemployment alleviation programmes. Then there will not be any more cases of kickbacks. Therefore, I have always been in favour of a no-war pact between Indian and Pakistan. At least there should be no formality of passport and visa between the two countries. But it is true that in the past both the countries had their own vested interests in letting the tension prevail as it helped them to continue with the dynastic rule and corruption to flourish. However there are democratic, nationalist and secular forces in Pakistan who want to establish a rapport with the masses. Therefore, the Government should pay attention to the crucial issues. It is true that the number of Muslims and other minorities has decreased in the services. After Independence, educational institutions offered the maximum number of job opportunities. But it may be seen that none of the privately-managed educational institutions employed even a single person belonging to the minority communities like Muslims or Harijans right from the level of a peon to the post of a principal. There are a number of such institutions in our country. In Government services also the minorities are very poorly represented.

At the time of Partition the affluent among the Muslims migrated to Pakistan whereas the poor Muslims stayed back. Mr. Jinnah had offered the utopia of Pakistan to the Muslims of Bihar and Uttar Pradesh. He also tried to instil fear in them, and brain-washed them into believing that they would not get justice in free India because Hindus would be in majority and they would rule there. However the fact remains that those Muslims who considered this country as their motherland stayed here while the richer ones went away. Moreover those who had migrated, are now known as Mujahids and they are having a hard time in Pakistan.

You know very well that the Indian Muslims continued to remain poor and uneducated because earlier Governments continued with their tall claims of being secular. Hence they did not take care of their welfare. Was that not the Government's responsibility? Time and again our Muslim leaders rake up the same old issues that enable them to collect funds in the name of welfare of their community. It is the misfortune of the present-day Indian Muslims that they do not have any national leader of their community who could guide them, and relieve the Muslim community of their poverty, illiteracy and unemployment. Moreover the few leaders they had were sycophants and selfish without any compassion for the poor of their community.

So this problem should be solved and for this, the Government should make serious efforts. I am happy that our hon. Prime Minister has said that all out efforts would be made by them to give a healing touch to all those of the minority communities whose sentiments have been hurt and to create a sense of security among them. It will also be our effort that all such problems as we have inherited here will be sorted out through a dialogue in a cordial atmosphere. But if we are not sincere and honest in our efforts the issues cannot be settled. The Congress (I) has hitherto created a number of problems and relished the sight of other's sufferings. Whenever the occasion arose, they did not stand firm but gave in to the communal forces. What was the result? This is what you get if you try to be oversmart. Cleverness and fraudulence do not help in running a country. Only a person with high morals and character can bring the country on to the path of progress. Today what this country requires, is the strength of character, diplomacy and sincerity. Had we had that tinge of sincerity, we would not have suffered that much.

The other day, the leader of the Opposition hon. Shri Rajiv Gandhi said that the Prime Minister of Pakistan had no right to make a comment on the Babri Masjid issue or the state of Indian Muslims. But I would

say that the Prime Minister of Pakistan has every right to react to the atrocities committed on Muslim in India just as the Indian Prime Minister has every right to comment on injustice if it is meted out to the Hindus in Pakistan. The former Prime Minister had deliberately dragged in the issue of Pakistan in his election propaganda just to influence Hindus and win their votes. When India can comment on the situation in Panama and Sri Lanka, why should there be an objection to Pakistan commenting on the situation in India? That is why I would like to urge upon the Government to consider all these issues in all its seriousness rising above the party barriers. Hon. Shri Sharief rightly said that the day we start distrusting the Muslims, Sikhs or Christians we shall have to witness the disintegration of this country. There is no point in repeating history a particular country or a community has to make progress. Instead it has to digest the bitter truths of history. Communalism is like an itch, the scratching of which is pleasurable. Yet, repeated scratching spreads the infection the whole body. What is needed is to cure that itch, which means the strengthening of Hindu-Muslim unity and creating a sense of security among the minorities.

With these words I conclude.

SHRI ARIF BAIG (Betul): Mr. Chairman Sir, I am grateful to you for giving me an opportunity to speak. I belong to the B.J.P. and have been elected to the Lok Sabha from Betul constituency. Hon. Members may be surprised to know that I am a Muslim Member of the Lok Sabha who has been elected on the B.J.P. ticket. Time and again my party has been a target of harsh criticism from various quarters. For us in the B.J.P., accusations are nothing new because we have been hearing them right from the time of Pt. Jawaharlal Nehru who was the first Prime Minister of India. Our Party has been frequently accused of being communal. It was only in 1977 that I was first elected to the Lok Sabha and I had the opportunity to sit in the Treasury Benches as a Minister in the Morarji Desai Government.

21.29 hrs.

[SHRI NIRMAL KANTI CHATTERJEE *in the Chair*]

I would like to submit in all humility that at the time when my leader hon. Shri Atal Behari Vajpayee was appointed Foreign Minister, doubts were expressed regarding his credentials for assigning the charge of the Ministry of External Affairs. Shri Morarji Desai was told that Shri Atal Behari Vajpayee had his affiliations with the R.S.S. and his taking over the charge of the Ministry of External Affairs, would adversely affect India's relations with other countries of the world and all the Muslim countries of the world would break their relations with India. But I am thankful to God that in this Parliament of the largest democracy in the world I am in a position to say that if there was a man who proved to be the most successful Foreign Minister of free India, he was Shri Atal Behari Vajpayee. During his tenure we had cordial relations with all the neighbouring countries, including Pakistan and Bangladesh. But it is a matter of regret that when Shri Rajiv Gandhi became the Prime Minister and Shri Narasimha Rao was the Minister of External Affairs in his Cabinet, our relations with Nepal, the only Hindu country of the world, also had become strained. Our Party is accused of being communal. In 1977 for the first time our Party had its Chief Ministers in four states viz Shri Kailash Joshi and Shri Sunder Lal Patwa in Madhya Pradesh, Shri Bhairon Singh Shekawat in Rajasthan, Shri Kedar Nath Sahni as the Chief Executive Councillor in Delhi and Shri Shanta Kumar in Himachal Pradesh. I am proud to say that there were no cases of communal riots during the tenure of these Chief Ministers. Our Party has been accused of instigating communal riots. But you cannot cite the name of even a single member of the BJP who was arrested by the Police during the 42 year rule of the Congress (I). I would like to know the name of such a person. Communal riots were the Congress (I)'s doing. These five years have become the dark days of India's post-independence period. Highest number of communal riots also took place only in those

[Sh. Arif Baig]

states where the Congress (I) was holding the reins of power. However I would like to submit that when we were given the opportunity to work, we put up a good performance. Consequently it was felt that the former Prime Minister Shri Rajiv Gandhi was not only unsuccessful but had also tarnished his image. You prop up the emotional issues to divert the attention of the people of this country. I would like to submit that the person responsible for stirring up the Ram Janam Bhoomi-Babri Masjid issue was the late Shri Vir Bahadur Singh. I would also like to mention that the Congress Members deliberately want to make India a communal country. Today, after 42 years of our independence we have been brought to the point of discussion on the increasing menace of communalism in this country, in the Lok Sabha which is the highest institution of this largest democracy in the world. Mr. Chairman, Sir, can there be anything more regrettable than this? In this land of Mahatma Gandhi, Pandit Nehru, Subhash Chandra Bose, Sardar Vallabh Bhai Patel, Maulana Abul Kalam Azad which also belongs to great saints and Lord Rama and Lord Krishna and where Hindus and Muslims have been living together peacefully and affectionately such a situation has arisen today....(Interruptions):...Mr. Chairman, Sir, I am just addressing you but I have to say something to all other members as well through the hon. Chairman. I seek the co-operation of my colleagues as this is my maiden speech. I was submitting as to what is the present situation in Kashmir. Even after 42 years of independence, we have separate laws in respect of Jammu and Kashmir. In 1947 our country had 2 Prime Ministers, 2 flags and 2 different sets of laws. But thank God, now we do not have the provision of either two flags or two Prime Ministers. But even today it is unfortunate for India to have altogether a different set of laws in respect of Jammu and Kashmir even after 42 years of independence. Our fellow citizens in Jammu and Kashmir have not been able to identify themselves with the people of India. That is why we have the provision of Article 370 there. In fact, the

Hindus who had come from Pakistan 42 years ago and had settled in Jammu and Kashmir should have been given the right to vote in that State but to this day, they have been denied it. They cannot cast their vote in the Assembly elections. My friend, from Kashmir, Shri Pyare Lal Handu can come here and purchase a landed property here in Delhi so also Shri Saifuddin Soz. However, no person from Delhi can purchase any landed property in Kashmir, or cast his vote in the Assembly elections. But why is this discrimination? That is why my party says that we want to remove Article 370. We want to see a united India with no discrimination being meted out to two States. Therefore, my submission is that we are dubbed as communal and a charge is levelled against us that we do not want the Muslims in India to progress. I want to submit very humbly that for the last 42 years, our Government have been giving false assurances to the Muslims in India and have also followed the policy of appeasement. But the B.J.P. considers Muslims a part of their own. We believe in a united nation and want to do away with the dividing lines drawn between the minorities and the majority. Therefore, with due respect I want to submit that no such misunderstandings should prevail in the minds of the people. Instead, our country should develop into a strong nation where each and every person of this country may take pride in his being a citizen of this country. I want to humbly submit that the only panacea for this communal problem is to create an atmosphere of mutual trust and feel that Hindus and Muslims of this country are brethren and not two separate entities. Mr. Chairman, Sir, we all are the sons of Hazrat Adam and we are called 'Aadmi' (human beings) after his name. We are called 'Manushay' (human beings) because we are the sons of Manu. Hence there is no difference between these two words. The only difference is that of language. Ours is not a different lineage. We are all brothers though we may differ in our ways of worship. For example, I pray to God in the mosque, whereas my friend Shri Advani goes to the temple and my sikh friends pray to Him in Gurudwaras while our christian friends pray

to Him in the Church. But He is one God Whom they offer their prayers and He is our creator, our Lord. Allah, Waheguru and God are all one. One Lord is one who is known by his different names. Therefore, dear members of that very family, I would like to tell you through the hon. Chairman that the present situation needs a change. As regards the Ram Janam Bhoomi-Babri Masjid issue, my Party did not make it an election issue. We are never going to drag in the name of Lord Rama in the election fray. All these things were started by our friend Shri Rajiv Gandhi who started his election campaign from Ayodhya. I would like to point out as to what was the aim of our former Prime Minister and the Congress leader. However it was quite apparent that they will have to pay for what they had said. Whatever my colleague Shri Jaffar Sharief had said is absolutely correct. During your regime, thousands of innocent people were rendered homeless and thousands others were butchered. You may see the result that the masses of this country have pulled them down from those heights to the lowest level. In fact that deserve this treatment. Therefore, as a NJP Member I simply want to submit through you that all these things need our attention. Who is responsible for propping up the Punjab problem? During the riots which had torn Delhi after the assassination of Shrimati Gandhi, 2700 innocent sikhs were butchered but not a single person was punished for the same and not a single case was instituted against anybody. After all who is responsible for this? There are the Congress Members who have been propping up the issues of Punjab, Kashmir, Ram Janam Bhoomi etc. Hence with due regards I would like to submit that if you take into account all these aspects you will realise the importance of the new Government. V.P. Singh's Government is enjoying, on the one hand, the support of B.J.P. and on the other that of the Communist Party. Ours is a democratic form of Government and under this democratic system it is not something undue. We want that there should be a feeling of unity in our country and with the active support and cooperation of all of you, we may usher in an era of social amity so that there is no room for hatred and

bitterness in this country. We want that India should emerge as a strong country and we may put our best contribution in its march forward. Thus my submission is that we would make efforts to create a new atmosphere and work to achieve new heights of success.

Mr. Chairman, Sir, I am grateful to you for giving me an opportunity to speak. I have tried to present the view point of my party before you. In its election manifesto, the BJP has clearly announced that the party would guarantee full protection and opportunities of progress to the Muslims in India. They have made it clear that they are not against their interests. They want that Hindu, Muslims, Sikhs and christians should strengthen their allegiance to the country. We have been born on this soil and it is this soil which gives us blood that runs in our veins. We want to be the true patriots of our motherland. I would like India to emerge as a strong nation where people of all communities may live unitedly.

Sir, with I would like to recite a couplet before I resume my seat.

"Andaze bayan garche bahut khoob nahin hai,
Shayad ki utar jaye tere dil mein meri baat".

[English]

SHRI SONTOSH MOHAN DEV: Mr. Chairman, there was a mistake in the CCTV. The name is shown as Ramesh Bais instead of Shri Arif Baig. It may be corrected from the record.

MR. CHAIRMAN: It will be corrected. But there have been a few more corrections. Under rule 193, the time allotted is two hours. Now already we have consumed 1 1/2 hours time.

There are Members from smaller Parties atleast who have not spoken earlier.

[*Translation*]

SHRI LALU PRASAD: It is the Congress party which engineered most of the riots, particularly in Bihar. Therefore, more time should be allotted to the representatives of that State to put forward their views.

[*English*]

MR. CHAIRMAN: What I want to say, even second speakers from major Parties have spoken. The Congress Party is the biggest one; Janata Dal is also there. They should not take much time now.

[*Translation*]

SHRI BHAJAN LAL (Faridabad): Janata Party has to give the reply.

[*English*]

MR. CHAIRMAN: They will give an answer.

[*Translation*]

SHRI LALU PRASAD: Mr. Chairman, Sir, rather we shall expose their role in inciting the communal riots.

[*English*]

MR. CHAIRMAN: Do not consume some more time. Please help me. There is another discussion also.

[*Translation*]

SHRI RAM NAIK (Bombay North): Mr. Chairman, Sir, the representative from Bhagalpur is present here. At least, allow him 5 minutes time.

[*English*]

MR. CHAIRMAN: I have not said that I will now allow anyone.

SHRI RAJ MANGAL PANDEY: I think, you are not extending the time beyond two

hours.

MR. CHAIRMAN: No, I am not that rigid. Shri Uttam Rathod.

SHRI UTTAM RATHOD (Hingoli): Mr. Chairman, Sir, I am really ashamed that during the last 10 1/2 years, we must have discussed this problem of communal riots not less than 20 times. Even during the last Monsoon Session, it was Prof. Saifuddin Soz who had initiated a debate on this and I happened to be third or fourth speaker. When he started speaking, I thought, he would be much more mature after the elections that we had faced this time. Instead of quoting the incidents in Bhagalpur, I suggested to him to give some concrete suggestions where we could have national integration.

Today I want all of you to read the Preamble.

"We the people of India, having solemnly resolved to constitute India into a sovereign, socialist, secular, democratic republic and to secure to all its citizens..."

It is a sovereign, socialist, secular, democratic republic.

When we said secular, I think, the first thing we should have decided is what type of education we have to give to our people. We cannot forget that it was Hindu-Muslim disunity that brought partition of India. I was a boy. I have seen Hindu-Muslim riots. I have heard about the Calcutta riots and I felt at least after the martyrdom of Gandhiji, we may not have to face all these things. But again we saw in 1984, Indiraji was murdered and we saw that in spite of that, the Hindus and Sikhs have not been able to come closer.

It is high time that we all think about it, how we can have national integration. I was happy that the Prime Minister yesterday said that very soon he is going to call a meeting and he is going to discuss. I wish him well. As far as integration is concerned, I can say in the words of Brig. Dalvy:

"It has the Himalayan blunder and it has been the greatest failure of our times."

We were the ruling party. We were the first people to segregate the national Muslims and that is why we have to face today this plight. I feel that hereafter we should not denigrate, we should not try to push aside the nationalist Muslims who are trying to come to the national mainstream. Unless we do that, no other Muslim would feel that he should join the national mainstream.

I know the psychology of the minorities. They are afraid, hesitant and it is here that the majority community will have to assure them: "Don't worry. We will safeguard your interests. We are here to safeguard your life." But if this does not happen, then the whole trouble happens. Shri Arif Baig spoke about the role of his party. I was really very happy about the "positive secularism" of which Shri L.K. Advani speaks. But what happened in Maharashtra? They joined their forces with the Shiv Sena. What the great Senapati says in Parbhani?

[*Translation*]

We are not here to appease the Muslims.

[*English*]

What is the harm? I come from a downtrodden community. Do you expect us to bow our head on somebody's feet? We are not prepared to do so. We will go and request and appeal to Mussalman to come and join the national mainstream. There is no other way out. If we want to live together, we will have first of all to define what is communalism. I was sorry, during the last Session, there was a question which was put by some people and both of them were unfortunately absent and at that time the Deputy Chairman allowed me to put that question as it was very important and it was "What is communal party?". I was shocked to know that the Government has replied that even to that day they had not defined the word 'commu-

nal party'. Are you prepared? I am asking this Government, the Government which is headed by Mr. Vishwanath Pratap Singh, the Government which has the first Muslim Home Minister. Will you define it? Please definite it soon if the Government do that, then also ask the educationists to teach our boys about tolerance. In this country we have to live by the side of other communities. So many things between you and the other man many not tally. But still we will all have to live together. Therefore, a sense of tolerance will have to be taught. Unless we do that, no secularism will survive in this country. We will have to accommodate the views of others. If I speak something against other groups, if they get offended and start fighting, it will be difficult for anybody to control it. The main thing is that the rule of law should prevail in this country. I find that people who create all these confusions, people who are responsible for all these things are not punished by the law. They are allowed to go scot-free. That is where we are committing mistakes. Arif-ji, do not praise your Government or do not denigrate our Government. We have all failed on some or the other count. It has been the total failure of Indian citizens that we have not been able to organise our education, we have not been able to organise our judiciary and we have not been able to implement the rule of law. That is why we have to face all these things.

Sir, unfortunately we have also used the word 'democracy'. We say we want democracy. Democracy entails election and election entails majority—may be simple majority. When we want to win votes, naturally we try to appease the people, we try to associate ourselves and we want to take people on our side in the name of religion, caste if not on language or region or something like that. Please do not get surprised that this also invariably happens in America. I was shocked when I read one of the issues of the *Indian Post* that there also the ethnic group, the race that has played a great role. What I want to suggest is that we must have an understanding between all the political parties that we will not do these things. Unless we have some restriction on us, it is very difficult. We

[Sh. Uttam Rathod]

can all do this in the National Integration Council and we can decide about it there. But let us have some understanding between us that we shall not exploit these things. Then only we will be able to have a real secular democracy.

MR. CHAIRMAN: Please conclude. You are a good friend of mine. Kindly help others also. Will you conclude in a minute?

SHRI UTTAM RATHOD: That is exactly what I am doing.

SHRI SOMNATH CHATTERJEE (Bolpur): With the last sentence of about 10 lines...(Interruptions)

SHRI UTTAM RATHOD: I only pray that wisdom prevails not only on the people of India but also on the Government which will try to implement the rule of law, which will try to teach our boys a sense of tolerance and thereby we will have secularism in this country.

SHRI SAIFUDDIN CHOUDHURY (Katwa): Mr. Chairman, Sir, I believe that we are all concerned on the growth of communalism in the country. If we can take some statistics into account, we can find that from 1950 to 1963, we had 341 riots in our country i.e. during the 13 years period. In 1988 alone we had 611 riots in our country. Now, you can understand the rate of growth of riots in the country. I believe some ten years ago we had in the whole of the country forty to forty five districts identified as communally sensitive districts. Now I find in UP alone, we have 41 districts which are considered as sensitive districts.

In today's debate I do not want to try to trace the roots of communalism and trace it to its remote past. But I would like to take up the recent happenings that are causing a lot of concern to all of us. I believe that no religion preaches hatred towards other religions. Religion is an instrument for the human being to have communion with the God. We

have no quarrel with any religion or with the believers of any religion. But the point that come is, how from this very basis, in the name of religion the monster of communalism appears in our society. I believe, if we are to understand this, then the real picture that will emerge is that the act of mixing politics with religion is solely responsible for the development..

To my mind, apart from other factors, communalism is the direct outcome of mixing politics with religion. If anyone is to be blamed for this, we politicians are to be blamed. In the recent past, in the last four or five years, there has been a severe growth of communalism in our country. How did it happen? Because, I think you will forgive me, the Congress (I) Party and its Government which professed secularism, they, be their action, subverted the concept of secularism in our country. In the recent riots in Bhagalpur we saw how two criminal gangs patronised by various leaders to congress (I) were instrumental to the genocide there.

In the recent past the growth communalism can be traced to the enactment of the Muslim Women Bill, maintenance after divorce. We all remember the controversy during the Shah Bano case. At that time all the progressive people in our country appealed to the Government not to surrender to the fundamentalists. But the Government did not listen to them. We know that after this surrender, the obvious reaction will be an unreasonable demand from those who are the torch-bearers of the majority which remained at low key all over the years, and could not find an expression in the country.

I very much appreciate when our friends in the BJP say that the vote they got is not due to the communal campaign. I fully agree with them. In this country voting takes place not on the basis of communalism, though communal issues are introduced into it. It was a vote against the wrong policies of the Congress (I) and the opposition got people's support on that basis. Then you find the examples of secularism in Ayodhya, where

the Ram Janam bhoomi-Babri Masjid controversy is going on.

22.00 hrs.

There was a victory for a Left candidate, who was opposed by everyone. It is the shining example of secularism, the secular mind of our people. Another shining example I want to give you us about what had happened in Unnao. Shri Z.R. Ansari is not with us in this House. He has been defeated. But, he is the man who vehemently supported the Muslim Women Bill. These type of men will select their constituencies very carefully. And I believe that Unnao is a substantially Muslim inhibited constituency and there he has been defeated. This is the great maturity of our people. If any party, any organisation or any individual thinks that they have won, on the basis of communal appeal, they are badly mistaken. They will be shown their true fate later on. Even, I can narrate some individual experience. If the political parties, if the leaders of the political parties and if the workers of the political parties take a firm stand against communalism, then people also will come out fearlessly. They will never get confused. I am very sorry to say that—this is my third term in Lok Sabha—I never had to fight this kind of serious election that I had to fight this time. There, I am very sorry to say—I do not know where is Advaniji; I want to bring it to this notice also—that BJP fielded a candidate against me. I will talk to them later. That candidate appealed, “he is a Muslim, so, do not vote for him”. Well, I understand that and I don’t mind that. But people who claim secularism, put a muslim candidate against me. What did that candidates say? Saifuddin Choudhury is not a muslim; where do I go! Someone, whose name is a Hindu-name, he says “Don’t vote for him, because he is a muslim”, and the Congress (I) candidate says, “Don’t vote for him, because he is not a true muslim”. Then, as I opposed the Muslim Women Bill, they brought it into the campaign and said that I opposed the Holy Qoran; I destroyed religion and so do not vote for me.

SHRI SOMNATH CHATTERJEE: That

was the Congress campaign.

SHRI SAIFUDDIN CHOUDHURY: And then they said that Saifuddin Choudhury is a member of the Ram Janam Bhoomi Committee. I cannot be a member of a Mosque or a temple. This is not a principle in our party. So many other types of campaigns were made. Then, we had to tell the public in public meetings that we opposed the Muslim Women Bill; if you re-elect us, we will again oppose the same type of Bill if it comes; if you want to vote, vote us, otherwise, don't vote. I want to know why does this kind of communal activity just before the elections, increase. Every time we find that. That is the question. I have no objection to having the Ram Janam Bhoomi in Ayodhya? I have no objection to having a Ram temple in Ayodhya. Why had Shilanyas to be done before the elections? That is my question. Ayodhya is a controversial place. What will happen to it, can be decided mutually, and that we also propose, if mutual negotiations cannot take place, then, we have said, “take it to court”. We cannot tell Hindus and Muslims to fight. You cannot be that responsible. As we opposed the Government that time, who changed the court verdict during Shah Bano case. This time also we say that if there is no mutual negotiation, you have to abide by the court verdict. And we have the moral right and moral force to say this. We have to decide that if we have to survive as a country, then we have to keep our secularism alive and in this context also, I want to say that where the Government faltered was they did not implement the secular concept properly. If we try to qualify secularism by saying 'positive' and 'negative' them there will be some confusion. (Interruptions) I take this opportunity to inform the hon. Members of the House that we had passed in this House a law to prevent misuse of religious places. Taking part in that debate I demanded that an individual who may be religious or not religious as an Indian citizen he has the right to contest elections. Further if a candidate who is known to be performing pooja every day goes to temple or mosque during election campaign nobody will bar him from going to a temple or mosque but if he does not offer pooja at

[Sh. Saifuddin Choudhury]

home regularly and then if he does that during election campaign then he is an opportunist. At that time I demanded to ban such people from contesting elections for six years. There was lot of hue and cry. But I am sure if we take a firm stand and tell our people they will accept it. If we are serious to put down communalism then we have to follow secular concepts. Say with pride that. We are Hindu, say with pride that we are Muslim, I have no objection. But what to do after that. After that the question comes what will happen regarding my economy, shelter and health. One should be a good Hindu and a good Muslim yet one should keep it at home. Do not bring it outside. Do not do anything that may harm the sentiments of others. We have majority community and minority communities in our country but it may be that at some place one community is in majority while at other the other community is in majority. People have to see that those who are in majority community in that area they are responsible to see that the minority community in that area—their interests—are safeguarded. Police is not of any help. We know what happened in Malliana. A delegation of Members of Parliament from the Opposition including Sarvashri Madhu Dandavate, K.P. Unnikrishnan and P. Upen-dra went to Malliana. I was also with them. We are taken to the 'thana' and illegally detained for the whole night. Police did not allow us to go to Malliana. Our purpose of going to Malliana was that there may be fanatic Hindus and fanatic Muslims but if the police personnel take part in creating genocide them where do we go? I firmly say that if government is sincere then riots can be prevented in even two hours.

SHRIP. NARASA REDDY (Adilabad): I request the hon. Member to yield for a minute. I would like to invite his attention to a newsitem which appeared in *The Hindu* of 23rd December, 1989 about a press conference addressed by Mr. Sikandar Bakht, BJP Vice-President:

"Much of Mr. Bakht's press conference

was, however, taken up with a defence of the BJP line of 'positive secularism'. He argued that the party had been continually maligned without a shred of evidence of being 'communal' while those who professed to be secular, were among the most blatant practitioners of communalism and the policy of division for political ends. In this context, he specifically accused Mr. E.M.S. Namboodiripad, who, he said, had been abusing the BJP of practising communalism, of being the biggest communalist. It was under Mr. Namboodiripad's Chief Ministership of Kerala that a decision to form a separate district of Malappuram was taken on entirely communal considerations under the pressure of the Muslim League, which was a partner of that Ministry. "Mr. Bakht recalled."

SHRI SAIFUDDIN CHOUDHURY: The point is well taken that our party is thinking that to have some kind of touch with Muslim League will be a good thing for the minority. We have committed a mistake and we have been repenting for that. Muslim League is not a friend of the Muslims. All of us must understand that. They are creating all the troubles for them. Why don't they condemn what happened in Jammu and Kashmir? When Pakistan wins, some people rejoice—not everybody, not all the Muslims. But if there is one, we have the courage to condemn. This country is for all of us. There are so many others.

Some positive measures have to be taken. These have been suggested by many inquiry commissions and committees, National Integration Council and all that. I feel that responsibility has to be fixed on the concerned officers. If riots take place, they should be made answerable. They should be punished if they fail to quell the riots.

Coming to education, I must say that the division of history—which we are having—like the Hindu period, the Muslim period, the British period is a very bad division. We should do away with this. This kind of men-

tality takes us back some thousand years. There is no need to search for golden periods in the past. It may be the Mughal period or the Gupta period. They had their golden ages. We are not to go backward; we have to go forward and create our golden age in the present time. That's why certain electoral reforms are very important. What is the safeguard in our law? What are the present provisions in our electoral laws? If you appeal to the voters on the basis of communalism and if that is proved, then what action will be taken against you?

AN HON. MEMBER: Disqualify.

SHRI SAIFUDDIN CHOUDHURY: I have no objection. Now, the Government is bringing an electoral reforms Bill. They should seriously consider if we could free ourselves from the kind of emotions that may be raised and the touchy sentiments that are expressed when we hear 'Hindu' or 'Muslim'. That is very bad. In our parliamentary democracy, I do not recognise any Muslim leader nor do I recognise any Hindu leader. We are all Indian leaders and secular leaders. Let us pledge that this country will remain secular. The people are very good in our country. With these words, I conclude.

[*Translation*]

SHRI LALU PRASAD (Chhapra): Mr. Chairman, Sir, if we review the post-independence period of 42 years, we find that barring a three year period, the country has been ruled by the congress party, rather by one family. Mr. Chairman, Sir, today when we are having a discussion in the House to check communal riots, we are determined to reach a definite conclusion in this regard. However, I would like to inform those Members who blame the BJP or National Front for such riots that Bihar is the worst hit state in this regard. The total number of minor and major communal incidents in the State is 50.

I am grateful to the Home Minister who has been very honest in placing the fact before the House that communal riots have taken place only in the Congress-ruled States.

While analysing the causes of communal riots, I would like to point out that Shri Rajiv Gandhi has been the former Prime Minister of the country and Muslims and Harijans have been the traditional vote banks of the Congress Party. The party has always projected itself as the champion on the cause of the Harijans and Muslims. These communities have all along supported the congress with hope and confidence.

It has been the much talked topic in the politics of the country for the last one and a half year that Shri Rajiv Gandhi failed to fulfil the promises which he made in regard to the development, unity and security of the country and protection of the interests of the Harijans. This resulted in creating a gloomy situation in the country. This issue had been discussed by all the opposition parties and their leaders. Whether it was left front or right front, including, of course, our own party, Lok Dal, for the last one and a half year, all were determined to change the Government. The people wanted a change. Such a change was not merely for the sake of acquiring power or becoming Prime Minister or Minister. The change had become necessary because the responsibility of protecting the geographical boundaries of the country which was put on our shoulders by our ancestors, was jeopardised by the Congress and Shri Rajiv Gandhi. If we fail to safeguard the unity, integrity and the principle of secularism of our country, we cannot save the country from disintegration. Therefore, we decided to forge unity with the BJP and the leftist parties so that the votes of the opposition may not be divided. The people belonging to minority community i.e., the Muslims, decided that they have to be in the mainstream than to support the Congress. Thereupon, the Congress cleverly hatched a conspiracy and nominated Shri Satyendra Narayan Sinha as the Chief Minister of Bihar. As soon as he became the chief Minister, 50 incidents of communal riots took place in the State. Shri Karpoori Thakur, who was the leader of the opposition, fought throughout his life for the rights of the poor and the minorities and also against injustice. When this great leader died, his colleagues made

[Sh. Lalu Prasad]

me his successor. Though Sher Shah Suri was a Muslim, yet he accomplished the task of linking one end of the country to the other and constructed a highway. He took a number of welfare measures for the people in Sasaram also. I would like to tell Shri M.J. Akbar and Professor Sahib that inspite of all efforts made by Shri Jagannath Mishra, Shri Chhedi Lal of our party has won that seat with the support of minority voters. Sasaram, which had been the constituency of Babu Jagjivan Ram was this time contested by his daughter as a Congress candidate. But Chhedi Lal of Janata Dal has been elected from there. When communal riots took place in Sasaram, we visited the affected area to conduct an enquiry. The Chief Secretary and the Collector did not permit us to enter the area. We, accompanied by Shri Sewak Singh, the local MLA entered the curfew-bound area where shoot-at-sight orders had been issued. Nowhere we saw Hindus and Muslims fighting each other. Most of the people killed belong to minority community. All the people of Bihar state including the minority community know that Shri Jagannath Mishra has been promoted to the position of Chief Minister. When Shri Satyendra Narayan Sinha became the Chief Minister of Bihar, he failed to quell the riots in Hazaribagh. I alongwith Shri Sayeed went there to conduct an enquiry. We visited all the localities to look into the complaints of the minority community. The workers of our party had protected the people belonging to minority community even at the risk of their own lives. The procession of Ram Navami had passed off peacefully in front of the Jama Masjid of Hazaribagh. No Muslim had opposed the procession. Ram Shila procession and Ram Navami procession passed off from there, but neither there was any riot nor anybody raised provocative slogans on that day. The day was incident free. But later on, an incident took place in Hazaribagh which triggered off disturbances in the entire State. Shri Rajiv Gandhi, accompanied by his wife Sonia Gandhi went to participate in the Vaishali festival. Vaishali is the place where the first republic was proclaimed. Hazar-

ibagh is 60 kms from Patna. They had put on bullet proof vests. All his aides were with him. Shri Rajiv Gandhi told Sonia Gandhi that he himself would drive the jeep to see the celebrations....I had also gone there. An announcement was made in regard to their security. It was said that Shri Rajiv Gandhi and Sonia Gandhi were to be welcomed to the Vaishali Mahotsva and for that full security force was to be required all along 60 kms. route from Patna to the place of celebrations. Wireless message was sent to the D.M. of Hazaribagh. Wireless message was sent to the Collector also to send all the forces to Vaishali as Rajiv Gandhi and Sonia Gandhi were coming to attend the celebrations. Forces were picked up from Hazaribagh and sent to Vaishali. After three days, riots took place between Hindus and Muslims. But no security forces were there to control the situation. We had levelled charges against the Government of Bihar headed by Satyendra Naryan Sinha that Congress party, the Collector and the S.P. were responsible for the riots. Shri Satyendra Naryan Sinha had announced that he would order an enquiry. An enquiry was conducted. Shri S.K. Shrivastava of the Board of Revenue was the only member who conducted the enquiry. After the report of enquiry was considered in the Department of Home Affairs, it was found that the Collector and S.P were responsible for these riots. Under whose control these officials work? Who is the head of the State? None other than the Chief Minister. Dr. Mishra has now taken over as the Chief Minister of Bihar. Earlier, he was the President of the Congress party in the State. The communist party too has to be blamed for the massacre of the people belonging to minority community for the sake of votes. Shri Shakeulrehman is not present at the moment. He is the M.P. belonging to Janata Dal from Darbhanga which includes Bahera, the assembly segment represented by Dr. Mishra. He has now become the Chief minister, earlier he was the President of Congress Party in the State. Shri Abdul was my Private Secretary. Who is responsible for inciting riots in the constituency of Shri Abdul Siddiqui. Hon. Shri Hukum Deo Narayan is present here. Processions were taken out by

all these people. A letter was written to Shri Tariq. I would give you a suggestion that you write a letter to the S.H.O. of Bahera Police Station and ask him as to the work done by Lalu Prasad. The circular is there on record. Had Shakeulrehman been there, he would have explained the whole thing. He is the only Muslim in Bihar who had been the vice-chancellor of Mithila University. The Minister of Education, Shri Nagendra Jha has removed him from that post. You talk of majority community, but the hypocrites say something else. The Maithili Brahmins have spared no effort to put Bhagalpur, B.J.P., R.S.S. and Janata Dal to disrepute. One thousand workers belonging to the Congress party were called to Bahera by the Maithili Brahmins and were asked to bear camouflaged caps bearing slogans "Garb se kaho hum Hindu hein" and "Radhe Shyam Baba ki Jai." We went there and conducted an enquiry and found that Mahendra Narain Jha, who is a follower of Dr. Mishra and belongs to the same caste as that of Dr. Mishra had hatched this conspiracy so as to frustrate efforts of the opposition for Unity. Let Shri Kalpnath Rai and Prof. Sahib go to Patna and meet Shri Gulam Sarvar, the editor of the newspaper "Humnam". This newspaper carried headlines regarding the apprehension of communal riots in Bihar Sharief, Sasaram, Phulwari Sharief during the procession of Imamwara which is taken out before the Tazia procession. Having read this urdu daily, we wrote to the Secretary, Home Affairs to make an arrangement for the security force in these areas. Sir, you will be surprised to know that after one month of the riot, the letter written by the leader of the opposition was replied to. The reply said that the letter had been received and full arrangements for the security had been made. My letter was replied to after one and a half month of the riot having taken place. The riots affected entire Bihar, especially Katia in Gopalganj and Satwarvan in Palamu which Bhisma Narayan Singh represented. This was the place where the homes of the Muslims were looted in front of the police station. I would like to tell this thing to Shri Kalpnath Rai. I would also like to tell Shri Bhajan Lal that reciting 'Bhajans' would not

help. The people belonging to the minority community have recognised their real faces and have told them not to indulge in such fake acts. Our party has said that we will find solution to these communal riots, on the basis of equality and with consensus of all. I agree with your views that the way Military Police, Bihar Police and the P.A.C. harassed these people in Bihar, the latter have doubts about the very role of these forces. I, myself have some doubts about it and I share your views in this regard. I agree that there is a temple in every police station and police line. You try to understand the actual position in Bhagalpur. Shiv Chander Jha, who was the Speaker, was deadly against Shri Bhagwat Jha Azad. It was due to them and a few of their men that these riots.....(Interruptions).....they were behind these riots. Shri Chun Chun Prasad Yadav of our party has been elected from there by defeating Shri Azad. Our party has taken steps to see that such communal riots do not recur. The parties which are supporting our Government, whether it is the B.J.P. or the Left Front, have extended their support in this endeavour. We will not give you an opportunity to commit injustice against the Muslims and Harijans.

Shri M.J. Akbar did not find any constituency other than Kishanganj from where he has been elected. I would like to tell him that he has landed at a wrong place, he is misfit here. He has been a journalist. Now he will have to speak in tune with his party colleagues and it will be a matter of days before he loses his freedom of thinking.

Mr. Chairman, Sir, with these words, I conclude and express my thanks to you.

SHRI SURYA NARAYAN SINGH (Balua): Mr. Chairman, Sir, today the question of communalism has assumed utmost importance. It has been said that this issue has created a dangerous situation in the country and it is very necessary for us to consider it seriously. If it is propagated or it spreads further, I am afraid, it may lead to yet another partition of the country. Therefore in the present circumstances, it is very neces-

[Sh. Surya Narayan Singh]

sary to consider this issue. All the people are saying that they are not at fault, that they have not propagated communal feelings. These people include those who have ruled this country for 42 years. They say that they have not allowed communalism to spread in the country. But I would like to ask them as to who was ruling the State two months ago when riots took place in Bhagalpur, Monghyr, Darbhanga, Sasaram and Jamshedpur? Was Janata Dal in power there? For that matter, when Babri Masjid-Ram Janam Bhoomi issue flared up in Uttar Pradesh, was Janata Dal in power in that State? I would like to submit that at that time the Government of Shri Vir Bahadur Singh was in power in Uttar Pradesh and the Government of Satyendra Narayan Sinha was in power in Bihar. When some people tried to take out procession on the pretext of pooja, the Chief Minister and Government of West Bengal said in clear terms that they would not allow any disturbance to take place in West Bengal. The Chief Minister imposed section 144 of Cr. P.C. and said that the people have every right to worship in the house or in the temple but if some people create disturbances through religious propagation, the Government will not tolerate it and accordingly the Government of West Bengal banned the procession with the result that no riot took place in the State. But we, the people of communist party and other leftist parties brought this thing to the notice of Satyendra Narayan Sinha time and again and also made a complaint to Shri Rajiv Gandhi, but Satyendra Narayan Sinha did not take any action against the persons responsible for spreading riots. These people say that they are unblemished. But I would like to say that the hon. Minister of Bihar, Shri Girish Narayan Mishra had his hand in the riots that had taken place at Sasaram. Perhaps the Congress Party may be doubtful that the members of his family may be having a hand in the kidnapping of the circle officer of Ramgarh. I would like to submit that they have a hand not only in the kidnapping of above mentioned officer but also in the Sasaram riots. But I would like to point out to my friends in

the Congress that it is only during their rule that communalism has spread in this country. It is only one month back that the Janata Dal has come to power and you are reproaching them i.e. the Janata Dal Government which has the support of both the Right and the Left parties. In fact, the Congress Party is wholly responsible for the spread of communalism in this country. If a case of hatching conspiracy is filed under IPC 120, it is mainly the Congress Government which should be charge-sheeted. As a suggestion, I would like to submit that the national integration committee should be reconstituted and wherever riots have taken place, action should be taken against all those officers who had their hands in the riots and in case an FIR has not been lodged in some cases, action should be taken by the Government against the officers found responsible for the same under the provisions of Indian Penal Code and those who incite riots should also be checked so that communalism does not spread in this country. Finally, I would like to submit that the Ram Janam Bhoomi-Babri Masjid issue has become a major issue. Temples are there all over the country and there are mosques everywhere as well. Hindus have the freedom to worship in temples and the Muslims in the mosques. Even if mosques are constructed everywhere in the country, I would not object to it as I am not concerned with it because according to the Indian Constitution everyone is free to follow his or her religion and nobody has the right to interfere in the religious affairs of other communities. However, no Muslim should be allowed to demolish a temple and construct a mosque in its place and similarly a Hindu also does not have the license to demolish a mosque and build a temple in its place. If somebody indulges in such things, legal action should be taken against the person concerned. So far as the Ram Janam Bhoomi-Babri Masjid issue is concerned, the attention of all the people of the country whether Hindus or Muslims is focussed on it. I think that if it is a hard nut to crack, the best course would be to declare it as a national movement. And if both the communities are in favour of a settlement by court, whatever is the judgement of the court,

it should be accepted by them. In the end, I would like to submit that communalism is a serious issue which should be taken seriously and strict legal action should be taken against the people found responsible for inciting communal riots. With these words, I would like to conclude.

[English]

SHRI C. SRINIVASAN (Dindigul): With deep anguish I rise to participate in this discussion on the communal situation in the country. Before I say a few words, let me pay my humble tribute to Dr. Anna, Puratchi Thalaivar Dr. MGR and Puratchi Thalaivi Jayalalitha under whose leadership I stand here to speak

Yesterday, when the hon. Home Minister, Shri Mufti Mohammad Sayeed was replying to a question regarding places where communal disturbances too had taken place, he mentioned several places but failed to mention Bodinaickkanur in Tamil Nadu. This shows the concern of the Government to the serious communal situation in the country.

Tamil Nadu witnessed a serious communal clash a few months ago. A person belonging to a community delivered a highly offensive speech in Bodinaickkanur in Madurai in Tamil Nadu. The situation became tense. The DMK Government knew that there was every possibility of a communal clash. But it did not take any steps to ensure law and order. Instead it waited for the people to clash among themselves. DMK very well knows that Madurai District is the fortress of AIADMK. Puratchi Thalaivi Jayalalitha represented Bodinaickkanur constituency. So they wanted to divide the people on communal lines and gain political capital. That was how the communal clash ensued in Bodinaickkanur. Many lives were lost. The wounds have not healed. People have waited for the opportunity. Elections came and the people have voted out the anti-DMK Government. A party which sowed the seeds of division in the minds of the people reaped the results. They had drawn blank. The DMK Government must have bowed to the will of the

people. But they have not. Therefore, I urge upon this Government to see eye to eye with the people of Tamil Nadu and throw this DMK Government out of power. Then only the thirst of the Tamil Nadu people will be quenched. If the DMK Government continues in the State even for a day, the whole State of Tamil Nadu would be engulfed in communal fire. Let Dr. Anna's rule return to the State. Let Puratchi Thalaivar Dr. MGR's glory once again pervade Tamil Nadu. Let Puratchi Thalaivi Jayalalitha's flag fly aloft all over Tamil Nadu. The earliest the best.

The minority Government is in power today. It is supported by political parties whose stand on secularism and communal amity is not clear. This Government has to lean on forces which encourage communalism and fundamentalism for support. This has not been a secret. A minority Government, therefore, is inimical to secular India.

After assumption of office by this Government there is a constant rise in the number of communal flare-ups all over the country. Jammu and Kashmir is burning. Anti-national forces are raising their ugly heads. Since this Government has no original voice, it is unable to condemn these happenings. Today because of these communal clashes in Jammu and Kashmir India's security is threatened.

Punjab presents a disorderly picture. There is no check on arms and ammunition being smuggled into India by terrorists. These terrorists know that this Government is weak and will be willing to concede their demands. This is evident from the fact that this Government after so much of pestering is not coming out openly against Anandpur Sahab Resolution. This Government is poised towards compromising the dignity, honour, unity and integrity of India. Today, this Government has withdrawn the emergency provision in Punjab. But simultaneously this Government has failed to propose an alternative arrangement for ensuring peace in Punjab. I condemn the Government's lackadaisical attitude in the matter of Punjab problem. The people in power are speaking in

[Sh. C. Srinivasan]

difference voices Towards SC&ST, this Government has no consistent policy. This Government has no firm commitment towards uplifting the poor and the down-trodden. The Deputy Prime Minister of this country, Mr. Devi Lal says that economic consideration should be the basis of reservation. This has started country wide agitation against reservation for Scheduled Castes and Scheduled Tribes. I deplore the Government's attitude in this regard.

I would like to caution this Government not to exploit the Babri Masjid and Ram Janam Bhoomi issue. Allah, Rama, Jesus reside in every heart. Let me recite the famous lines of Gandhi Ji's prayer: *Raghupati Raghav Raja Ram, Ishwar Allah tere naam*. Let us not fight where God is God is everywhere. Let us fight people who divide the hearts of the people. Let us persuade our Hindu and Muslim brothers to give up mutual violence and reach to nation-building. That is the task before us.

With these words, I conclude, Mr. Chairman, and thank you on behalf of AIADMK.

MR. CHAIRMAN: Now the person who can afford to be brief, Mr. M.J. Akbar. Is it possible that you can be as brief as ten minutes?

SHRI M.J. AKBAR (Kishanganj): Sir, I would have been briefer, apart from the fact that I do wish to comment on some of the points raised by the previous Members. But I shall try my level best.

MR. CHAIRMAN: But if you make an elaborate statement, that will generate more elaborate statements from other Members. So, kindly help the Chair.

SHRI M.J. AKBAR: It is a complex issue, Sir. However, I shall try.

AN HON. MEMBER: You will speak for half-an-hour at least.

SHRI M.J. AKBAR: Certainly not. That much capacity I do not have at this moment.

MR. CHAIRMAN: I do not want you to elaborate to his proportion.

SHRI M.J. AKBAR: Sir, at the very outset, I would like to take strong objection to the statement made by, I think Mr. Tiwari—I hope I have not mistaken the name—when he said that he had no objection to the interference of Ms. Benazir Bhutto in our internal affairs, when she spoke about the dispute which was causing a lot of anguish in our country over the Babri Masjid—Ram Janam Bhoomi. It is not so much this part of his comment that angered me, as his follow up comment that it was her right to say something because the issue dealt with the problems of Muslims in this country. And he went on to say that the Prime Minister of India should equally have the right to say and make remarks and interfere when Hindus in Pakistan suffer. I think I raise this point for a very good reason which deals with an aspect of understanding the secularism as a political ideal. When we equate Pakistan and India, we make a very fundamental error. Ms. Benazir Bhutto, Prime Minister of Pakistan is a Prime Minister of a country which was created in the name of religion, wrongly created, a great sin and a great evil that took place four decades ago. Ms. Benazir Bhutto may feel it her privilege to talk only about the Muslims of Pakistan or the Muslims of India. That is her privilege. I cannot interfere with that. But the Prime Minister of India is the Prime Minister of all—the Hindus and Muslims and Sikhs and Christians and everybody who lives here—and if it is his contention that the Prime Minister must interfere in the internal affairs of Pakistan, if it is his contention that the Prime Minister of India must talk about certain things which are going wrong with Pakistan, then I submit... (*Interruptions*).

SHRI BRIJ BHUSHAN TIWARI: I did not say that.

SHRI M.J. AKBAR: I think, I was not wrong in my understanding... (*Interruptions*).

Then I would submit, Sir that if the Prime Minister of India is given the right to interfere, then he should not be given the right to merely interfere if anything goes wrong with the Hindus of Pakistan. He should be given the equal right to interfere with anything that goes wrong with anybody in Pakistan. We live in a secular country, we don't live in a country created in the name of religion. This was the same fault, I think, which was made by Mr. Arif Beg when he started comparing two Kashmirs. There is no comparison between the two countries. Kashmir came to secular India brought by one of the greatest Indians of this century, Sheikh Mohammad Abdullah, came of its own accord and joined the secular India. There is no difference between Kashmiris and Bengalis or anybody from Kishanganj or my friend, Mr. Soz who comes from Kashmir. I don't care whether Pakistan-occupied Kashmir gives the Kashmiris the right to vote or not, I don't care. It does not matter to me anything. What I do know is that the Kashmiris who belong to my country must have the right to vote whether any one else gives the Kashmiris the right to vote whether it is Pak occupied Kashmir, whether it is Bulgaria, whether it is Romania, whether it is America, whether it is anywhere else in the world. This understanding of the fundamental nature of our two countries is a problem which, I think, will take a life's time.

Finally, Sir, on the previous debate, I do understand my friend, Mr. Saifuddin Choudhury—I have respect for the position he took vis-a-vis the Muslim Personal Law. I do not agree with him, but I have respect for the position he took, and I quite happily agree that when they into campaign, they had to fight a certain political battle, they did it bravely, they did it out of conviction. I merely request him now to do one thing. Today he belongs to a Ruling Alliance which is in the majority. Today he belongs to groups which are in majority and formed the Government and the Home Minister, Mr. Mufti Sahib is here, I would really request him and ask whether this Government is prepared to change what was done by the Rajiv Gandhi Government, whether this Government is

prepared to go back on the legislation which the CPI (M) opposed.

SHRI BHOGENDRA JHA (Madhubani): And you are demanding that.

SHRI M.J. AKBAR: I am not demanding that. I am merely asking. I am supporting the law which was passed.

SHRI SAIFUDDIN CHOUDHURY: Sir,...

(Interruptions)

MR. CHAIRMAN: Just a minute. If any hon. Member yields, he is yielding the time also.

SHRI SAIFUDDIN CHOUDHURY: Not only that. We will try to educate the Muslim masses that what was done was wrong and the previous position should be restored. Regarding the civil code also, I make it clear that we will go to the people of our country, the Muslim masses, and tell them that there is no harm in having uniform Civil Code.

SHRI M.J. AKBAR: Thank you very much. I am happy that he has made his point clear. Certainly he has the support of Mr. Vajapayee on these benches.

AN. HON. MEMBER: Mr. Advani. *(Interruptions)*.

SHRI M.J. AKBAR: Yes, Mr. Advani.

SHRI L.K. ADVANI (New Delhi): You referred to Mr. Arif Beg.

[Translation]

He only meant that there should not be any discrimination between those who have migrated to Kashmir and those who are the residents of Pak-occupied Kashmir. But as to how Pak-occupied Kashmir deals with this matter is not relevant here.

[English]

SHRI M.J. AKBAR: It is only appropriate, Sir, that communalism forms one of the subjects for debate and for discussion in the very opening Session, however brief, of this House. The reason why I think it is particularly appropriate is because for 40 or more than 40 years of our democracy never before in our Independence history has communalism proved so successful as it is in the last election. I believe that a large and even terrifying price has been paid for its success. We have, today, in this House, a Party of 88 MPs and another Party of four MPs. Both are communal parties in my view and it is the view which I believe in, but I am happy that this particular view of mine is supported by my friends in the Left. I quote at this point from the manifesto of the CPI (M) and it says, "that we must isolate the communal forces from the people, eliminate the influence of communal people and defeat the game of destruction." I am happy you have been specific when you were writing the manifesto, because it goes on to say—"isolating of the communal parties like the BJP." When I say that this election was won by communal parties, it was won by inciting the communal passions of a very base and gross nature. I quote not only the slogans that were used in support of their candidates; if you like I will repeat some of the slogans. Yesterday, I had the opportunity to say one which came voluntarily and today I say more voluntarily one slogan which every Member of this House has heard. I presume it has also been used in Mr. Arif Beg's constituency.

[Translation]

"Shapath Ram ki Khate hein mandir yehi banayenge"

[English]

The use of the Babri Masjid-Ramjanambhoomi was made the focal point in the election campaign of this particular party and of certain forces. Even more provocative were the slogans like this:

"Jis Hindu ka khoon na khole, Hindu ka khoon nahin vah paani hai,
Ram Janam-Bhoomi ke kaam na aaye,
vah bekar jawani hai"

I would like to know whether this is not an incitement to communalism. We have had on the record already a judgement by the Bombay High Court unseating a Legislator of the Shiv Sena for raising communal slogans. I presume if in the electoral reforms which are coming up, the use of communalism would be enough to get Members disqualified, I am certain that this strength of more than 90 MPs today would be vastly reduced, if not totally reduced. Once again, I quote the manifesto of the CPI (M) which says very categorically because at that time, the fire had begun. The CPI (M) is a good party and a party which I believe to be secular, had recognised this fact in its manifesto. I am proud to say both the CPI (M) and the CPI are secular. In Uttar Pradesh, the CPI (M) are already intervening to organise mass opinion and resist the fanaticism of the VHP-RSS-BJP combine which fans riots by organising Shila Punja processions. There are two reasons, perhaps, more than any others for certain riots of communalism. One was the conscious creation of the riots all over the country. Many Members speaking on this debate have said something, which, I heartily agree with, that the people of this country are not communal. In my experience during the election campaign, if there was one thing which was stressed over and over again it was this, that particularly the poor people's understanding of secularism, friendship and love of humanity is absolutely unique. It is something we would all learn from them. But the same people when efforts are made to distort their mentality to create hatred among them—and this process was taken up seriously through the use of communal riots. I have heard this evening and heard much before almost unanimous and slow blame being put on the Congress—I....

[Translation]

It is repeatedly alleged that riots take place only in the congress ruled States. It

was true, largely true, but not totally true. The reason for that is evident in that charge. The reason for that was the communal forces went out within the Congress—I ruled States to create riots in order to create public opinion against us.

23.00 hrs

SHRI SOMNATH CHATTERJEE: Why could you not tackle it?

SHRI M.J.AKBAR: Yes, that is right. That is a good question. This is the question to which my answer is inadequate. I agree with it. Left to myself, I am not going to defend the indefensible. What mistake the Congress made was this.

[*Translation*]

Our fault was that we were not able to extinguish the fire of communalism at the every outset. I have observed the situation in Bhagalpur as well. You ask them who are behind it? You should look to yourselves. You should punish these who have lit this fire. You should punish them as well. We have already been punished.

[*English*]

It is a little sad that whenever a question of this type is raised, the Left here seems to become a little Rightist. The real danger to them is towards their left. You keep looking towards your left. That is where you will find the real dangers.

SHRI SOMNATH CHATTERJEE: We are quite conscious of our left. But we will continue to support the Janata Dal for your information.

SHRI M.J.AKBAR: I hope, Sir...

SHRI SOMNATH CHATTERJEE: That is your hope—this Government will go, when we withdraw our support. That is what you hope. We are quite conscious of our left. (*Interruptions*).

SHRI M.J.AKBAR: In that case, you will have to continue your support to a gentleman like Mr. Bal Thackrey who says what India needs is not a democracy but a benevolent dictatorship. The Hindu factor will determine the shape of Indian democracy. He says about the BJP, "There is no great clash of ideology with BJP. After all, it is an offspring of Jan Sangh."

SHRI SAIFUDDIN CHOWDHARY: Is Janata Dal BJP or what?

SHRI M.J.AKBAR: If this problem could be solved by torn or by debating skills, I think, the country would be little happier. But it is more serious than that.

Sir, on the one hand, a deliberate attempt was made to create riots by communal forces. The other reason for rise of communalism in the country is the politics of compromise which was indulged by the people who are members of the ruling party. The alliance that you see in shape at the moment was worked out long before, between the Janata Dal and BJP. A pretence was kept up. The pretence was particularly repeated by Mr. Vishwanath Pratap Singh because he has to camouflage the politics of compromise with a semblance of apparent secularism.

I quote his statement during the election campaign particularly when asked over and over again about his relationship with BJP. I had certainly the experience of the present Prime Minister of the country coming to my constituency Kishan Ganj and there too he told the people, "There is no question of our party ever forming the Government, with the help of BJP."

THE MINISTER OF ENERGY AND MINISTER OF CIVIL AVIATION (SHRI ARIF MOHAMMAD KHAN): He never said that.

SHRI M.J.AKBAR: He said that in my constituency. Before that, he maintained certain political profile, distancing himself from the BJP because he knew that the

[Sh. M.J. Akbar]

people understood the nature of the BJP that they are a communal. He went on at Hathras on 13th November and said, "I should not address rallies from a platform which has the BJP flag." He would not address a rally which has the BJP flag. But he will run India from a platform which has the BJP flag. That is what he has done.

This alliance is playing cat and mouse with communalism and with the country. The work of the cat was left to the BJP, to do hunting and creating a mood or environment. The work of a respectable mouse was left for the Janata Dal. It worked for a while. It had worked well enough for this alliance to come to power. I believe, Sir, you can continue this strategy; it might have been good enough to come to power. You may win elections with this strategy. But it is very difficult to run the country with this strategy. (*Interruptions*)

I may on this point say that there is one difference between the BJP the Left at the moment. There is one critical difference in their political assessment. The left a little unfortunately in my view, no longer has a national agenda. The Left has a regional agenda and it wants to protect its fortresses whether it is in Bengal or Kerala or Tripura or a few constituencies here and there as long as it comes to a deal with any government in the Centre which will enable it to protect its fortresses, it is satisfied and a few bits of socialism, a mention of the socialism in the President's speech will be enough to satisfy them. The critical difference between the Left and the BJP is that the BJP does have national agenda. It has a vision of India which is different and separate. It does have a grave plan. It is working towards a strategy, towards the creation of different type of India. This is only an intermediate step in its larger strategy. It is using politics which you and particularly the Left is familiar with because it is the policy of the United Front. It is the policy of using alliances in order to continue promoting your strength and then, in a sense, Mr. V.P. Singh is nothing but Ajoy

Mukherjee of 1989. They quote and unquote clean Congressmen first to defeat the Congress and then go on to defeat Ajoy Mukherjee and the Bengal Congress and then go on from United Front to Left Front for what the Left did. What Mr. Advani is doing from this United Front to a Hindu nation? I have had occasion in the past to complement nation Mr. Advani behind his back. Today I am very happy to complement him in front of his face. There is one thing that he has certainly restored to his party. It is one thing which he has done for his party and which I find is very admirable. He has placed all his cards openly and clearly on the table. He did not flinch, he did not try and cover himself up with bogus terms like Gandhian socialism. He has been very clear about what he wants to do. But he is a very perceptive man. He understood his allies far better than anybody else understood them. He understood his allies may be better than his allies understood them. He understood one thing that the Janata Dal would do anything, sacrifice any principle, in order to come to an adjustment. This is not the first time that a non-Congress government has come to power. In 1977, there was a non-Congress government too. But in that, there was a very very major difference. That non-Congress government, you will remember, finally got destroyed on an issue called dual membership of the RSS. Today the very first thing that Mr. Advani did when he was working out the alliance was first settle that there would never be any image or comment, and that they would not raise the RSS as an issue. That is the first compromise. (*Interruptions*) I should reply to that charge because it has been published in the papers. May I take the opportunity to answer this? The BJP candidate in Kishanganj withdrew in favour of Janata Dal candidate Munna Mustaque. He withdrew clearly. The BJP actively supported Mr. Mustaque. In addition to that, there was very communal campaign. In addition to Mr. Munna Mustaque's very communal campaign, an unequivocal communal campaign, there was another campaign of the Janata Party by Shri Laxhan Lal Kapur, who was the true communalist. Along with that, there was communalism in my constituency. When I heard Shri Saifuddin I

remember it because I had faced the same example. I was also accused of being this and that but I do not want to go into all these things... (*Interruptions*) But I expected a little more wisdom from you, Mr. Arif than Shri Yuvraj Singh. (*Interruptions*).

[*Translation*]

Yesterday I had told you that in Kishanganj, peace loving people had won. It was not the victory of communalism.... (*Interruptions*)....

SHRI YUVRAJ SINGH (Katihar): I rise on a point of order. It is wrong to say anything in the House about a person who is not there to defend himself. It is a matter of shame that Shri Lakhan Lal Kapur has been dubbed as a communalist. You should get it corrected.

[*English*]

MR. CHAIRMAN: Have you concluded? Should I request him to continue now?

(*Interruptions*)

SHRI M.J.AKBAR: I can only say this much in response to your plea to be brief and I have to cut short otherwise what would have been somewhat lengthy. In response to this, I would like to say that this strategy of the BJP will take this present Government to a situation where the Government will become as irrelevant to the needs of BJP as the Janata Dal has become irrelevant to the BJP's needs in Maharashtra. When they can consolidate themselves, they will convert this Government also into an irrelevant factor in their calculations.

Sir, it did not bother me very much when I heard that Mr. V.P. Singh has compromised. But it did sadden me when people like Mr. Madhu Dandavate also compromised because they have a tradition which is different from the tradition that we have seen now. When Mr. Madhu Dandavate compromised in Rajapur then I thought that the allegation that this Government will do anything in compromise with anybody in order

to sit in the Chair is probably an accurate allegation. I know my friends in the Left are protesting vehemently. Mr. Somnath Chatterjee, of course, made it very clear. But I do want to end with a story which I think is very appropriate to this debate, a story of Pandit Jawaharlal Nehru and mentioned by Y.D. Gundevia, who was the then foreign Secretary in his book "Outside the Archives." After the success of the Marxists and that too Mr. Nambudiripad's success, a question had begun to arise in the minds of the bureaucrats because in those days the big phobia was communism. Today it is not but in those days that used to be a big phobia.

SHRI L.K.ADVANI: Today, it is the BJP.

SHRI M.J.AKBAR: Because it is a question of better reasons than...

SHRI L.K.ADVANI: Not for better reasons but because of the people.

SHRI M.J.AKBAR: One of the things that Pandit Jawaharlal Nehru used to do virtually was to hold seminar with the foreign Service people like Mr. Gundevia. In one of these impromptu seminars—that was a little before the Bhubaneswar Seminar and that may be only less than a year certainly before he passed away—a bureaucrat as Mr. Gundevia himself was raised this question: "what would happen to this country if the Marxists came to power? What would happen? Would all the bureaucracy have to be changed? What would happen if communists took over?" Pandit Jawaharlal Nehru replied:

"Communists, Communists, Communists! Why are all of you so obsessed with Communists and communism? What is it that Communists can do that we cannot do and have not done for the country? Why do you imagine the Communists will ever be voted to power at the Centre? But; Pause

"The danger to India, mark you, is not communism. It is the Hindu rightwing communalism."

[Sh. M.J. Akbar]

Today if the Leftists are lost to the friends to their left, then I think everybody in the country will suffer. It is not really—I plead with you to believe me—a question just of the Congress Party's interests. Naturally I am a member of the Party and an MP of the Party and I am proud of its interests and I hope that it will flourish and improve. But this question deals with something larger than the Congress. It deals with the nation, it deals with all of us.

I do want to say one thing at the end of quote from Swami Vivekananda when he said:

"Every fanatic who gets up and denounces something can secure a following. It is very case to break. A maniac can break anything he likes. But it would be hard for him to build anything."

Sir, everyone of us in this House has been elected by the people to build India; not to break India. Compromise with the forces that Jawaharlal Nehru warned us of, that Gandhiji warned us of, would only break this country outside—would shatter it—if not physically, but certainly emotionally

[*Translation*]

SHRI L.K.ADVANI (New Delhi): Mr. Chairman, Sir, Shri M.J Akbar has himself proved the veracity of the last sentence of the above mentioned citation from Swami Vivekanand. It was their alliance to create differences among the people, I think that the Congress has hitherto followed to policy of divide and rule just to topple this Government but they should know that they will not be successful in their attempts. The other point I want to matter is that there is a difference of opinion between us. But it shows the efficiency of this Government because they had done so much injustice to the people that the masses of the country did not care for the fact that there was a difference of opinion between them. They said that it

did not matter that it was minority Government, but at least this Government should not be voted again to power. However, I was expecting Shri Akbar to speak on communalism. Moreover, it has been a matter of great joy for me that these efforts were put in only to break that alliance.

[*English*]

MR. CHAIRMAN: Shri Ibrahim Sulaiman Sait. He is requested to take not more than to minutes.

SHRI IBRAHIM SULAIMAN SAIT (Manjeri): Mr. Chairman Sir, I must tell you one thing and that is very very important. Very basic issue have been raised during this debate which are very much essential for the existence of Musalmans in this country and I must have right for reply to that and have my say. (*Interruptions*)

[*Translation*]

SHRI HEMENDRA SINGH BANERA (Bhilwara): You think yourself to be the sole representative of the Muslims. I also consider myself the representative of Muslims.

[*English*]

Please don't say that you are the only Muslims here. Don't be a sectarian. (*Interruptions*)

SHRI IBRAHIM SULAIMAN SAIT: I never said in that sense. I am the sole representative of the Muslims. But I said that certain basic issues are there which affect basically the existence of the Muslims in the country. I have been trying to be the sole representative of the muslims:

Sir, I have to take part in the discussion on communal discussion with deep pain and anguish. I can say that communalism is really the greatest menace which is going to shatter the integrity and solidarity of this country. This fact has to understood very well. Today our country, India, is burning; today our country, India, is bleeding today,

thousands and thousands of innocent men and women are being butchered and massacred ruthlessly; today, properties worth crores and crores of rupees stand destroyed; today, the image of India has got tarnished throughout length and breadth of the world; and today, the confidence of the minorities particularly in the administration and the Government of this country is shattered.

Sir, I must tell you and emphasise that these killings, these massacres and these arson and looting cannot be brushed aside as just an ordinary law and order problem. It is not. It is a well planned massacre. It is a genocide. Therefore, the Central Government should own the responsibility of protecting the minorities of this country. We must understand that State para-military forces have invariably failed to establish law and order. We have got State forces. We have got PMP. We have got PAC. But all these, just failed because they proved to be criminal and communal forces. That has disbanded completely. It is only when the forces—CRP and PAC—sent, the order was restored. Therefore, we should understand the responsibility that the Central Government has, in protecting the minorities in this country. I must tell you what is happening in this country. It is a tragedy. It is a very sad tale that for the last 42 years continuously, the country has been having riots and it has become worse and worse as every day and every hour passes. For example, we had Jabalpur riots. When we talk of Jamshedpur riots, it is worse than Jabalpur. Then we had Ahmedabad, which is worse than Jamshedpur. Then we had Moradabad, which is worse than Ahmedabad. Then we had Nellie, which is worse than Moradabad. Then we had Meerul which is worse than Nellie. today we are having Bagalpur—the worse in the independent India. My heart beats. I do not want to go into the details. Prof. Soz told you about what had happened in Chandeli and what had happened in Logaeen. I went over there and I saw for myself as to how the Muslims are butchered there. Still, dead bodies are being recovered from ponds, from wells and from streets. Even decomposed bodies are being taken out. But, here

the hon. Home Minister said that only four hundred and odd were killed. But, how can he finally give a figure? He cannot—I challenge. In the entire area, all the Muslim *bastis* were razed to the ground. Not 400 to 500 have been killed, but thousands and thousands have been killed. Therefore, we have to understand the seriousness of this problem. We must also understand that these are not simple communal riots; but it is not communal violence; but I must tell you, it is a planned genocide.

One more factor is tragic and that is the involvement of the State forces in these riots. It was not there, 10 years before. Just now my dear friend Shri Saifuddin Choudhury said that he had been to Malliana. What did he say? In the killings that took place in Malliana, they put the dead bodies in the trucks and threw them in the nearby river. They were shot one after another and thrown into the river. It was PAC who did it. What action did government take against them? (*Interruptions*)

I know riots have taken place both in Congress ruled and non-Congress ruled States. Only the magnitude may differ. (*Interruptions*) I have already said Government of the State is responsible and they cannot run away from the responsibility. State Government as well as the Central Government is responsible. Both are responsible.

Sir, the hon. Minister is talking with other members. I would like him to hear me when I speaking. I must say here that even the National Integration Council had resolved that all the concerned police officials should be held responsible wherever riots take place but it has so far proved to be a mere eye-wash. No action or no case has been registered against such police officers. I would like to ask this government and also the previous government did they take any action against such erring police officials? Nobody has been punished so far. Mere transfer is not enough. Has any police officer been charge-sheeted? (*Interruptions*)

Therefore, action has to be taken against

[Sh. Ibrahim Sulaiman Sait]

every erring police officer. Then alone the communal harmony can be maintained.

I want to say one more thing about PAC. It should be completely restructured. It must reflect the composition of the country. If there is a force with 99 per cent personnel belonging to one community then how can they win confidence? There should be people from all communities. Muslims in this country are neither slaves nor rulers but they are part of the day to day administration of the country. (*Interruptions*)

Now, Sir, we talk of secularism. It is well and good. I am happy. Secularism should be there but where is secularism today? We do not find it is anywhere. Therefore, what we find today is that aggressive communal forces are becoming stronger and stronger everyday and that is the tragic tale. It is the greatest misfortune that communal and fascist forces are becoming more and more powerful in this country.

MR. CHAIRMAN: You have already taken lot of time. Please conclude in another two minutes.

SHRI IBRAHIM SULAIMAN SAIT: Patriotism is not the monopoly of any particular section. I have got equal rights in this country as anybody else has got. I have got equal rights as Shri V P. Singh or Shri Rajiv Gandhi or Shri Bal Thackrey or Shri Balasahib Deoras. has got. Nobody can deny it. We have sacrificed for our country. We have shed our blood during the freedom struggle. I am not loyal to anybody but I am loyal to my country.

A compensation of Rs. 1 lakh was announced by Shri Jagannath Mishra, Chief Minister of Bihar, for the families of those who were killed during the riots in Bhagalpur. I would like the Home Minister to find out how much has been paid so far. Thousands and thousand have been killed in that massacre

at Bhagalpur. Even though a compensation of Rs. 1 lakh was announced but that amount has been offered to a very few people. I want to know how many of them have been paid. How many have been completely rehabilitated? Separate assistance should be given so that all those victims do not remain homeless and jobless in future.

A mention has been made about the uniform civil code both inside and outside the House. You must understand that we have every right to live according to our *Shariyat*, that is, personal law. It is a part and parcel of the religion. It is a defined law. But promulgation of uniform civil code would mean abrogation of personal law.

MR. CHAIRMAN: Please conclude. (*Interruptions*)

SHRI IBRAHIM SULAIMAN SAIT: I want to tell my hon. friend, Mr. Saifuddin Choudhury, that you may oppose the judgment in the Shah Bani case and also subsequent Bill—for the protection of divorced Muslim women—brought forward in Parliament to annul the judgment of the Supreme Court. But we cannot force others to adopt our personal law. Nobody can force us to have uniform civil code, under the fundamental rights, we have got full freedom to follow our religion and live according to our *Sharivat*.

MR. CHAIRMAN: Please conclude. (*Interruptions*) I am calling the next speaker. (*Interruptions*) Now nothing will go on record.

(*Interruptions*)*

[*Translation*]

SHRI JANARDAN YADAV (Godda): Mr. Chairman, Sir, the recent incidents of riots in Bhagalpur remind us of the days of 1947. Even in 1946, there were riots in Bhagalpur. Just now, Shri M.J. Akbar was speaking in the House, who is a member of the Congress

*Not recorded.

party. There has been a well known journalist who had written the book "Freedom at Midnight". But he was going to write "Slave of Midnight" before 11.30 hrs. It is their mentality. Hon. Shri Soz was speaking on the Bhagalpur riots. I was thinking that being a veteran Member, he would not be biased towards Hindus or Muslims. During his speech in this House, he forgot to mention that in the riots which started in Bhagalpur there were several innocent students of T.N.V. College who lived in the Titarpur hill tract. The Bhagalpur riots were pre-planned by the by the former Chief Minister, Shri Bhagwat Jha Azad. This was reported by the local people in the Urdu newspaper on 6th September. But the Administration and the Congress (I) Government of Bihar did not pay any heed to it.

SHRI KALPNATH RAI (Ghosi): Sir, whatever he is saying is not true.

SHRI JANARDAN YADAV: Mr. Chairman, Sir, I would like to place the relevant papers on the Table of the House. We are not going to discuss the number of Hindus or Muslim killed in the Bhagalpur riots, but we have to find out who was responsible for it. There are two criminal groups of Muslims in Bhagalpur. These criminals have no relationship with the Muslim. In the past two years the Sallan and Ansari groups have killed 500 Muslims. In the disturbances, Sallan and Ansari were 'right-hands' of Bhagwat Jha Azad and Shivchandra Jha. Bhagwat Jha Azad fought the 1984 elections in which he won by a very narrow margin. Recently, during the procession taken out in connection with the Ram Shila Pujan in Bhagalpur, these two groups had thrown bombs. About 50-100 people were killed on the 24th, 25th and 26th. The former Prime Minister, Shri Rajiv Gandhi went to Bhagalpur on the 26th and riots started in the villages on the same night. These riots have disturbed the life of the people on the behest of the former Prime Minister. Dwivedi's transfer was cancelled. The S.P. of the area was transferred because he had arrested Sallan and Ansari. Shri Bhagwat Jha Azad did not want Sallan and Ansari to go to Jail. Even

today there are 3000 people in jail in Bhagalpur and the jail officials have engaged them in collecting the bones from the bank of the river. The Bhagalpur blinding case happened under the Chief Ministership of Shri Jagannath Mishra. At that time, Shri Vishnu Dayal was the S.P. The persons responsible for this incident were later set free. Even after Shri Jagannath Mishra had visited the scene of the crime, the blindings went on unabated.

Sir, the Bihar Government and the Congress (I) were responsible for the massacre which started in Bhagalpur on the 27th. At least they did remember the riots which took place in Changeri and Naugaon. But they conveniently forgot to mention the Hindus who were killed and whose villages were burnt in Jamalpur and Samastipur.

A mention was made about the Naresh Das case. I would like to say that he had brought two witnesses. Laxman Das was killed in Ghoraiya by Muslim and the killers were later found travelling in the jeep belonging to Naresh Das. The S.P. detained Naresh Das for 30 hours at the police station. The riots in Bhagalpur were pre-planned by the Congress (I) and sparked off by the Administration. For the people in this riot-torn city of Bhagalpur, life has become a nightmare. Ghoraiya, Baliyas, Babra and Bhagalpur are full of criminals. In the neighbouring localities, the people belonging to the majority community live but, in fact, they are in minority and are having sleepless nights. The police also wants a share in the Rs. 1 lakh meant for families of victims. For this purpose bones are collected and then sorted out to find out whether they belong to Hindus or Muslims. How is one to know whether a bone belongs to a Hindu or a Muslim? The police and other people are fighting over how to share the money which the Prime Minister has actually sanctioned for families of victims. The Congress (I) Government headed by Shri Jagannath Mishra does not want peace in Bhagalpur. The Chief Minister has instructed officers to incite Hindus and Muslims against each other. Each community is being harassed without reason, as

[Sh. Janardan Yadav]

example of which is the thousands of innocent persons being sent to jail. At the instance of Shri Jagannath Mishra, the D.I.G. Shri Naseem Ahmed is registering cases against the innocent people and for this purpose, voters' lists come handy. Sir, through your good offices I request the Central Government to ensure that riots do not recur in Bhagalpur. Steps should be taken to diffuse the tension currently prevailing between Hindus and Muslims. The District Collector Shri Arun Jha and Shri Naseem Ahmed were responsible for starting the riots. Action should be taken against all such officials. The Bihar Assembly should be dissolved without further delay, otherwise riots may reoccur.

SHRI ASHOK ANANDRAO DESHMUKH (Parbhani): Mr. Chairman, Sir, I am grateful to you for giving me an opportunity to speak. I would like to raise a few points. In their election campaign the leader of the Opposition and his colleagues launched false propoganda against the B.J.P. and Shiv Sena saying that these are communal parties which favour a Hindu nation. Let me tell them the meaning of 'Dharma Chakra Pravartanaya'. It is a characteristic of religion, of Hindu culture which we have to preserve. I want to make them understand what Hindu and Hinduism really means. What can we do if they fail to understand this?

Two days back, hon. Shri Sathe said that Vedic dharma, Sanatan dharma and Hindu dharma were different. Hindu religion is all encompassing and it includes vedic religion and 'Sarva dharma Sambhava' mentioned by hon. Shri Sathe. In spite of all, this we are accused of being communal. The main elements of nationalism are one land, one culture and one community. All these elements are parts of Hinduism. So nationalism means Hinduism. Therefore, my contention is that our is a Hindu nation, it has been so far ages. We are proud to say that ours is a Hindu nation. If Muslims want to live here they are most welcome to do so but I would like to make it clear that ours is a Hindu nation. Hindu culture consists of the cultures

of Satyug, Tretayug and Dwaparyug. That is why I call this a Hindu nation. Muslims in our country are generally called a minority community, but I speak of them as Muslims. To our Muslim brethren, I would like to tell that we are against the black sheep in their community who explode crackers when the Indian cricket team is defeated by their Pakistani counterparts, who hoist the Pakistani flag in Kashmir on the 15th of August, who throw stones during the Ram Shilanyas ceremony. We are not against Muslims like Ameenbhai who themselves came forward to lay the foundation of the Jyotirlinga. We are proud to call them our brothers even though they may be Muslims....(*Interruptions*)...

PROF. SAIFUDDIN SOZ (Baramulla): Can this not a Hindu nation? This nation belongs to everyone. (*Interruptions*)

AN HON. MEMBER: What is meant by Hindu nation?...(*Interruptions*)

SHRI ASHOK ANANDRAO DESHMUKH: From where has the word 'Hindu; originated ... (*Interruptions*) Buddhism was the creation of Gautam Buddha, Jainism came from 'Jinvar', Vedic religion came from the Vedas and the word 'Hindu' has originated from the Sindh region. From the Sindh river to Sindh sea, the population consists entirely of Hindus. Our wise ancestors grouped all communities under one religious philosophy. A philosophy that contains the crux of all religions and which we now call Hinduism. It is like a bunch of flowers, Hindus, Sikhs or Buddhists being flowers in that bunch. This land is neither 'Darul Islam' nor "Darul Harav'. It is 'Darul-~~al~~-chaman'...(*Interruptions*)...

PROF. SAIFUDDIN SOZ: India cannot be an Islamic State.

SHRI ASHOK ANANDRAO DESHMUKH: We say that all Muslims in India are our brothers and sisters. We should all live in harmony. It is upto the Muslims to destroy or strengthen the country. In one household there is a family of five members

while in another there is a family of 20 members. So we have to see which of the households can lead a better life. Therefore, it is in the interest of both Hindus and Muslims to adopt family planning. This responsibility lies on everyone...*(Interruptions)*...The country's economy is in a pitiable condition. But it is the attitude of the Muslim leaders due to which the country's population is increasing. The poor Muslim have nothing to do with what their leaders say and they are prepared to go in for family planning. The Muslims in service also favour family planning. Only those Muslims are true Indians who love the nation, work for its advancement and think in unison that India is one, that 'Sare Jahan se achcha Hindustan Hamara, hum bulbulen hain uski, yeh gulistan hamara'...*(Interruptions)*...

PROF. SAUFIDDIN SOZ: This was said by Iqbal.

SHRI ASHOK ANANDRAO DESHMUKH: I am proud of Iqbal.

PROF. YADUNATH PANDEY (Hazaribagh): He went away to Pakistan.

PROF. SAIFUDDIN SOZ: At that time, Pakistan did not exist...*(Interruptions)*...

SHRI ASHOK ANANDRAO DESHMUKH: Riots took place in States ruled by Congress (I).

Mr. Speaker, Sir, kindly go through all these figures. All these communal riots took place during Shri Rajiv Gandhi's tenure particularly, from 1986 to 1989. About 2545 incidents took place, 1400 people died, and 11,852 were injured. And now all the Muslim brothers and Hindu brothers have united. There is no nationalist Muslim with them. All of them have now opted to support us and we all support Shri V.P. Singh. We would like the Congress Party to reorganise themselves. We will see what happens after our term is over. Allow us to rule, now. Please cooperate with us in bringing about national integration and accomplishing tasks of national interest.

PROF. YADUNATH PANDEY (Hazaribagh): Shri Lalu Prasad referred to the communal riots which took place in Hazaribagh. I have myself been a sufferer. The Congress Government kept me in jail for 6 months and then release me without giving any reasons. I do not know the reasons even today.

SHRI YUVRAJ (Katihar): I rise in a point of order under Rule 353.

[English]

"No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply...."

[Translation]

A short while ago Shri Akbar said in his speech that Shri Lakhan Lal Kapoor is communal. Shri Kapoor has been an hon. Member of this House and he contested elections against him from Kishanganj constituency this time. Under Rule 353 he has no right to make any defamatory allegation against any person. You should take note of the allegation.

[English]

MR. CHAIRMAN: I will give it to the Speaker:

SHRI SOMNATH CHATTERJEE: You are the Speaker now.

MR. CHAIRMAN: I will give it to the Speaker. I am the Chairman now.

SHRI SONTOSH MOHANDEV (Tripura West): We have heard the speeches from the members of the various parties and in spite of the accusations that have been hurled against each other the basic thing that

[Sh. Sontosh Mohan Dev]

everybody has said is that the communal situation in the country must be arrested and it is cancerous disease and it must not spread. Members have taken a stand—those who are in the ruling party and also those who are supporting the ruling party that almost all the communal disturbances took place in the states ruled by the Congress and therefore the responsibility lies with the Congress.

I had an opportunity to visit Sitamarhi along with the then Finance Minister and the Chief Minister. We travelled nine kilometres and we were greeted with black flags, on the one side of the road by the Hindus and from the other side by Muslims.

I would like to share a certain information with the House. When we stopped at a particular place, a meeting was held with the villagers. We were told that a procession of 1000 people—some of BJP and others of the Vishwa Hindu Parishad—was stopped by two constables and one ASI. They said, "you cannot pass through this route there are eight to ten Muslim villages and you should avoid it." One of the officers came and said, "Hindus will take processions and how can you stop them?" As a result, four villages, mostly dominated by Muslims, were gutted and they became subject to this humiliation. True, it happened in the Congress State because of the procession by the BJP and VHP. I do not know, who is guilty. I do not want to say. I only want to narrate the facts. The Home Minister is here. In my capacity as the Minister of State in the Ministry of Home Affairs I had given a report. It is in the files of the Home Ministry. He can check it up whether I am telling lies or I am telling this after a second thought. Sir, it is not a question of accusing Congress, BJP, CPM, or CPI. The fact remains that it has to be arrested and as the then Minister of State in the Minister of Home Affairs. *(Interruptions)*

SHRI L. K. ADVANI: BJP is the communal scapegoat for everyone... *(Interruptions)*

MR. CHAIRMAN: Permit him to continue.

SHRI SONTOSH MOHAN DEV: You are an hon. Member and a very dignified Member. You people do not have the guts to listen the criticism. It is not your monopoly only to criticise. You can intervene afterwards. For God's sake, do not misbehave... *(Interruptions)*

SHRI L. K. ADVANI: I strongly object to this language. *(Interruptions)*

MR CHAIRMAN: Permit him to continue.

SHRI SOMNATH CHATTERJEE: It should be expunged.. *(Interruptions)*

SHRI SONTOSH MOHAN DEV: If I had said anything wrong, I apologize. Please do not interrupt me. *(Interruptions)*

MR CHAIRMAN: Mr. Sontosh Mohan Dev, you address me.

SHRI SONTOSH MOHAN DEV: In this House, they have accused Mr. Bhagat Jha Azad, they have accused Mr. Rajiv Gandhi. We have not said anything. When we say one word they get punctured. What is this? *(Interruptions)*

MR CHAIRMAN: Please continue.

SHRI SONTOSH MOHAN DEV: When they criticise us, we do not misbehave. When we criticise them, they become restless. *(Interruptions)* I apologise for using the word "misbehave". I withdraw it. Allow me to speak. I do say, as the then Minister of State in the Ministry of Home Affairs that it was a carnage motivated by VHP and BJP. That is why, the other day I requested the Home Minister of the country to pass a resolution in this House asking a Supreme Court Judge to inquire into the matter and if Congress is guilty, then Congress must be punished. That is what I want to demand today. This is the only intention of my speaking now. By giving speeches and hurling accusations against one another, the problem will not be solved. The CPM has said that nothing has happened in their State. In the CPM procession in West Bengal, a Church was attacked. In the CPM area, Murshidabad, 500 people were

killed.....(*Interruptions*)

SHRI RUPCHAND PAL (Hooghly): Sir, he is misleading the House....(*Interruptions*)

SHRI SONTOSH MOHAN DEV: Kindly move a Privilege Motion against me. I will face it...(*Interruptions*) Sir, the Constituency where from I have come...(*Interruptions*)

SHRI SYED MASUDAL HOSSAIN (Murshidabad): The number of casualty was only 40...(*Interruptions*)

SHRI SONTOSH MOHAN DEV: I correct it as 40, even I correct it as 4. But it has happened. So, do not say it has not happened...(*Interruptions*)

SHRI SAIFUDDIN CHOUDHURY: Those who organised the riots, you vindicate...(*Interruptions*)

SHRI SONTOSH MOHAN DEV: The Chief Minister of West Bengal has taken stern action and the situation came to normal.

24.00 hrs.

Mr. Saifuddin Choudhury said that CPM does not believe in communal propaganda. In Tripura this time I have seen in my constituency CPM taking the service of Maulanas. The President of their Assam unit gave instructions to the local CPM that they must not utilise it and he had stopped that. I appreciate it. That is why I was telling in the lobby that there is a difference between the CPM in West Bengal and CPM in our area.

Mr. Saifuddin Choudhary said that he had won because he had proved himself to be a nationalist and that he did not believe in Muslim majority. The constituency I come from, in 1980 and 1985 there was 40 per cent Muslims there. Both the times I fought against Muslim candidates—one CPM Muslim candidate and the other Congress (S) Muslim candidate—and both the times I won. So it is not his monopoly. It is not correct to say that.

Now I want to ask a few questions from the hon. Home Minister. Is it or is it not a fact that the land which was given for the foundation of the temple was on the disputed land? I have in my possession one of your answers in which you have spelled out something but in a very diplomatic way. Has any part of the Babri Masjid been demolished during the Congress rule in UP or after the Janata Dal came to power? If the court verdict does not come before 27th or 28th of January and if negotiations do not materialise which you are having with all the political parties, you have said that you are going to have a consensus after discussing with all the groups, are you going to allow the construction of the temple at this particular spot where this foundation was laid? Is it a fact that in Bihar after the carnages the Government of Bihar has taken certain steps about some emergency trial to be conducted by special courts? If that is so, what is the thinking of the Central Government? Are you going to have another trial for them or the special court trial is acceptable to the Central Government because some one in the Central Hall has said that they are not going to accept the trial which is being conducted by the State Government and that they will have special trial? If that is done, I welcome it. Lastly, I would like to know whether at present elections have been declared in the country; if not, has the Bihar Government done constitutionally anything wrong by transferring officers who were involved in these riots, from one place to another or taking action against those officers because we have heard in this House many people have said that transfer of the officers was contrary to the election laws?

MR. CHAIRMAN: Thank you very much. It began on 29th and ended on 30th. Now the last speaker before the Minister is Mr. Hukumdeo Narayan Yadav from Janata Dal.

[*Translation*]

SHRI HUKUMDEO NARAYAN YADAV (Sitamarhi): Mr. Chairman, Sir, after hearing the speeches of all the Members I have come to the conclusion that all of them have

[Sh. Hukumdeo Narayan Yadav]

only accused each other for inciting communal riots. My submission is that though today is the last day of the session the discussion that has been taken up in the House is appreciable. But it requires to be discussed publically. The entire country is torn by controversies in the name of community, religion and spiritualism. What is community, religion and spiritualism after all? Unless one knows basic concepts one cannot understand religion, community or spiritualism in the real sense of the term. Community cannot be taken for religion nor can it be vice-versa. When religion is treated as community a lot of things are done under its garb. We try to hide our sins and misdeeds by putting mask of religion. This is the way we behave. I was listening to Shri Soz who said—that slogans are being raised "Fee I proud of being a Hindu" I would like to urge upon my friends that we may differ on this point. I am socialist, Dr. Lohia's follower, Jaiprakash Narayan's companion and have been a spiritual disciple of Pandit Ramnandan Mishra. But I also feel proud to say that I am a Hindu. When I say this it may mean one thing and when somebody else utters these words it may be altogether different when I say I am a Hindu. I mean that I have equal regard for Hinduism as well as Islam. Thus none will object on my being a Hindu. It is only when other communities in India are respected and honoured equally that a wave of tolerance will surge throughout the country, otherwise fanaticism would remain dominant and be ultimately responsible for the disintegration of the country. If a liberal Muslim supports the cause of Hindus a liberal Hindu should support the cause of Muslims. Only then will the wave of religious tolerance and liberalism be strengthened.

Now about communalism. Shri Bhogendra Jha contested from Madhubani as a candidate of Communist Party. From the adjoining constituency of Sitamarhi I was contesting as a Janata Dal candidate and next to my constituency was Shri Shakeelur-Rehman who contested on a Janata Dal ticket from Darbhanga. The force which used

to raise slogans against Shri Shakeelur-Rehman in Darbhanga was in favour of the Congress. Shri Kalpnath Rai, Shri Santosh Mohan Dev and Patil Sahib are better judges. They know who were behind it. In Vejapur, Manigatchi, Wahera and Kewati villages Congress provided liquor to the people and they shouted the name of Lord Rama in a drunken state. They might have seen Hanuman in T.V., but they did not know the true characteristics of the character of Hanuman. They misused the name of Lord Rama in an inebriated state. They tried to gain political mileage out of Lord Rama's name in favour of the Congress Party. The same force misused the name of Lord Rama against Shri Bhogendra Jha in Madhubani and against me in Sitamarhi. Sometimes they are in Congress and sometimes in B.J.P. They have no identity of their own, rather they go on changing it.

"Ugharahi ant na hoi niwahu, Kaal-nemi Jimi Ravan Rahu"

Ultimately such people are exposed.

Finally I would like to submit about the communal riots that took place in Bhagalpur and Sitamarhi. The Parliamentary Committee cannot ascertain the real facts about the communal riots while sitting in Delhi. They should visit the riot affected areas in order to find out as to who were behind these riots and to which political party did they belong. The Muslim are not blaming the Hindus for inciting the riots but they are blaming their own people who have a hand in the riots and are ruining them. They are balming those who have been arrested by the administration and have been branded as communal. Therefore, I would like to request that a Parliamentary team consisting of Members belonging to all the parties should visit these places which have been affected by communal riots so that the truth is revealed. You will come to know whether it was because of the mutual bickerings between Shri Mishra and Shri Bhagwat Jha Azad or between Shri Bhagwat Jha Azad and Shri Shivchandra Jha. It will also be known whether the atmosphere created due to the wrangling between

Shri Faiyaaz Bhagalpuri and Shri Bhagwat Jha Azad during the last elections was also one of the reasons for the outbreak of these riots? You should go there in person to ascertain the facts and find out the persons who were actually behind the communal riots. My submission is that a Parliamentary committee should be constituted and it should visit Bhagalpur, Sitamarhi and the affected areas of Uttar Pradesh to ascertain the real cause of communal riots there. You will find that neither the Hindus nor the Muslims are responsible for these riots but the bureaucracy and the politicians are responsible for them. Until such politicians are thrown out, politics cannot become clean and communal riots will never come to an end. This is all what I want to say.

[English]

SHRISOMNATHCHATTERJEE: What will happen to the other debate, Sir?

MR. CHAIRMAN: I will take the sense of the House after the Home Minister replies. Now the Home Minister.

[Translation]

THE MINISTER OF HOME AFFAIRS (SHRI MUFTI MOHAMMAD SAYEED): Mr. Chairman, Sir, most of the hon. Members have expressed their views on the communal situation prevailing in the country for the past 5 or 6 months and they have extended several suggestions in this regard. I think that communalism is the greatest challenge before us today as it not only weakens our country but also creates an atmosphere of hatred and estrangement. History bears testimony to the fact that our country has never been weakened so much by external threats as by internal conflicts. The Britishers adopted the policy of 'Divide and Rule' and partitioned this vast country. Mahatma Gandhi used to say that partition of the nation is like the partition of the human body but I don't think that all these things will be mentioned in our history. The country has suffered a lot due to this. Had our country not been partitioned, we would have been safe

from the threat of China and Russia because of the natural borders of Himalayas and the heavy expenditure which is being incurred for our Defence could have been avoided. The country had to suffer a lot because of the partition. The worst sufferers have been the Indian Muslims who constitute the largest minority in the country. Had religion been capable of keeping a nation united, Pakistan would not have been partitioned again or Iraq-Iran would not have fought a war. Religion is not the only force for keeping the nation together. If at the time of partition, I was with the Congress Party it was because the then Congress Party remained above the monstrous wave of communalism which had swept the country. Humanity was at stake. Man had become a devil and blood-thirsty and the Hindu fanatics were possessed with the devilish passion of throwing the Muslims out of the country. That was the kind of atmosphere prevailing in the country and when Pt. Jawahar Lal Nehru was unfurling the National Flag on 15th August 1947 at the Red Fort, Mahatma Gandhi was in Noakhali to protect the Muslims from the wrath of the Hindus. He undertook a fast until bloodshed was stopped. Sardar Patel was the Minister of Home Affairs at that time and he informed him that the situation was under full control. He told him that fraternal disputes are common. Great Britain which was proud of its democracy, was also facing a similar problem in Ireland. The protestants and Catholics were up in arms against each other. Similarly, in U.S.A. which is an advanced country the Negroes and the Whites do not see eye to eye with each other. The greatest strength of the Congress Party was its commitment to secularism. Regardless of the religion or community to which a member of the Congress Party may belong, whether he is rich or poor it had a tradition of harmonising all these diversities and uniting all the desperate forces. When I was a Minister in Shri Rajiv Gandhi's cabinet, I visited Meerut 20 days after the outbreak of the riots in Meerut. On my return, I apprised the Government that I had not found disaffection so much between the common Hindus and their Muslim counterparts as between Hindu members of the Congress and their Muslim counterparts

[Sh. Mufti Mohammad Sayeed]

in the Congress. There was a faction of the Congress working under Mohsina Kidwai I had pointed out that the Congress had been divided. The communal riots are spreading in the rural areas. The Government is trying to control the riots but the Party is playing a negative role. The party upholds secularism. Why does it not represent the will of the masses? I apprised the party about the situation three times. Once they said that Shri Bhatia will be sent over there. I felt as if attempts were being made to encourage these things. What are reasons for it? It is also true that fundamentalism has become a world phenomenon. You can see it everywhere. For example, in Beirut or elsewhere, fundamentalism has its savour. In India also Hindu fundamentalism and Muslim fundamentalism and revivalism is gaining momentum. But the point is that if the Government is well-intentioned it can control the situation. As an illustration, I would like to recall one incident. I had an opportunity to visit Karnataka four-five months back. From there I had to go to Hyderabad. Shri Vikaruddin who was the elderman of the city, advised me not to enter the city in view of the immersion of the idol of Lord Ganesha. He said lakhs of people would be joining the procession. I was also frightened and it took me about two hours to reach Guest House. It was Bala Saheb Dewaras's procession and when I met Shri Rama Rao he told me categorically that the entire police force of the State has been put on alert and it will be ensured that no one is harmed. I gave the example of Bengal also. People may criticise Shri N.T. Rama Rao in Hyderabad and Secunderabad but during his 5 year rule there have been no incidents of riots in his State. If you recall the period when Shri Chenna Reddy was the Chief Minister, you will find that communal riots took place every year and once there was a curfew for 47 days continuously. Communal riots are rare in Karnataka and Haryana. Shri M.J. Akbar has left the House, I was making this submission for his benefit. I was in Allahabad during the elections. During the campaign the

Congress leaders brought, Shri Arun Govil on the stage in the attire of Lord Rama.

SHRI M.L. KHURANA: He was brought to Delhi as well.

SHRI MUFTI MOHAMMAD SAYEED: Lakhs of people were there. Who does like this? Shri Rajiv Gandhi began his campaign from Ayodhya where he said that he would usher in 'Ram Rajya'. Now the Muslim as well as the Hindu think that Ram Rajya will be established and the poor people of India will get relief. But what were his real intentions there? He wanted to play the Hindu Card and also played the Muslim card where it suited him. But where there is a credibility gap nobody believes on anything and the result is before us. But I would like to submit to the patriots and those who want to see the country prosper to see for themselves the situation in Punjab where a section of the population is making attempts to alienate itself from the national mainstream. I am not saying that they have separated themselves but for the past six years the nation's energies have been diverted in this direction. Right now, the Government is very much concerned about what is happening in Punjab. Humanity is at stake. People are being killed everyday. Our country is being weakened. If the largest minority of the country is cut-off from the national mainstream, it will weaken the whole nation. God forbid, if a part of the body is paralysed the entire mechanism of the body weakens. Similarly, the minorities have talent. Whether he is a craftsman, a carpet weaver or engaged in papermache work, all of them are talented and it has to be utilised for the benefit of the nation. I am surprised when it is said that the Ram Janam Bhoomi-Babri Masjid issue or the Muslim Personal Law controversy is solely an issue concerning the Muslims. This is infact beneficial to them. If the national illiteracy is 40 per cent of Muslims constitute 15 per cent. Why is the rate of illiteracy so low? From a very young age, a child is engaged in working at the loom, carpet-weaving or zari-work. I mean to say that in doing all this work, they are deprived of education..Such work is done by

the people who want to contribute towards the advancement of the national and want to see it emerge stronger. A major part of our country's population has to be brought into the national mainstream in order to instill a sense of confidence in them.

I have been living in this land for years. My ancestors have also lived here and therefore, this country's culture is my own culture. Islam has contributed a great deal to the Ganga-Yamuna culture, which in turn has also enriched Islam. I would like to tell Indian Muslims that they are self-respecting citizens in this land of Ganga and Yamuna. Muslims who have migrated from U.P. and Bihar and are presently settled in Karachi or Sind-Hyderabad are called refugees by the natives of Pakistan. But in this country, my brethren are not called refugees. So we have to consider what steps can be taken by the administration in this respect.

I know of many ambitious directions that used to be issued during the time of Shrimati Indira Gandhi. A 15-Point programme was formulated for them. Had even 10% of this programme been successfully implemented, there would have been a significant improvement in the lot of Indian Muslims by now. I would like to read out the instructions that were issued to check communal riots:-

[English]

"Streamlining of intelligence apparatus, taking of preventive steps including arrest of anti-social elements, search and seizure of unauthorised arms, stressing accountability on the part of district officers.

[Translation]

Most of the implementation has been with regard to—

[English]

"Emphasis on personnel and recruitment policies with regard to police force, effective monitoring of 15-point pro-

gramme particularly relating to recruitment of minorities in Central force, deployment of Central force to control riots, enactment of law for preventing misuse of religious places, Amendment in the Representation of People Act, and elaborate exercise undertaken in the Ministry to review mechanism."

[Translation]

Unless there is commitment in our efforts, we cannot hope for any positive effect. Everyone is aware of the incidents that took place in Bhagalpur. This is the first occurrence of this kind since Independence. Wherever there are communal riots, it becomes very clear as to who are responsible for triggering off these riots and whose interests are served by the outbreak of this violence. Previously, the poison of communalism had been confined to the affluent class, industrialists and people living in cities, but now it has spread to villages also. I had an opportunity to visit Budaun. I met a poor woman in the hospital over there. She told me that she was travelling by a train to bring her daughter. The mischief-mongers forced some of the train passengers to get down from the railway coach. Then they asked some of their own men to enter the coach. Thousands of villagers had congregated over there. Then they attacked the passengers in the coach. Incidents of similar nature occurred in Bhagalpur also. This is the biggest challenge facing us. The Government does not have any means at its disposal by which it can solve this problem within no time. We do not have any 'Aladdin's Lamp' that can provide instant solutions to problems. Similarly, the Punjab problem cannot be solved overnight. Even though hon. Shri M.J. Akbar may have a difference of opinion, I would like to emphasize that the need of the hour is that people should unite. It goes to the credit of hon. Shri V.P. Singh that he has identified the biggest challenge facing us today. The challenge is to fight the secessionist elements in our country. We have to preserve the unity and integrity of the country and create harmony among the different communities. With full responsibility and humil-

[Sh. Mufti Mohammad Sayeed]

ity, I would like to say that whatever we may have been saying to the Opposition,

[English]

it is testing time for us. We will have to face it.

[Translation]

I shall not make tall claims at this juncture but we will certainly make a sincere effort. For instance there is the National Integration Council which is a very high level forum. The meeting of this council would be held at best once a year and the formula put forward by the old timer Shri Haksar could be discussed therein. Views on the questions as to how religious places should be used, what syllabus should be included in text-books and how seminars should be organised have to be considered. Now onwards, it will not be a sort of decorative thing. In fact, we have decided to call a meeting of the National Integration Council in the first week of February. We have to carry its message to every corner of the country. I believe that when it comes to strengthening the country, all political parties will co-operate with us. There is no point in trading accusations and we will not be party to such things. I would like to make it clear that

[English]

The District Officer, Deputy Commissioner and the SSP will be made squarely responsible if there are any riots and if there is any slackness in tackling the situation.

[Translation]

Some people say that in case of a fire in the House, the fire brigade is summoned, but our endeavour will be to ensure that no fire breaks out in the first place.

[Translation]

Efforts should be made that situation does

not deteriorate to that extent. Rather the things should be improved so that there are no communal riots. I give the entire credit to the CPM because during the assembly elections in 1987, I was on a visit to the minority areas as an office bearer of the Congress and I enquired of the people living there as to why they cast their vote in favour of CPM. They explained that it was not their financial condition which was their prime concern but they were proud that their life and property was safe, under the regime of Shri Jyoti Basu because nobody ever dared to harm them. In fact, he is committed to the people. Even the officers know that if any such incident takes place, it may lead to dire consequences as Shri Santosh Mohan Dev has made a mention of a particular incident of Murshidabad where on one such occasion Shri Jyoti Basu ordered his party workers to visit the site immediately and fight it out in a political way. But so far as the Congress is concerned neither the administration nor their party workers have ever done it. They have their own political game everywhere. They do not have their firm line of action. But we, who are in the habit of levelling charges against them, have to establish our credibility. However, we will try our level best to work in this direction. At the moment, we are short of time as we have been busy throughout since 8 o' clock in the morning. I assure you that we would try our best.

SHRI SAIFUDDIN SOZ: Please get the incidents of Bhagalpur investigated by a judge of the Supreme Court.

SHRI MUFTI MOHD. SAYEED: It is my submission that in respect of Bhagalpur.....

SHRI SAIFUDDIN SOZ: In the first instance kindly give us the figures about the number of people who have died there.

SHRI MUFTI MOHD. SAYEED: No doubt, some of the facts as stated by the member are correct. As regards the fate of the reports of various commissions appointed hitherto, for example one appointed to enquire into the Meerut riots, we may examine them threadbare but it is a fact that so far no

action has been taken on any of the reports of these commissions.

SHRI SAIFUDDIN SOZ: What is the significance of such reports?

SHRI MUFTI MOHD. SAYEED: No follow up action has been taken on the report. My submission is that we talk of the riots of 1984. Take any of these reports. There were persons who were involved in killings of Hindus or Muslims but none of them has been punished so far. These people talk of conducting enquiry into the matter by a judge of the Supreme Court or an International Court but a judge has nothing to do with it when everything happens before the people... (Interruptions) All the incidents took place in their presence. Hence what can you expect of a judge in this connection? Incidents of killings have taken place before the people and consequently cases are instituted against a large number of people while thousand others are put behind the bars. Thus there is nothing to be done by a judge in such cases. Instead they are lost in the technicalities.

PROF. SAIFUDDIN SOZ: There should be proper enquiry.

SHRI MUFTI MOHD. SAYEED: Enquiry is of no use in such cases because people would not remember the exact details of incidents till then and also no eye witness will be available to substantiate. In this manner this intervention of the Supreme Court, High Court, International Court etc. would further delay the whole case. My submission is that some effective step will have to be taken. In this regard cooperation of all the other political parties is required in order to avert this situation. To some extent administration should also be made accountable. Moreover, I am glad to say that the motive of CRPF and BSF is always to save the lives irrespective of the caste or religion of the individuals, be they Muslims or Hindus. Their only intension is to save those persons who are in trouble. However there are some complaints about the way the Police have conducted..... (Interruptions) I

have heard about the incidents of Bhagalpur. Incentives should be given to such persons. Some Hindus gave shelter to about 50 Muslims. Similarly some Muslims saved the lives of some Hindus. Some similar incidents took place in Badaun also. The Government should honour such persons who set such examples. On the other hand, all those people who fan the flame of hatred, should be dealt with strictly. There are a number of ways to deal with them but at the moment I won't go into the details of it... (Interruptions)..... I have got everything in writing. My subordinates have supplied all this information in writing to me. This is nothing more than jugglery. I have with me the complete record. But I know what actually happens. I wish that whenever we meet next we will be here to discuss some other problem rather than the communal situation. In the end I would like to thank all those Members who have participated in this prolonged discussion.

[English]

MR. CHAIRMAN: The next item on the agenda is Discussion under Rule 193 regarding U.S. intervention in Panama. I am told that the movers Shri Chinta Mohan and Shri Ganendra Reddy, both are absent. Am I right?

SOME HON. MEMBERS: Yes Sir.

MR. CHAIRMAN: In that case the rule is that this discussion falls through and this discussion would not take place.

Before we adjourn, hon. Minister for Parliamentary Affairs want to say a few words.

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): Before we adjourn, I would like to thank all the Members of this august House for their cooperation in conducting the business of the House. While the Members from the friendly parties shared our burden, Members opposite lightened our

[Sh. P. Upendra]

burden. We have had excellent cooperation and an atmosphere of goodwill, inspite of occasional fireworks which are inevitable in a parliamentary democracy.

I apologise to all the Members for the inconvenience caused to them because we had to undertake a number of legislations left over in this short session—some left over legislations by the previous Government and some very important legislations which this Government had to undertake. I hope in future we will not tax you so much.

I wish all the Members a happy New Year and extend to them pleasant greetings. I also thank the staff of the Secretariat, the officers, the Hon. Speaker, the Panel of Chairmen and the Press for their wonderful cooperation. I wish you once again a happy New Year.

[*Translation*]

SHRIDALIP SINGH BHURIA (Jhabua): Mr Chairman, Sir, like the hon. Minister of Parliamentary Affairs, I would also like to thank you on behalf of the Congress Party. As the leader of the opposition Shri Rajiv

Gandhi had assured the Government of his party's constructive support and we stood up to it, though some of the Members from the ruling party were suspicious about it. Even in future we would continue to extend our support to the Government.

Our last point of discussion was communalism. In this regard I would like to submit that we should try to be a good and ideal citizen of India and thus make our contribution to the nation and to our Parliament.

Mr. Chairman, I would also like to thank you.

[*English*]

MR. CHAIRMAN: Now, it is for the me to thank all the Members—just for a minute and no more.— Let me thank the Members who began this sitting of the House on the 29th and concluding it on the 30th. Towards end, they have been burdened with somebody in the Chair, like me. I also wish all of you a Happy New Year and let me state that the House stands adjourned *sine die*.

24.41 hrs.

The Lok Sabha then adjourned sine die.