

14.30½ hrs.

STATUTORY RESOLUTION RE: APPROVAL OF
PROCLAMATION BY PRESIDENT IN RELATION
TO THE STATE OF UTTAR PRADESH

[English]

MR. DEPUTY-SPEAKER : We will take up further discussion on the Resolution moved by Shri Indrajit Gupta.

Shri Banatwalla was on his legs.

SHRI G.M. BANATWALLA (Ponnani) : Mr. Deputy-Speaker, Sir, Uttar Pradesh is under President's rule. The proclamation is before this House for its approval. It is the bounden duty of this House to examine in a dispassionate and impartial manner whether the proclamation stands the test of the Constitution.

Mr. Deputy-Speaker, Sir, here we have an argument advanced by the Governor. One of the arguments advanced by the Governor is that when a single largest party or an alliance falls considerably short of majority, to call upon that party or alliance to form the Government will lead to horse-trading and large scale defections. Mr. Deputy-Speaker, Sir, I must confess that I am sorry, I cannot buy this argument. My mind fails to understand, to comprehend this particular argument because, even as of today when President's Rule has been imposed in UP, and the Assembly is in animated suspension, the field is wide open for all defections and horse-trading. Therefore, the argument does not stand.

According to a legal opinion, during the period between the constitution of the House of an Assembly and the Members taking oath, during that intervening period, there can be defections without attracting the Tenth Schedule and the Anti-Defection laws. Therefore, Sir, as far as this argument is concerned, I am sorry, it suffers from serious infirmity. But then, the argument that the single largest party must be called upon to form the Government irrespective of all considerations is not tenable either. Look at the situation in UP. The BJP was the single largest party. It fell short of majority by 37 members. The number of Independents is hardly 14. Then there is an unparalleled situation - I emphasise on the unparalleled situation - where all the other non-BJP parties which command majority of Members in the House have told the Governor that they would not be supporting the BJP.

Now the Governor is already put on notice that a combination that commands 234 Members, a combination that commands the majority of Members in the House put the Governor on notice that they would not be supporting the BJP Government. What can the poor fellow do? What can the Governor do under such a situation? If the Governor persists and adamantly calls upon, even in such a situation, the single largest party, the BJP, to form the Government, then I am

constrained to say that the Governor would have been wide open to the charge of serious aberration, nay, serious subversion of the constitutional process. When the parties which command the majority of the Members put the Governor on notice that the BJP Government will not be supported by them, then to call upon them to form the Government, would have been a fraud on the democratic polity of our country.

Now, Sir, we are told about the Sarkaria Commission. A very valid point. We are told and the hon. Member, Dr. Murli Manohar Joshi was kind enough to read out a long extract from the Sarkaria Commission Report in this House. It is the fate of the Sarkaria Commission Report to be frequently quoted and to be frequently misquoted. I repeat, frequently misquoted. The hon. Member, Dr. Joshi read out a long paragraph, but then the paragraph that follows was not read out by him. It falls upon me to bring that paragraph to the notice of this House and to say that the Governor has acted in accordance with the recommendations of the Sarkaria Commission Report.

Sir, I quote from the Sarkaria Commission Report, Volume 1, Page No. 128, Paragraph 4.11.05 :

"The Governor while going through the process of selection described above, should select a leader, who in his (Governor's) judgement is most likely to command a majority in the Assembly, The Governor's subjective judgement will play an important role."

So, we find that the Sarkaria Commission Report itself lays down the guideline that while the Governor is selecting one party or the alliance to form the Government, he must keep in mind whether that party or the alliance can really command the majority or not. Here, we have the Governor already put on notice by the majority that they will not be supporting the single largest party, namely, the BJP. It is the other think that today the BJP wanted to form the Government by hook or by crook, more by crook than by hook. That is another matter.

I am sorry that the Constitution and the Sarkaria Commission Report do not come to their rescue. We are told that the people will not forget, people will not forgive but in Uttar Pradesh, where were the people? Were they with the BJP? Look at the nature of the electoral verdict. Is it not a fact that the BJP had received the most severe beating at the hustings. The Party that received the most severe beating in Uttar Pradesh was the BJP. Excepting Uttarkhand region, everywhere else, the BJP suffered badly. They suffered badly in Central U.P., Western U.P. and in Rohilkhand region.

It is a fact that barely six months ago, there was Lok Sabha election in U.P. in the Lok Sabha election, the BJP had a clear lead in as many as 236 Assembly segments but, now, in the Assembly elections, the lead has simply disappeared in as many as 60 segments.

People are saying good-bye to the BJP. When the people have given a beating to the BJP and if the Governor calls upon the BJP to form the Government, that would be an anti-people act by the Governor. That would have been a betrayal of the people and the people would not have forgiven the Governor for such a betrayal. Therefore, whether it is the political consideration or whether it is on the point of consideration of Sarkaria Commission, all these facts lead to only one conclusion, that is, none was in a position to form the Government in U.P.

Now, here we must also study Article 356. Article 356 says that Presidential rule can ordinarily be for one year and ordinarily it cannot be extended beyond one year. I agree with this. But, Sir, the question in U.P. was not the continuation of the earlier Presidential rule. The earlier Presidential rule was based on certain facts. After fresh elections, the facts have changed, there was no question of continuation of Presidential rule. That would have been wrong. On the basis of new facts, fresh proclamation was made which was totally within the ambit of the constitution. That was, what was done. But, here, Sir, I must make one submission and that is we should have a recourse to Article 175 (2) of the Constitution. The Governor ought to give a message even now to the House which is under suspended animation to revive it. Let it be revived and let a message be sent under Article 175 (2) to the U.P. Vidhan Sabha to elect its own Leader to be appointed as the Chief Minister. Let the challenge go to the Vidhan Sabha itself. I am sorry that this course was not followed by the Governor. I had even given an Amendment to the Resolution but I know that my Amendment suffers from certain technical infirmities. Therefore, there was no question of my moving an Amendment to that Motion but then even today I do make an appeal that the Assembly be revived and let the message be sent to it to elect its own Leader.

Sir, with these few words, I support the Resolution but I do so with a realisation that different individuals, as Governors, may act differently in a given situation. Therefore, in order that nobody may have any bad blood, there may not be so much of complaints and misunderstanding of the situation, there may be a clear-cut amendment of the Constitution.

With these words, I and my party support the Resolution brought forward by the Minister of Home.

[Translation]

PROF. OM PAL SINGH 'NIDAR' (Jalesar) : Mr. Deputy Speaker, Sir, I rise to oppose the motion brought forward by the Minister of Home regarding President's rule.

I have gone through articles 352, 356, 360 a number of times. Since yesterday, I am listening to the speeches of my senior colleagues whom I used to quote while teaching the students. I was under this impression that these senior colleagues, who are taken as intellectuals in the House, would speak pointwise but now I feel that

by quoting them I have committed a crime. Through you, I would like to do penance for my sin. I would like to submit that hon. Banatwalla is the only elected member of his party in the House. His party does not have any base in Uttar Pradesh. He does not have a single vote there. How can a penniless person can give something to others. This is something like a characterless person asking a man of sound character to go for good habits. (Interruptions) I will speak constitutional language. Now, before interrupting me you must know that I am here to express my views which I will do at my cost. I would like to submit that our House as well as our nation are suffering for the last 50 year due to the sins committed by the Congress. (Interruptions) You are right Mr. K.D. Sultanpuri, your colleague has been in jail and I also know that you also belong to the same clan. (Interruptions)

[English]

MR. DEPUTY SPEAKER : Please allow him to speak.

[Translation]

PROF. OM PAL SINGH, 'NIDAR' : whosoever is involved in a scam will have to face the music. This is not intended towards a particular person. This country and the people will seek an explanation. There is no question of any party. You have no moral right to speak in this regard but I can make a long speech on this topic.

I was unhappy to listen when some members said that they were supporting the Article 356 with a heavy heart. What is the compulsion some members said that Article 356 is not good, and therefore, it should be abrogated. But we are supporting it at present. This is something ridiculous. You are supporting and condemning it at the same time. Therefore, you should think about it.

The day on which this article was used for the first time in Punjab in 1951 was perhaps the blackest day. I do not understand as to why this article was implemented but history tells that the Congress always misused this article to topple the non-Congress Governments. There are a number of examples. The present Janata Dal Government has been victimised five times, the DMK four times, the Akalis three times and the BJP five times. Now my colleagues from Congress may say that their Chief Ministers were also removed. On this I would like to submit that you have a fancy for removing persons in order to replace them with your favourite ones. Therefore, it is your internal matter. I want to submit that this article was misused 94 times in the States and that too without any result. Likewise, it was misused thirteen times in the U.Ts. Therefore, you should not try to cut the branch on which you are sitting. On one hand you are supporting the cause of Democracy and on the other you do not feel

ashamed in murdering democracy in the name of national interest and secularism and not letting a particular party come into power. Just now one of the colleagues mentioned that the BJP got only 32 percent votes. What is their percentage. Certainly, it is lower than ours. One hon. member said that the whole opposition is united. It seems that they have forgotten what has been given in writing after the Rajya Sabha elections. Just now, someone from BSP said that Joshiji spoke very well and read out a chapter of the recommendations of the Sarkaria Commission. I want to ask you that by quoting just one and a half line from this chapter are you going to explain the recommendations of Sarkaria Commission? Just consider what wrong are you going to commit and that too knowingly and then you claim that they have done the right thing. One of the colleagues labelled us as fanatics and communal and held us responsible for the demolition of Babri Mosque. I am at a loss to understand when you are in power and your number is also 300 and moreover law and order is also in your hand and are in a position to put pressure on the Courts then why do not you hang us. I do accept that we did so ...*(Interruptions)*

MR. DEPUTY SPEAKER : Please sit down, wait for your turn

PROF. OM PAL SINGH, 'NIDAR' : This is what that was said over here and I am just repeating it. You cannot adopt double standards. Before saying something you must consider that others have their own arguments.

There is one senior member, named Shri Somnath Chatterjee, unfortunately he is not present. Had he been here I would have rebutted his arguments. He had said that from 236, BJP reduced to 176 in Uttar Pradesh. But he is unable to see that the party which is supporting the Government, once used to have 408 members but how many members does it have at present. On the contrary, we have become 161 from merely 2 members. The Public is not going to accept your version. How many members from your side have been elected from Uttar Pradesh? If you think so then why do not you dissolve the House and face the people...*(Interruptions)* This game of yours is not going to last long ...*(Interruptions)* Whatever the results we are going to accept them. But you must give it a try.

14.54 hrs.

(Shri Chitta Basu *in the Chair*)

Hon. member Noor Bano has said that there is a political deadlock in Uttar Pradesh. There is no political deadlock in Uttar Pradesh. The Governor in Uttar Pradesh has been appointed with a sole motive to maintain this deadlock till a particular party and a particular leader is able to form a Government by getting the desired number of members in his favour through horse trading.

This is a misfortune of the State of Uttar Pradesh! There is no such deadlock. They say that BSP lacks majority. But it surprises me that the 30 members belonging to the Congress who unsuccessfully tried to negotiate with BSP are now boasting. I feel that this is their highest number because next time they are not going to have more than three members. One hon. member said that BJP fans communalism and until the parties favouring secularism unite, no Government should be formed there. It gives ecstasy to wander in a wonderland. If they are all secular under one banner, then why they have not contested elections on one election symbol and common election manifesto? If you are very much fond of secularism...*(Interruptions)* You are a senior member. You also may be having your own compulsions. Please do not worry.

So far as the question of public mandate is concerned, it will be decided by the people and not by any individual. Besides judiciary if any other individual decides about the public mandate, that would be a black day for democracy. Therefore, it will be decided either by the people or the Legislative Assembly or the Lok Sabha. All are thinking over it because all are sufferers of that thing. Any one can become victim of this thing in future. It is a double edged weapon. It can harm you also. Therefore, do not use such weapon which may chop off your own head. One more thing I would like to say that Kodanda Ramaiah spoke well in the beginning but in the end he changed his tune and then it appeared to me that he also had some compulsion. After that our friend Shri Santosh Kumar Gangwar requested him that according to his conscience, he should not support it but should oppose it. I would like to say to my friend Gangwar that they do not have any conscience, so why we should request them. We, ourselves would face the consequences. What is victory or defeat?

"Veerta ki pahchan samar hai"

They do not have any conscience. They charge money merely for giving threatenings...*(Interruptions)* I am giving example. After the election results of Uttar Pradesh, one political party asked other parties to make Mayawati ji the Chief Minister otherwise they would withdraw their support at the Centre. They might have received some crores of rupees and now they have changed their stand. Earlier they were threatening to withdraw the support but now they are toeing their line. How does that complete change have taken place. One should take some firm stand. Such dual policy should not be adopted at least in this august House.

One more thing I would like to submit ...*(Interruptions)* We are going ahead and will remain ahead but you will lag behind of all...*(Interruptions)* One more point is there. It has been said that under Article 163 (2), the Governor has discretionary power. I think, if any Constituent Assembly member is present in the House, his conscience might be weeping un

such comments...*(Interruptions)* If no Constituent Assembly member is present here, then their fore-fathers were there in the Constituent Assembly. I know that neither my father nor I was there in Constituent Assembly. The Constitution has been framed by that the people sitting on that side. Not even a single Constituent Assembly member supported Article 356 of the Constitution. I know that Prof. K.T. Shah, Shri T.T. Krishnamachari and Shri Hari Vishnu Kamath made adverse comments against it and asked from where it was taken. This provision was taken from German Constitution. In their language it is called 'Bimar Constitution' and illiterate persons like me call it 'Bimar (sick) Constitution'. Because of this provision, Hitler became dictator and that provision has been incorporated in our Constitution. Many comments have been made about the Governor. I do not want to take much time. Dr. Ambedkar himself said, "we do not think the Governor would ever misuse the power, they would do good." At the same time Shri B.G. Kher commented on it that a good Governor can do good to a great extent but a bad Governor can do harm to a great extent. You can think as to what kind of Governor is sitting there? I do not want to insult any body but it will hardly make any difference if something is said about a person who does not deserve respect.

15.00 hrs.

One more point I would like to submit ...*(Interruptions)* I do not worry about it. I know that some people are habitual of such things.

[English]

MR. CHAIRMAN : The hon. Member should address the Chair. Please do not address them.

[Translation]

PROF. OM PAL SINGH 'NIDAR' : Sir, I am addressing the Chair...*(Interruptions)* Therefore, you please instruct him not to interrupt. I do not say that it is my maiden speech...*(Interruptions)*

DR. SHAFIQR RAHMAN BARQ (Moradabad) : It is not a parliamentary language...*(Interruptions)*

[English]

MR. CHAIRMAN : You please sit down. He will address the Chair.

[Translation]

You please sit down. You need not talk to him.

SHRI ANIL BASU (Arambagh) : He has not said anything about elections...*(Interruptions)*

PROF. OM PAL SINGH 'NIDAR' : Please do not try to teach me vocabulary, I do not want your unwanted advice. It will be better for you if you do not interrupt me. I am submitting my own viewpoint.

MR. CHAIRMAN : Please confine to your speech only and speak on proclamation of President's rule.

SHRI OM PAL SINGH 'NIDAR' : Shri Somnath ji has referred to the so called tradition. This tradition was followed in this House also. Shri Narasimha Rao did not have majority, when he was called to form a Government. Earlier also Shri Rajiv Gandhi who was a leader of single largest party, was called to form a Government but when he refused, Shri V.P. Singh was called to form a Government. Everybody knows these facts.

SHRI PARASRAM BHARDWAJ (Sarangarh) : We are discussing the subject whether President's rule be imposed in UP or not...*(Interruptions)*

MR. CHAIRMAN : You please continue with your speech.

PROF. OM PAL SINGH 'NIDAR' : Mr. Speaker, Sir, it hardly matters whether a Government lasts for 6 days or 16 days but the Hon. President acted according to the tradition by calling Shri Vajpayee ji to form a Government. Can a Governor, who is appointed by the President and hold office at his pleasures, violate the tradition established by the President? Therefore, you cannot call it so called tradition just for the sake of your argument. No constitution can survive without traditions and more over we have imitated the British Constitution which is purely based on customs and traditions ...*(Interruptions)* They have their constitution. This is not a subject to discuss here. What I am saying is that no constitution can survive without traditions be it a rigid constitution or a small constitution. Indian Constitution is also based on traditions but we misuse them just to protect our own interests.

It has been said that Article 356 should be deleted. Shri Somnath ji has raised this matter. I do not know as to what is the opinion of other friends but I have always been opposing such provisions because I believe in the politics of principles. The Members, who are saying that there is no constitution of Britain, can come to my class and they will come to know whether there is a constitution or not. This House is not a classroom. Therefore, I would like to say that if you want to delete it, why don't you start opposing it from today itself. It should be opposed tooth and nail. This proclamation should be opposed. It is not good to misuse it today and delete it tomorrow. If such an intellectual member wants to get it deleted, he should atleast think over it as to why it should not be deleted today itself?...*(Interruptions)* One hon. Member was saying that BJP is a disciplined party but they have misbehaved with their own veteran member in Gujarat. They have their party-Government in West Bengal. I do not know, whether Mamata ji is here or not. She was Minister at the Centre but even then the misbehaviour done to her by their party workers in Bengal was a unique example in the democratic history of our country.

MR. CHAIRMAN : You have taken enough time.

PROF. OM PAL SINGH 'NIDAR' : You should have known about such incidents. It is another matter that the then Prime Minister could not take any action due to some reasons. Those who live in glass houses do not throw stones at others. Sir, by ringing the bell you have compelled me to conclude. I would like to make one more submission. Shri Banatwalla was saying that it would be a crime and violation of Constitution on the part of Governor if he invites BJP to form a Government. I would like to ask him as to where such thing has been written. He is saying that it would lead to horse trading. If it is so, how the hon. Home Minister has said it yesterday that he would like to keep the Assembly under suspension only till any party or group acquires majority support. I would like to ask as to how any party will acquire that majority. It means of our party acquires majority, that would done by horse trading and if any other party does so, that would be an honest alliance. Why are you adopting such a double standard?

Sir, through you I would like to say one more thing. It has been said that had BJP's Government been formed in Uttar Pradesh, Ayodhya incident of 6th December would have recurred at Kashi and Mathura. I would like to ask whether party Government is must for such incidents? When you have strong will power such incidents can take place. Therefore, if the Government tries to prevent such incidents with the help of Governor, the recurrence of such incidents would increase ...*(Interruptions)*

MR. CHAIRMAN : Please allow him to speak you please conclude now...*(Interruptions)*

PROF. OM PAL SINGH 'NIDAR' : Today, a situation has arisen in which only two alternatives are there - one, either do away with the post of Governor or it should be made above party politics. If either of these two alternatives is not adopted by the Centre, the day is not far away when the State Governments would take our processions and show black flags to the Governors and they would refuse to accept them as head of the State. That would be an unfortunate and black day for our democracy. Unfortunately our treasury benches are heading towards that situation. I would conclude by reading few lines of my poem :

"Rajyapalon ka kamal, dekh Bharati Ka Bhal,
Sharm se jhuka hua hai, Soch lo vichar lo,
Sambidhan se mahan, mufatkhor beiman,
Gundon ke nirali shan, desh main nihar lo,
Chor hue sinajor, taskaron ne kiya shor,
Deshbhakt hum, hamari arati utar lo,
Sata de rahi hai chhut, Chahe jahan karo loot,
Morcha ke sath raho, Chahe jise mar lo."

Before concluding I would like to say one more thing. The people who are calling us communal, should know that we are also citizens of this country. We have also made sacrifices. We also pay taxes. Our character is unblemished as compared to theirs. We are more honest than these people. If they continue to call us communal, that would be harmful to them only.

Sir, with your permission, I would like to read four lines :

"Sadiyon se ho saka nahin jo, wah kar ke dikhayange,

Ab koi kuchh kahe kintu, nahin bahkabe main ayenge,

Jo bada ban kar ayega, usko mar bhagayenge,

Sougandh 'Ram' ki khate hain, hum 'Mandir' wahin banayenge." ...*(Interruptions)*

SHRI MUKHTAR ANIS (Sitapur) : Sir, Samajwadi party has not yet got time to speak.

MR. CHAIRMAN : I am calling according to the list.

(Interruptions)

[English]

MR. CHAIRMAN : Please take your seats. The hon. Members should know that the time allotted for this subject was four hours. We have already exhausted more than three hours and twenty minutes. Only thirty minutes are left now. There are still fifteen Members to speak and at four o'clock there is a Motion under Rule 193. Therefore, I would request all the Members to be very brief and to the point so that all the Members can be accommodated to express their views on this very important subject.

SHRI MADHUKAR SARPOTDAR (Mumbai North-East) : Sir, if necessary, the time may be extended for a full deliberation on this issue.

RAJKUMARI RATNA SINGH (Pratapgarh) : Hon. Chairman and fellow colleagues, my State, Uttar Pradesh, is going through a very tumultuous period. We have seen in these past seven years a lot of political crisis. We have seen four Governments fall and we have seen twice President's rule. Our mandator, our voters also had to go with us in this tumultuous period. There have been political crises after crisis and no political party has been able to come up with a solution. Just six months ago, we had the Lok Sabha polls and Uttar Pradesh gave a very different result than what it gave two months ago in October, when it voted for the Assembly. The leading party, the BJP, in the last election, if you take the Lok Sabha trends, got over 240 seats and in the recent elections, it just touched 173 - a repeat of what had happened in 1993. The public was not ready to give the BJP another chance after 1993. They had done it in 1993, and again in 1996, they have voted the same amount of seats.

Coming to the other parties, the public has not given us a definite mandate. Like in the Lok Sabha, in the State also no party has got an absolute majority, not even a near majority. There is a political crisis in our State. What do we do? We the people of U.P. are in such a dire state. There has been no economic progress because there has been no solid Government in U.P. which could bring reforms in the State. Every time we get a mixed Government and it falls in a few months. The amount of loss to the U.P. exchequer, we the responsible citizens of U.P. do not realise.

We must think of our State, think of our homeland, think of U.P. We must bring a Government which will now last for five years because every time we bring in a small Government for a few months or a few years, we can do no work. It is very sad for us, the U.P. people, when we have to run around and face our constituents on what we must do and how we have to make our State go up. Today, our State, Uttar Pradesh, has no development going on, no money coming from outside. We look at the other States like Maharashtra or Gujarat. There is so much money, so much of progress and so much of work going on in those States. But nobody wants to invest in our State because we are not giving a good message, we are not giving a strong political message. This is the time when we all get together and produce in U.P. a Government which will lead us to the 21st century. We are on the brink of the 21st century. Our State is the most populated State of India and yet we are the most backward State. I would request all the parties that if we cannot come to a political decision, we must stand up together and let the President's rule go on till we, amongst ourselves, stop our in-fighting and produce a stable Government.

We all are responsible citizens of U.P. We must think of our state, our Motherland and our homeland. Our hon. Chairman has said that there are 14 more Members who wish to speak after me. I feel that everybody must have a right to speak. So, I do not want to say more in this regard. I do not want to stop other people from expressing their views. I do want to say that at this stage when we cannot take a political decision, we cannot put a Government in Uttar Pradesh without horse-trading, without some kind of problems, we should rather go in for President's Rule and decide what we want to do for our homeland, our State.

SHRI M.P. VEERENDRA KUMAR (Calicut) : Mr. Chairman, Sir, I do not want to make an elaborate speech because there is no time. I want to say only one or two things. We are faced with a political compulsion, a constitutional compulsion regarding Article 356. People like us, people like me, during our past political campaign for the last many years, were for revoking Article 356, but it is still in the Constitution and has not been removed. So, when Article 356 is used, it must be used with discretion and care. There is no doubt about it. I do not want to go into more details. Now, this House is under a political compulsion to pass this Resolution.

I heard our hon. Member from the other side, especially criticising the Muslim League leader from Kerala, Shri G.M. Banatwalla. He asked where the party was. It means where is the Muslim Party, where is the Muslim organisation. We are there. That is the strength of Uttar Pradesh. It is not Muslim League, Muslim Party, Muslim organisation or the minority groups which fought the 1996 battle there, it is the Hindus who fought it, the majority community in this country. What does it show? It shows that we can make fun of them. We can just

humour a minority man. I heard from the other side, from a very respectful person that we are the citizens of this country, we are patriotic. Who is not patriotic? Is not a *musalman* patriotic? Is a man born in this country not patriotic?...*(Interruptions)* I am not criticising anybody. Every man born in this country is patriotic and all the persons - to whichever religion they belong to, whether Islam, Christianity, Hinduism, Jainism or Budhism - in India, if they do anything against the nation, they are anti-national people. Patriotism is not practising a particular religion. It is decided that every man born in this country is equal and nobody need be at the mercy of anybody to say and go on their knees and say that they are the protectors of minority. We are Indians first and we are Indians last. We will die in this country as Indians and we will live in this country with our backbone and self-respect.

Sir, Bhartiya Janata Party wanted - that was I heard - to be called to form the Ministry. Here, what happened in the Centre? Hon. Shri Vajpayee was called to form the Government. He said that they would never do horse-trading or anything unethical. I am not humouring. Now, you consider it when I am saying something. You were a party and the other parties sitting on this side have a different opinion. We have a political outlook: you have a *dharmik* political outlook. When you speak of anything, you speak of *dharma*, you speak of *Bharatiya Arsha Shastra*, you speak of the entire gamut, the meaning of *Upnishads*, you speak of Rama; we speak of water, we speak of man, we speak of hunger, we speak of political. We two have some difference.

Even if we can do something unethical, you are not supposed to be anything unethical.

THE MINISTER OF CIVIL AVIATION AND MINISTER OF INFORMATION AND BROADCASTING (SHRI C.M. IBRAHIM) : We talk of *kisans*.

SHRI M.P. VEERENDRA KUMAR : I understand Ibrahim Sahib. We talk of *kisans*, *Dalits*, everybody. When Kumari Mayawati was made the Chief Minister of Uttar Pradesh with the BJP's support, they said: "Look here, we made a *Dalit* woman the Chief Minister of Uttar Pradesh." In this election, why did you not elect a *Dalit* woman as your party leader? Did you elect a *Dalit* woman as your party leader? You are not fighting here to make a *Dalit* woman as the party leader, you are trying to bring the BJP to power.

COL. RAO RAM SINGH (Mahendergarh) : Why do you not elect a *Dalit* woman as your party leader?

SHRI M.P. VEERENDRA KUMAR : It is because we never said that. We never said that we have made a *Dalit* woman as the Chief Minister. We feel that *Dalits* must come up. That is a different question. We will have it in another platform...*(Interruptions)* Sir, I am a new Member.

MR. CHAIRMAN : Do not reply to them. Please address the Chair.

SHRI M.P. VEERENDRA KUMAR : Sir, the BJP criticises other parties about their strengths and weaknesses. The hon. Member from the other side made one more point. If time is given, how will you form the Government? Will you not do horse-trading?

COL. RAO RAM SINGH : Mr. Chairman, Sir, I thought that we were discussing about article 356 of the Constitution and the imposition of President's rule in Uttar Pradesh and not whether we are appointing a *Dalit* woman as our party leader or make Shri Ibrahim as...*(Interruptions)*

MR. CHAIRMAN : Anyway, you know how the things have happend.

SHRI M.P. VEERENDRA KUMAR : Sir, when the hon. Member disrupts me and says that I should confine myself to article 356, he should have asked the hon. Member who spoke before here that he should confine himself to article 356. You confine us to 356 and you can go up to 3.0561. We will not allow that.

You asked a question as to whether we do not go for horse trading. No: we wish an opportunity comes in Uttar Pradesh, if at all. It should come. If it comes, we need not go for horse-trading. The unity that we have among the secular forces is enough to finish the BJP's claim for ever in Uttar Pradesh. We know all that. But we are sorry, we have some difficulties. We expected that, because we are a farmers' party.

There is one more point. You polled two per cent less votes. Do not forget that and 64 per cent of the people are against you.

[Translation]

AN. HON. MEMBER : You do your job.

[English]

SHRI M.P. VEERENDRA KUMAR : Our party is 'karoing'. Is it a correct language? I am not a Hindi man...*(Interruptions)* I do not know Hindi. So, do not disturb me.

In Uttar Pradesh, 64 per cent of the people are against you. We are more than 64 per cent, all put together. I close the subject here and say that you have no ethical claim, political claim and constitutional claim to say that you have the right to form the Government in Uttar Pradesh.

You talked about Babri Masjid...*(Interruptions)* You said it. That is why I am referring to it. Otherwise I will not refer. I am not a veteran parliamentarian. I have come here for the first time. So, I may commit some small mistakes. Please excuse me.

You said that you would go to Mathura and Kashi. Who demolished Babri Masjid? You are talking of the Constitution and article 356. When the Court directed you to maintain the *status quo* in Babri Masjid, where

was your conscience about the Constitution? Did you ever respect the Constitution? Somebody said: "Were not military there?" The military was there. But I thought that it is not the military which is controlling the country, it is the mind which is binding the nation. We wanted the mind to be together.

You did not only demolish the *Babri Masjid, but also the minds that were united together.

Sir, I am coming from Kerala and I want to pose one question. You must have all read the *Ramcharit Manas* written by Tulsidas. I never read it. It must have been written somewhere in the 14th century, if my memory is right. He wrote it from Ayodhya. Do you not know that Tulsidas was an outcast? Did he not say that the Muslims were his friends and that with their assistance he would write the story of Rama? The *Ramcharit Manas* was a creation that resulted from Hindu-Muslim unity, whereas you made use of that Rama as a dagger against Hindu-Muslim unity. You have no right to speak about the minorities in this country.

With these words, I conclude by saying that the BJP has absolutely no right to rule neither Uttar Pradesh nor India or any other State till they unite the minds of the people. Till then, we are neither carried away by your jargon nor your *mantra*. Rama did not exist in your *mantra*, but he existed on the lips of Mahama Gandhi. Thank you

SHRI MADHUKAR SARPOTDAR : Mr. Chairman Sir, the Resolution says: "That this House approves the Proclamation issued by the President on the 17th October, 1996 under Article 356 of the Constitution in relation to the State of Uttar Pradesh."

Since yesterday, we have been deliberating on this issue whether the Proclamation issued by the President under the prevailing circumstances is proper, legal and constitutional. The Governor of Uttar Pradesh submitted the report to the Central Government on the 16th of October, 1996 and subsequently the Proclamation under Article 356 was issued. The result of the Assembly elections was declared and not a single party was having a majority in the Uttar Pradesh Assembly. This remains a fact.

Today, the House is discussing specially about the role being played by the Governor of Uttar Pradesh, Shri Romesh Bhandari, as per the instructions from the Central Government. Before the Home Ministry could take a decision and direct the Governor, it must have received a report from the Governor of Uttar Pradesh and upon which the Home Ministry must have acted. Immediately after the elections, the hon. Governor should have given an opportunity to the party having the largest number of MLAs and should have found out whether they were interested in forming the Government. But that duty was not performed.

Sir, the BJP being the single largest party wrote a letter to the Governor and expressed their desire to

form the Government, upon which the Governor acted the other way round and asked them to submit their list of MLAs. He had asked them to show their strength and said that then only he could take the decision. The BJP played its role in the democratic process, whereas the Governor, I am told, contacted other parties to find out whether they were prepared to form the Government as the BJP was otherwise coming to power.

The Governor has taken this initiative. I have been informed about this. I have read this in the newspapers. When a similar situation developed after the Parliament election, the hon. President played a positive role in the year, 1991. When the Government was formed, at that time, the Congress Party was in a minority and yet the President of India had allowed and called Shri P.V. Narasimha Rao to form the Government of Congress Party. That was done and accordingly Shri P.V. Narasimha Rao and the Congress Party ruled this country for five years.

Subsequently, a similar situation arose in May, 1996 when not a single party was having a majority. On that occasion, again the aspect of the single largest party was taken into account and it was called by the President to form the Government and it was asked to establish its majority within 15 days in the august House. That opportunity was given and the Government was formed accordingly. Thereafter, that Government was given and the Government was formed accordingly. Therefore, that Government was in existence for 12 days after which the matter came up for a decision whether that Government was having a majority and the ruling party was convinced that even after having the strength of their allied parties, there was no possibility of establishing their majority and consequently the Prime Minister decided to resign and they vacated this House and they gave an opportunity to the other party to form the Government.

If you see it very carefully, there was no horse-trading. This Government was in existence for 13 or 15 days, but no horse-trading took place. And yet, keeping this apprehension of horse-trading in mind, the Governor of Uttar Pradesh who has been appointed by the President has taken a different decision from the President of this country who is elected by the entire nation, thus altogether ignoring the decisions taken by the President on two successive occasions.

There is no doubt that the Congress Government has completed its term of five years by adopting horse-trading. The matter is *sub judice*. But the most surprising thing is, the present United Front Government is resting upon the strong shoulders of the Congress Party only. The only problem is they are suspecting that if at all the BJP and the other parties are given an opportunity to rule Uttar Pradesh, they may resort to the tactics of horse-trading. I ask the United Front Government, on whose shoulders are you resting and upon whose strength is your entire Government functioning? They

are experts in horse-trading. It has been proved beyond doubt during the last five years.

But the Bharatiya Janata Party which was here in power for clear 13 days, have not resorted to any horse-trading as such.

In view of this, I have two points to make.

The first point is: After the results of the election, is the Proclamation of President's rule justified? Secondly, I would like to know whether the Governor should take the initiative to decide the issue in a democratic manner. Thirdly, the democratically-elected parties have not been given an opportunity to show the strength on the floor of the House. Fourthly, is it proper to use Article 356 in the prevailing circumstances? These are the issues which are before me.

MR. CHAIRMAN : Please conclude.

SHRI MADHUKAR SARPOTDAR : I have to complete it. I need time because on behalf of my Party, I am the only speaker. I will be speaking.

MR. CHAIRMAN : After all, you have to speak briefly so that other Members also can speak.

SHRI MADHUKAR SARPOTDAR : I am only on the point. Please show me a single point where I am deviating from the subject. I will strictly go by the points only.

MR. CHAIRMAN : I am not entering into an argument like that. I do not like to enter into that argument.

SHRI MADHUKAR SARPOTDAR : I would go according to the points. I would like to say something on these the points raised in my speech. I will strictly go by the points only. Beyond that, I will not go to other things...*(Interruptions)*

While justifying the United Front Government's decision, the hon. Member Shri Somnath Chatterjee mentioned something yesterday. I was listening to him very carefully. I was not only listening to Shri Somnath Chatterjee but also to those who spoke in the House on this issue I have heard every Member. I wanted to know as to what are their viewpoints. I was just surprised to hear the views of the CPI (M). What is their role? Actually, what do they want to say about the Governor? About that, I found out from the Library as to what are their viewpoints about the appointment of the Governor. After all, this particular appointment has been made by the United Front Government in which the CPI (M) is also one of the supporting parties like that of the Congress Party. Now, the CPI (M) has changed their own views. In their own statement, they say and I quote :

"This is another provision taken over from the previous British-made Constitution and written into the 1950 Constitution. The only change made in the new Constitution of free India is that the Governor is an appointee of

the Central Government which means the agent of the ruling party at the Centre . . .”

These are the views of the CPI (M). They have mentioned it in their party booklet. They further say:

“That office has, in fact, been used by the ruling party at the Centre to deny the people of States to have Government of their own choice and impose on them unwanted Government etc. The Office has also been used to provide for the Leader of some faction in the ruling party who has become inconvenient to its High Command. It is, therefore, ridiculous for anybody to attribute the quality of “impartiality” to the Governor. The post should be abolished and if this is not possible for any reason, the post should be filled in by somebody who enjoys the confidence of the State Legislature.”

These are the views which were expressed by the CPI (M). This is the opinion given by the communist Party. I was hearing him yesterday in view of that position. These are the views of that party for years together. I remember that in 1958 when the Namboodiripad Government was there in Kerala, it was also removed under the provision of Article 356. I remember what were the developments and reaction in the entire country at that time.

Since then, the Communist Party of India and the CPI (M) have been opposing Article 356. But I was really surprised to hear Shri Somnath Chatterjee. I thought he would be advocating the cause of the States and democracy. But I was just convinced that when he was arguing, he was not advocating that cause. Yesterday, he was a different advocate. Unnecessarily, he was trying to support wrong things. Yesterday, he was not at all intentional in mentioning that. Unluckily, he is not present here. I was listening to him very carefully. So, this is the situation.

Sir, recently, there was a meeting of all the Chief Ministers of the country. They also claimed that the provision of Article 356 should be removed and, if needed, Article 356 should be amended or repealed. That is the demand of the CMs of this country. But that aspect has not been taken into account and the United Front Government deliberately deputed such a person whose personality is known to the entire country and everyone is aware of which of the activities he was indulging in. And the same parties that is, the CPI and the CPI (M) have criticised Shri Romesh Bhandari in the past. I would be in a position to establish that because there is ample proof of that. Since I have got limited time, I may not be in a position to bring all the materials over here. What I feel now is that power makes even the devoted parties like the CPI and the CPI (M) to dance as per the tune of the power. This is the unfortunate thing. For whatever reasons, this should not have happened.

Now the only problem is, when I was listening very carefully to him, he mentioned that the national question before him was, as to how many MLAs these Communist parties have got in Uttar Pradesh. When they are blaming, when they are making allegations against the BJP, they say, the BJP being a communal party, there is no support to them from the people in Uttar Pradesh. That was the allegation. My only question is, what support did you enjoy? Do you really enjoy any support in the State of Uttar Pradesh? If it is not so, then why should you make unnecessary allegations against the party which is the single largest party in U.P.? One should not forget that. And for that purpose, today, you are saying that you are all united after one or two months. All the other 3, 4 parties after coming together, including the Congress, the BSP, the SP and so on, even they have not formed their Government. This was the result because they could not do it in order to favour their own parties. This Government has taken a wrong decision to influence and show that under any circumstances they should not allow the BJP to rule in Uttar Pradesh because they were fully aware that once they start ruling in that State, then they may not perhaps get an opportunity to get the seats also.

MR. CHAIRMAN : After all, there is a constraint of time.

SHRI MADHUKAR SARPOTDAR : I am not going out of my points.

MR. CHAIRMAN : It is not a question whether you are going away or not. There are other Members also.

SHRI MADHUKAR SARPOTDAR : There are 67 MLAs of BSP in the Assembly House of Uttar Pradesh. When we were talking democracy, all these 67 MLAs were kept in the annexe hall. They were not allowed to go out, they were not allowed to have any discussion with any other party. This was the situation. On top of that, we claim that we are in the interests of the State, voted the BJP as a single largest party, they should have been honoured by the hon. Governor and he should have given them an opportunity to form the Government. That is my contention. In order to establish the majority, why not to form alliance prior to the election and ask for the people's verdict. This is the question ! I am asking all the so called secular parties. Then you say that you are all secular forces. Is it not so? Is it not the responsibility including of all the 3 4 parties, whatever may be the number of parties, they should fight elections together. They should come together on a common programme and contest elections. If you get the verdict, you will have right to say that you have got the verdict and being a secular force the entire people sit behind you and you can form the Government. We would welcome such a Government.

But after the results, they should not play this dirty politics and claim that they are the secular forces and they have come together; and they are forming the

Government Now, you can see the state condition of this Government as to how things are developing in the country today and causing instability.

Sir, I strongly feel that in order to kill the democracy and keep the BJP away from power, all opportunists have joined their hands and played the dirty tricks and imposed Article 356 in Uttar Pradesh. How long are you going to carry on like this? My only question is, how long are you going to play these dirty tricks? Let us see, what will be the time period for that. We are also here in the country and we are anxious to see that equally

MR. CHAIRMAN : Shri Sarpotdarji, please cooperate. Please conclude.

SHRI MADHUKAR SARPOTDAR : Sir, only two or three points are there and I will just finish.

There was a reference about the Babri Masjid. On 6th of December 1992 — I do not call it Babri Masjid — a *dhancha* was demolished. That was the allegation. I do not call it Babri Masjid and I could very well remember that once Shri Azad also mentioned that it was not a Masjid, and Namaz was never performed.

[Translation]

SHRI MUKHTAR ANIS (Sitapur) : You are not aware of this... (Interruptions) Azad never said this ... (Interruptions)

SHRI MADHUKAR SARPOTDAR : I have read the statement of Shri Ghulam Nabi Azad in the newspaper... (Interruptions)

[English]

When Muslims themselves say, just as it was said by Shri Azad, you may say 'no'... (Interruptions) I am taking the name of a person.

MR. CHAIRMAN : Order, please.

(Interruptions)

SHRI MADHUKAR SARPOTDAR : So, basically, if it is a place of worship, certainly one should not break it. But if it is only a *dhancha* and when there was no Masjid, in the interest of the nation, whatever action those people have taken, I say, it was a justified action. I do not say it only in this august House, I have said it before the Court of Law also.

What I feel, I have mentioned it. Perhaps, I do not know, how people will take it. I am not worried about Muslim votes. In my constituency also, Muslims are with me. I am just working for them and they are voting for me. Only because of the demolition of the *Dhancha* of Babar, if somebody is saying that all the Muslims are against me, I am against that feeling and I do not care for it. That is my feeling.

So, in view of this position, I ask the hon. Home Minister that he being the man of principle ... (Interruptions)

MR. CHAIRMAN : Please conclude.

SHRI MADHUKAR SARPOTDAR : I am just concluding.

For years together, they were working on principles. The Communist Party and the CPI (M) have worshipped value-based politics throughout their life. My humble submission is that, only being the partner of the existing United Front Government one should not deviate from the principles and support the wrong cause. You have always advocated that Article 356 should be removed and instead, it should be repealed. This is how you have been advocating and this advocacy should continue.

So, Sir, I am opposing the Statutory Resolution regarding proclamation of the Article 356 in Uttar Pradesh. Thank you.

SHRI PRAMOTES MUKHERJEE (Berhampore) (WB) : Mr. Chairman Sir, I thank you for the opportunity given to me to express my views on the Statutory Resolution moved by the hon. Home Minister, Shri Indrajit Gupta in regard to the reimposition of the President's Rule in the State of Uttar Pradesh.

[Translation]

DR. MURLI MANOHAR JOSHI (Allahabad) : Hon. Minister cannot influence the presiding officer in this manner, it is against the parliamentary system. I beg pardon... (Interruptions) it does not happen in Rajya Sabha also. It is my humble request to you that ... (Interruptions)

MR. CHAIRMAN : No discussion is going on.

(Interruptions)

DR. MURLI MANOHAR JOSHI : I am not saying this but I am saying to him that he should request the hon. Minister that... (Interruptions)

MR. CHAIRMAN : No discussion is going on here...

(Interruptions)

[English]

SHRI E. AHAMED (Manjeri) : Except you, Sir, no other Member should speak from the podium.

SHRI PRAMOTES MUKHERJEE : Generally we are not in favour of the President's rule in any State ... (Interruptions)

MR. CHAIRMAN : Please continue, do not get disturbed. Why do you listen to them? Do not listen to them, do not get provoked by them.

SHRI PROMOTES MUKHERJEE : Your order is sufficient.

Imposition of the President's rule or its extension or the reimposition of the President's rule in any State is not a good sign of democracy. It is not a feature of the federal Constitution. But there are times, there are occasions, there are compulsions of the situation which

demand the reimposition of the President's rule in a State. That is why, on behalf of my party RSP, I rise to accord approval to this Statutory Resolution for the reimposition of the President's rule in the State of Uttar Pradesh.

It is very unfortunate that four consecutive elections are held within five years in the State of Uttar Pradesh. This time also we see the by now usual complex mandate of the people in the State. There is no clear verdict of the people for any party or for any political combination to get a majority. The result is the hung Assembly without any party or any political combination getting the majority to form the Government.

Let us see the election results. The BJP and Samata Party combination has got only 32.7 per cent votes. The United Front and their allies have got only 29.4 per cent of the votes and the BSP and Congress combination has got only 27.9 per cent of votes. It is a tragedy that not a single party, not a single combination has got the majority to form the Government, nor was there any mutual understanding among any two of the three political combinations to form a Government there. Rather, the mutual apathy and the hostility of the leaders as expressed in the State politics of Uttar Pradesh has aggravated the political situation in the State. This was the compulsion of the situation, this was the political crisis which led the Governor of Uttar Pradesh to send the recommendations for the reimposition of the President's rule in the State.

It is painful to mention that there was a stage of uncertainty and that stage of uncertainty led the Governor to send the recommendations for the reimposition of the President's rule in the State and at the same time to keep the Uttar Pradesh Assembly in suspended animation. It is a fact that the BJP, as the single largest party, was not invited to form the Government. According to Dr. Joshi and some other BJP friends, this was a complete departure from the Constitution. Perhaps it is their view. They also said that this was a breach of conventions in our Indian Constitution.

Sir, I beg to mention that the late Rajiv Gandhi, as the Leader of the single largest party, was invited to form the Government at the Centre but he did not accept the invitation, as the Leader of the single largest party, to form the Government. It is also a fact that Shri Atal Bihari Vajpayee, as the Leader of the single largest party, was also invited to form the Government at the Centre in the year 1996, just a few months ago. But there are references on the other side also. In the year 1971, Shri Jyoti Basu, as the Leader of the single largest party in the West Bengal Assembly and as the Leader of the Front, was not invited to form the Government in West Bengal. There are innumerable occurrences.

15.56 hrs.

(Mr. Speaker in the Chair)

But only this recommendation for the reimposition of the President's rule in a State cannot be described

as a complete departure from the Constitution. Only this cannot be recorded as the beginning - as Dr. Joshi has mentioned in this House - to pave the way for the rise of Fascism. It is my conclusion that the demolition of the Babri mosque was the beginning to pave the way for the rise of Fascism in India. But I do not want to criticise the BJP in that fashion. I want to stand by my arguments constitutionally. I can show innumerable references.

Sir, Dr. Joshi, my BJP friends and others have referred to the recommendations of the Sarkaria Commission. I have the document in my hand and with your kind permission I can quote from the Sarkaria Commission recommendations. The Governor of Uttar Pradesh has sent the recommendation for the reimposition of the President's rule in the State of Uttar Pradesh only on the consideration of 'the breakdown of the Constitutional machinery' and here is the recommendation from the Sarkaria Commission on page 171 at para 4 under the heading 'failure of constitutional machinery'. With your permission, I quote :

"The failure of constitutional machinery may occur in a number of ways. Factors which contribute to such a situation are diverse and imponderable. It is therefore difficult to give an exhaustive catalogue of all such situations which will fall within the sweep of the phrase, 'the Government of the State cannot be carried on in accordance with the provisions of the Constitution'. Even so, some instances of what does and what does not constitute a constitutional failure within the contemplation of this Article may be grouped and discussed under the following heads".

And the first is 'political crisis'. It is in para 6.4.02 and I quote again from the Sarkaria Commission's Report :

"A constitutional breakdown may be the outcome of a political crisis or deadlock."

This is the position where the recommendation has been made for the reimposition of the President's rule in the State of Uttar Pradesh.

"After a general election, if no party or coalition of parties or group is able to secure an absolute majority in the Legislative Assembly and despite exploration of all possible alternatives by the Governor, a situation emerges in which there is complete demonstrated inability to form a Government commanding confidence of the Legislative Assembly."

This is the para, which I have quoted from the Sarkaria Commission's Report, which led the Governor of Uttar Pradesh to send the recommendation for the reimposition of the President's rule in the State of Uttar Pradesh.

16.00 hrs.

SHRI RAM NAIK (Mumbai North) : Sir, at four o'clock we have to take up the discussion under Rule 193 on foreign policy.

MR. SPEAKER : One more minute is left for four o'clock.

SHRI RAM NAIK : What is your decision?

MR. SPEAKER : I have to sense the mood of the House. Shri Mukherjee, please sit down. At four o'clock we have to take up the discussion under Rule 193 on foreign policy. The hon. Minister has also come. For UP Resolution, only four hours time was allotted. Already we have taken four hours and fifteen minutes. Ten more hon. Members are yet to speak on this subject. Now, what is to be done?

[Translation]

SHRI PARASRAM BHARDWAJ : Mr. Speaker, Sir, Samajwadi Party has not got an opportunity.

[English]

SHRI JASWANT SINGH (Chittorgarh) : Sir, the discussion under Rule 193 is listed in the List of Business. It is stated that the discussion is "to be taken up at 4 P.M. or as soon as the preceding items of Business are disposed of, whichever is earlier". By convention or by application of rules, I do not think we have any other option but to start the discussion under Rule 193. Of course, you can alter that.

MR. SPEAKER : The House can alter that and not me.

SHRI JASWANT SINGH : Sir, I would like to submit that the discussion on UP Resolution can be taken up later as ten more hon. Members are yet to speak. They will speak before the hon. Minister gives his reply. Time could be fixed for the conclusion of the discussion on UP Resolution. And then we can commence with what is listed in the List of Business.

SHRI SONTOSH MOHAN DEV (Silchar) : Sir, it is for the Government to decide. The Government feels that it should be passed today.

MR. SPEAKER : Your name is also there in the list on ten hon. Members.

SHRI SANTOSH MOHAN DEV : From our Party there are three Members. We can take out two Members and only I will speak. If they want my support, I have to speak. We have always cooperated with you. From this side they were ready to reduce the number of speakers. If you extend the discussion on UP Resolution upto five o'clock, we can finish it and then we can take up the discussion under Rule 193 which can spill over to tomorrow.

SHRI JASWANT SINGH : It is not fair to the subject of foreign policy. After years, we are having a substantial the discussion on foreign policy. If you

want to start it at five o'clock, then it really reduces the importance of the subject.

MR. SPEAKER : I do not think one hour is too much.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM (SHRI SRIKANTA JENA) : Sir, I think the suggestion given by Shri Santosh Mohan Dev is correct. We can finish the discussion on UP Resolution by giving another thirty minutes or forty-five minutes. And then, at five o'clock, we can take up the the discussion under Rule 193.

[Translation]

SHRI JASWANT SINGH (Chittorgarh) : You say something to me and other thing in the House.

[English]

SHRI SRIKANTA JENA : I am just requesting Shri Jaswant Singh to kindly accept this. Otherwise, both the discussions will spill over to tomorrow. So far as the number of speakers are concerned, I think the BJP has exhausted all its Members.

[Translation]

SHRI BHAGWAN SHANKAR RAWAT (Agra) : Mr. Speaker, Sir, the Legislative Assembly in U.P. has not been allowed to into being. Now would you not allow the members of Parliament from U.P. to speak in this House also? Most of the member of Parliament from U.P. are in BJP.

[English]

SHRI RUPCHAND PAL (Hooghly) : In BAC it was decided that the discussion on foreign policy was not scheduled for today. This is the situation. It was decided that the discussion on UP would be over today and tomorrow delimitation and other things will come. In the meantime we have lost one day.

Sir, my suggestion is that we should finish the discussion on UP today because many MPs have assembled here today to speak on the UP debate and also to participate in the voting. So, my plea is that the UP debate should be finished today...*(Interruptions)*

DR. MURLI MANOHAR JOSHI : Sir, UP cannot be finished and it will never be finished!...*(Interruptions)* It will remain on the map of India; and nobody can finish it!...*(Interruptions)* But the discussion can be taken up and continued tomorrow...*(Interruptions)* It is a very important issue...*(Interruptions)*

[Translation]

SHRI SRIKANTA JENA : He is speaking about U.P. resolution...*(Interruptions)*

[English]

DR. MURLI MANOHAR JOSHI : I would fervently appeal that a large number of speakers should be

allowed to have their say. My hon. friend Shri Anis is to speak who would make a very valuable contribution. There are many other hon. Members also to speak on this. Shri Sontosh Mohan Dev is also to speak, provided they want his support! Therefore, the best thing is that we should carry on with the UP discussion tomorrow...*(Interruptions)*

SHRI SRIKANTA JENA : Let one hon. Member each from the Congress Party and the BJP participate in the discussion and then the hon. Home Minister can reply so that we finish it today...*(Interruptions)*

MR. SPEAKER : In the list, we have only one more speaker from the JD.

SHRI SRIKANTA JENA : Only the Home Minister will speak and nobody else would speak. From the Congress Party, let Shri Sontosh Mohan Dev speak.

MR. SPEAKER : Let us be practical.

[Translation]

DR. SATYA NARAYAN JATIYA (Ujjain) : They one let off even when they commit a murder but our petty offence becomes the talk of the town. You must give us opportunity to express ourselves.

[English]

MR. SPEAKER : I do not need that much help from you!

I have the names of ten more speakers on the list out of which only one is from JD. If JD surrenders that, we would still be left with nine names on the list. Even if they stick to five minutes each, that would mean a total of 45 minutes. A number of issues have been raised by various hon. Members on the floor of the House and if at least 50 per cent of them are to be replied by the Home Minister, I do not know much time he would take.

If you have to postpone the discussion under Rule 193, you will have to postpone it for tomorrow. You would not be able to take it up today. So, if you are telling me that they would take only five minutes each, you are not convincing me. If you say that we can start the discussion under Rule 193 at around 5 o'clock, you are not convincing me. I am not convinced that it could be finished by 5 o'clock.

(Interruptions)

MR. SPEAKER : I am sorry. The discussion under Rule 193 which has been listed for today cannot be postponed. Otherwise, that would be a bad precedent.

(Interruptions)

SHRI SRIKANTA JENA : The hon. Home Minister would take only ten minutes.

MR. SPEAKER : Are you speaking on his behalf? I would like to hear from him.

(Interruptions)

MR. SPEAKER : I am talking about the hon. Home Minister.

(Interruptions)

MR. SPEAKER : How much time would the hon. Home Minister take if he has to do justice to the points raised by the hon. Members?

Mr. Jena, you cannot say that the hon. Home Minister would speak for only ten minutes. That means, you can as well say that the hon. Home Minister would not speak at all. But that is not going to satisfy the House...*(Interruptions)*

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA) : Sir, I can do that also!

MR. SPEAKER : We can continue the discussion on the UP debate tomorrow. Now, we will start the discussion under Rule 193 regarding India's foreign policy.

(Interruptions)

MR. SPEAKER : Shri Mukherjee, you will take the floor tomorrow only for two minutes on U.P. debate.

(Interruptions)

16.10 hrs.

DISCUSSION UNDER RULE 193

India's Foreign Policy

[English]

MR. SPEAKER : We will now take up Discussion under Rule 193 regarding India's Foreign Policy. Shri Chandumajra is not present. Shrimati Geeta Mukherjee may start the discussion.

SHRIMATI GEETA MUKHERJEE (Panskura) : Hon. Speaker Sir, on the whole, India's Foreign Policy is now proceeding successfully though there are some points on which this Government will have to remain vigilant. The Minister of External Affairs is a very efficient Minister and under his leadership, the Policy is being followed. I will illustrate some areas of it and give my reaction on them.

First of all, let us take India's consistent stand not to sign the Comprehensive Test Ban Treaty. On this, there were pressures from many quarters that we should sign it but India did not bow down to the apprehension that this would isolate us from the international community and those pressures did not deflect it from its principal position. This is one of the points of our Foreign Policy on which we should go on as we are doing now.

Secondly, the recent voting in the Security Council is being talked about a lot. Some are saying that we should not have contested. It may be so. I do not know