

LOK SABHA DEBATES

LOK SABHA

Thursday, November 20, 1997/Kartika 29, 1919 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

OBITUARY REFERENCE

MR. SPEAKER : Hon. Members, I have to inform the House of the sad demise of one of our former colleagues, Shri M. Kamalanathan.

Shri M. Kamalanathan was a Member of Fourth Lok Sabha representing Krishnagiri Parliamentary Constituency of erstwhile Madras State during 1967-70.

Earlier, he was a Member of erstwhile Madras Legislative Assembly during 1962-67. He was elected to Rajya Sabha in August, 1971 and re-elected in April, 1972.

An able parliamentarian, Shri Kamalanathan was Member of Estimates Committee during 1969-70 and Committee on Public Undertakings in 1972.

An agriculturist by profession, Shri Kamalanathan was an active social & political worker. He served his State in different capacities with distinction.

Shri Kamalanathan passed away on 17 August, 1997 at Chennai at the age of 66 years.

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 stand in silence for a short while as a mark of respect to the deceased.

11.03 hrs.

The Members then stood in silence for a short while.

11.05 hrs.

WELCOME TO PARLIAMENTARY DELEGATION FROM THE UNITED KINGDOM

MR. SPEAKER: Hon. Members, at the outset, I have to make an announcement.

On my own behalf and on behalf of the hon. Members of the House, I have great pleasure in welcoming Mr. Kaith Uaz, MP and other Members of the Parliamentary Delegation from United Kingdom who are on a visit to India as our honoured guests.

The other hon. Member of the Delegation are :

1. Dr. Roger Berry, MP
2. Mr. Harry Cohen, MP
3. Mr. Michael Colvin, MP
4. Dr. Ashok Kumar, MP
5. Mr. Piara Khabra, MP
6. Mr. Peter Luff, MP
7. Mr. Andrew Rowe, MP
8. Mr. Malcolm Wicks, MP

The Delegation arrived Delhi on 16 November, 1997. They are now seated in the special box. We wish them a happy and fruitful stay in our country. Through them we convey our greetings and best wishes to Her Majesty the Queen, the Parliament and the friendly people of the United Kingdom.

11.10 hrs.

RE : SUSPENSION OF QUESTION HOUR OVER THE ISSUE OF LAYING OF INTERIM REPORT OF JUSTICE JAIN COMMISSION

[Translation]

SHRI SHARAD PAWAR (Baramati) : Mr. Speaker, Sir, I have given a notice under Rule 388 and have demanded suspension of Question Hour under Rule 32. I request you that item number 3 and 4 should also be suspended for today. The proceedings of the House should be started with item number 5 under which the report of the Jain Commission is to be presented here by the Minister of Home Affairs. This is our demand. Several news items have appeared in various newspapers about it, which have created a different sort of atmosphere.

In the news items published on this report, charges have been levelled against several persons and people want to know the reality. We cannot say anything or take any action unless we get a copy of the report. It will be better if proceedings of the House begin with this item and the present order shown in the list of Business for the day is changed.

Mr. Speaker, Sir, I would like to say that earlier in this House an assurance was given that Question Hour will not be suspended but it is an extra-ordinary situation and thus require an extra ordinary decision. I request you to take this extra ordinary decision in this peculiar situation.

[English]

KUMARI MAMATA BANERJEE (Calcutta South) : Mr. Speaker, Sir, please suspend the Question Hour so that the report of the Jain Commission can be placed on the Table(Interruptions)

SHRI P. R. DASMUNSI (Howrah) : Mr. Speaker, Sir, nothing else should take priority over placing of the Jain Commission's Report on the Table. It should get the highest priority of the day. Placing of the report of the Jain Commission should get the highest priority over any other business of the House. That is why, our leader has urged upon you. It should take precedence over any other business of the House. That should be the main business of day.

Therefore, Mr. Speaker, Sir, I feel that this item should get the highest priority today in the Lok Sabha over the Question Hour. Therefore, our leader has conveyed it to you and you may kindly take it up, Sir. (Interruptions)

KUMARI MAMATA BANERJEE : Sir, we want suspension of the Question Hour so that the House can take up the item about Jain Commission's report.(Interruptions)

SHRI MRUTYUNJAYA NAYAK (Phulbani): Sir, the Jain Commission has not indicted any individual. It has indicted some colleagues in the UF Government. The Government has no right to have them. We want a decision. It has its own intensity. This is not an ordinary situation; this is a serious situation where some Ministers are indicted.(Interruptions)

SHRI P. R. DASMUNSI : The matter is not only important in the light of the reported leakage. The entire country has expressed concern about the priority. The House also must show its concern about its priority and the Question Hour should be suspended.(Interruptions)

MR. SPEAKER : You are not allowing me to reply to your leader.

...(Interruptions)

[Translation]

SHRI ILIYAS AZMI (Shahabad) : Who has created this situation and encouraged terrorism....(Interruptions)

[English]

MR. SPEAKER : Shri Azmi, the Leader of the Opposition is on his legs.

.....(Interruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Mr. Speaker Sir, this is the first day of the Winter Session which has been convened after the Special Session. As

Sharad Pawar ji has also mentioned, certain decisions were taken in the Special Session. But he wants that in view of the peculiar situation today's case should be treated as an exception. Question Hour should be suspended for today and proceedings of the House should start with the debate on Jain Commission Report.

I feel that it will be treated as an exception and it will not become a rule or routine matter. We do not oppose it. You can accept their request to suspend Question Hour and give a ruling so that proceeding of the House could be continued ... (Interruptions).

[English]

SHRI SOMANATH CHATTERJEE (Bolgpur): Mr. Speaker Sir, the Report is to be placed after 45 minutes and the hon. Leader of Opposition's condescension today so far as the Congress Party is concerned is very significant.

KUMARI MAMATA BANERJEE : Why are you opposing?.....(Interruptions)

MR. SPEAKER : Why are you interrupting like that? Have some patience.

....(Interruptions)

KUMARI MAMATA BANERJEE: You are not our boss. How can you say like that? You are a party to it (Interruptions)

SHRI SOMNATH CHATTERJEE : Mr. Speaker Sir, I can understand the eagerness and anxiety of the Leader of Opposition who is still daydreaming. But I do not understand the eagerness of the friends on my right(Interruptions)

SHRI P.R. DASMUNSI: Sir, what is he talking? Eagerness is not concerned with any party. Shri Rajiv Gandhi was the Leader of the House and he was also our Prime Minister. What is he talking? He must be respectful to other colleagues(Interruptions)

MR. SPEAKER : It is enough. Leave it to me, Shri Panigrahi.

....(Interruptions)

MR. SPEAKER : Do not waste the time. If you do like that, what you are wanting will be delayed.

...(Interruptions)

SHRI AJIT KUMAR PANJA (Calcutta North-East) : After the death of our great leader on 21st May, 1981, his party called a *bandh* in West Bengal. And now he is speaking against it(Interruptions).... It was a conspiracy. He was a party to it. Now he is shouting against it... (Interruptions).

MR. SPEAKER : You may only say whether Question Hour should be suspended or not.

SHRI SOMNATH CHATTERJEE : I have not able to complete three sentences...*(Interruptions)*...The trouble today is that Leader has no follower. Their Leader has no follower.

KUMARI MAMATA BANERJEE : Who said so ? Who are you to say all these things? Do not interfere in our matters. You watch your Party first as to what your Party is doing in West Bengal...*(Interruptions)*

MR. SPEAKER : Let him finish.

SHRI SOMNATH CHATTERJEE : By this time, only 40 minutes are left. The Minister of Home Affairs is not here now. He will be coming here. Without knowing what the Report is, how can we start a discussion on it ? Therefore, let the Question Hour continue. It only express the designs of the Congress Party and the BJP...*(Interruptions)*

MR. SPEAKER : You have made your point.

.....*(Interruptions)*

[Translation]

SHRI SHARAD YADAV (Madhepura) : Mr. Speaker, Sir, I associate myself with the feelings of our friends from the Congress Party. Rajiv Gandhi was not only Leader of his party but also the Prime Minister of this country. We are also as much concerned as they are ...*(Interruptions)*

SHRI MRUTYUNJAYA NAYAK (Phulbani) : Then why you have not dropped the concerned Ministers.? If you have any guts then why have you not done this*(Interruptions)*

[English]

MR. SPEAKER : Do not interrupt like that.

[Translation]

SHRI SHARAD YADAV : Mr. Speaker, Sir, through you I would like to request the hon. Member from the Congress Party and Shri Atal Bihar Vajpayee that very recently we had convened the Special Session. Therefore, we cannot change the system in such a short time. The report will certainly be laid after half an hour as per the government's schedule ...*(Interruptions)*

I can speak louder than you*(Interruptions)*

SHRI MRUTYUNJAYA NAYAK : Not that louder*(Interruptions)*

SHRI SHARAD YADAV : What you are saying is not correct and you are not listening to others. It is not fair*(Interruptions)*...I can also raise my voice...*(Interruptions)*

SHRI MRUTYUNJAYA NAYAK : Firstly the report will have to be presented here and subsequently discussion will take place*(Interruptions)*

[English]

MR. SPEAKER : Please come on. Why are you provoking like that?

.....*(Interruptions)*

MR. SPEAKER : Have some patience. You do not have to speak to him..

.....*(Interruptions)*

MR. SPEAKER : Please address me. Kumari Mamata Banerjee, please sit down.

[Translation]

SHRI SHARAD YADAV : I would like to make a submission, not to you, to hon. Atal Bihari Vajpayee that business of the House should be taken up as per the earlier decision. The whole schedule will be disturbed if question Hour is delayed for 15 or 20 minutes. I agree that a fulfilled debate should be held on it so that grains can be separated from the chaff and the guilty persons ...*(Interruptions)*.. Mr. Speaker, Sir, the guilty persons could be identified after holding the debate....I do not consider it proper to suspend the Question Hour. I would like to make an appeal to Shri Atal Bihari Vajpayee that heaven would not fall if discussion on this report is taken up half an hour after the Question Hour...*(Interruptions)*

[English]

MR. SPEAKER : Thank You. I think, it is enough. May I appeal to you?

.....*(Interruptions)*

SHRI P.R. DASMUNSI : Mr. Speaker, Sir, it is not a question of 20 minutes or 30 minutes. It is a question of priority and the significance of the matter for the country. The House must consider the priority of the issue. The agenda is fixed on a priority basis. ...*(Interruptions)*

MR. SPEAKER : It is enough.

SHRI P. R. DASMUNSI : Till date, the Government has not denied any of the things reported in the media. Therefore, it is a priority issue . Our Leader is very right that the first issue is the Report of the Jain Commission.*(Interruptions)*

MR. SPEAKER : Now, Shri Srikanta Jena.

...*(Interruptions)*

MR. SPEAKER : Please sit down. Now, listen to the Government.

THE MINISTER OF TOURISM AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SRIKANTA JENA): Sir, I will only remind the Leader of the Congress Party in the Lok Sabha, Shri Sharad Pawar, who was in your chamber just before the Session started, when you called an all-party meeting, and when it was decided(Interruptions)

SHRI AJIT KUMAR PANJA: We were not party to it.(Interruptions) why do you require time? There was enough time to manipulate. How much more time do you want?

SHRI SRIKANTA JENA : Who is an expert in manipulation ?

SHRI AJIT KUMAR PANJA: No manipulation any more be done. You have to table it right now.

SHRI SRIKANTA JENA : The Government attaches the topmost priority to the Report of the Jain Commission.(Interruptions)

SHRI MRUTYUNJAYANAYAK: No. What action have the Government taken? They are not serious(Interruptions)

MR. SPEAKER : I think, you have made your point.

....(Interruptions)

SHRI P.R. DASMUNSI: The Government was sincere to ask Shri Laloo Prasad Yadav to step down on his indictment.(Interruptions)

SHRI MRUTYUNJAYA NAYAK: The Government is silent. Let them step down(Interruptions)

MR. SPEAKER: Now, we have had enough on this.

SHRI MRUTYUNJAYA NAYAK: Such double standard should not be adopted here in the House....(Interruptions)

SHRI SRIKANTA JENA: Sir, the Government will be guided by your decision. The Government is ready with the Report and the Government is also ready with the Action Taken Report....(Interruptions)

SHRI MRUTYUNJAYA NAYAK : What action have you taken about the DMK Ministers? (Interruptions)

MR. SPEAKER: I think, that is enough.

....(Interruptions)

SHRI SRIKANTA JENA : Sir, I must bring it on record of the House that it was decided in the All Party Meeting that the Report would be placed on the Table of the House on the 20th(Interruptions)

SHRI MRUTYUNJAYA NAYAK: You suspend these Ministers(Interruptions)

SHRI SRIKANTA JENA: Sir, I would like to bring to your notice that it was decided that after submission of the Report there will be a discussion on this and the Government is ready for a discussion(Interruptions)

SHRI MRUTYUNJAYA NAYAK: No, the Government is not ready(Interruptions)

MR. SPEAKER: Now let us hear the last submission in this regard to be made by Shri Jaswant Singh. Please listen.

.....(Interruptions)

SHRI JASWANT SINGH (Chittorgarh): The question of suspension of the Question Hour is governed by a rule and that has already been cited by the Leader of the Opposition. The problem seems to be between the Government and the supporter of the Government. Therefore, I think, it is quite justified that when the quarrel is between the Government and the supporters of the Government, you decide the issue.(Interruptions)

MR. SPEAKER : That is enough.

SHRI SRIKANTA JENA : Sir, a decision regarding this was taken under your chairmanship and we are guided by that only(Interruptions)

MR. SPEAKER: It is okay.

.....(Interruptions)

SHRI MRUTYUNJAYA NAYAK (Phulbani): Have the Government taken any decision so far? They are still there sitting with them.....(Interruptions)

MR. SPEAKER: Shri Nayak, I think, that is enough.

.....(Interruptions)

KUMARI MAMATA BANERJEE: Who is responsible for the disclosure of the Report ?.....(Interruptions)

SHRI P.R. DASMUNSI : You had taken only 24 hours to remove Shri Laloo Prasad Yadav but now you cannot ask your colleagues to go. What is this?..... (Interruptions)

MR. SPEAKER: Shri Dasmunsi, would you now allow me? Please have patience. It is good to learn things.

Now, I have received a notice for suspension of Question Hour which has been given by Shri Sharad Pawar. No reason has been given as to why the Question Hour should be suspended.

.....(Interruptions)

SHRI MRUTYUNJAYA NAYAK : Sir, we have explained the reason(Interruptions)

MR. SPEAKER : Please listen to me. Do not interrupt like that. I am telling the House as the facts are before me. The Notice says:

"Sir, I wish to give notice under rule 388 to suspend rule 32 for suspension of the Question Hour today."

SHRI MRUTYUNJAYA NAYAK : Sir, he has explained the reasons here.(Interruptions)

MR. SPEAKER : This is a one sentence notice for suspension of the Question Hour that I have received. Now, let us read what rule 388 says about suspension. It says:

"Any Member may with the consent of the Speaker move that any rule may be suspended in its application to a particular motion before the House....."

I underlined it.

".....may move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried the rule in question shall be suspended for the time being."

The Report of the Jain Commission is figuring in item number 5 of today's List of Business.

SHRI MRUTYUNJAYA NAYAK : But there are other items as well(Interruptions)

MR. SPEAKER : The Report of the Jain Commission is listed at number 5 in today's List of Business. Therefore, the Report of the Jain Commission is yet to be tabled in the House and the motion for discussion is yet to be moved. So, in the absence of the Report in the Table of the House and in the absence of any motion, rule 388 cannot be invoked. I have no powers. What can I do.

.....(Interruptions)

SHRI P.R. DASMUNSI : Mr. Speaker, Sir, he was demanding rearrangement of the Business(Interruptions)

SHRI SHARAD PAWAR : Sir, it is an extraordinary situation and our request was that the business for the day should be rearranged(Interruptions)

MR. SPEAKER : I cannot do that under rules.

SHRI P.R. DASMUNSI : Let us then have voting on it....(Interruptions) Mr. Speaker, in your observation you have said what Shri Sharad Pawar has stated, that is in the rearrangement of the business the Jain Commission's Report should come first and the rest of the business should follow it. That was his plea....(Interruptions) The topmost priority should be given to the Jain Commission's Report and it should be laid on the Table of the House first.

The Report should be tabled first and then the other business should follow. That was his plea and it is on record....(Interruptions)

SHRI BASU DEB ACHARIA (Bankura) : Sir, can your ruling be challenged ?

SHRI P.R. DASMUNSI (Howrah) : We are not challenging your ruling. We are only explaining our position.

MR. SPEAKER : I will explain it.

.....(Interruptions)

MR. SPEAKER : I do not think they are challenging the ruling.

SHRI P.R. DASMUNSI : I am not challenging it(Interruptions) The whole nation know about their Parliamentary ethics in the House.

MR. SPEAKER : Rule 388 says that any rule, in this case Rule 32, can be suspended if the House is unanimous on it but it can be suspended for taking up a discussion on the Motion before the House.

There is no Motion before the House. What can I do ?

.....(Interruptions)

MR. SPEAKER : The question does not arise. What can do ?

.....(Interruptions)

MR. SPEAKER : I appreciate your sentiments but this is beyond me, beyond the powers of the Speaker.

SHRI AJIT KUMAR PANJA : What Motion do you want?

SHRI A. C. JOS (Idukki) : Sir, your explanation regarding the rule may be right or may not be right. The point is, this is a situation where discretion of the Speaker has to be exercised. There are Precedents when Question-Hour got suspended for many reasons. Here is a situation where in a very important matter of national importance, which is being discussed throughout the nation, has been raised. If such an important issue which is being discussed throughout the nation has been raised by the Leader of a major party it is not the rules that should be binding on you. With due respect I may submit that it is not a question of rule, it is a question of discretion. Discretion is to be used in such a case.

MR. SPEAKER : Let us listen to Shri Pilot.

SHRI A. C. JOS : It is not a question of rule. The discretion has to be exercised.

✓ MR. SPEAKER: I will look into it. Frankly speaking, I do not have before me the precedents. I will go through the records and look into it.

SHRI A. C. JOS : In the history of Parliament, a number of times, we have seen the Question Hour being suspended for issues like this. So, I urge you to excise your discretion.

SHRI RAJESH PILOT (Dausa): There have been incidents in the past when such a situation had arisen in the House. You yourself and the other hon. Speakers in the past had taken a decision to take the sense of the House. It is an extraordinary situation. I agree with you that the Motion is not in front of you but you can always give priority to a Motion which is already listed in the Agenda. Sensing the mood of the House, you are within your right to take a decision. I think this is a very complex situation. You can take the opinion of the House. A number of times you have said that you are with the House and that the House is supreme. Today, do not make the rules supreme.

SHRI A. C. JOS : In this case the Opposition Leader also will have no objection in taking a decision in favour of the Leader of the Congress Party. The majority of the House is of the unanimous opinion that the Question Hour should be suspended. So, you go by the majority of the House and take a decision.

SHRI P.R. DASMUNSI : With your permission may I submit before you for a minute? My submission is related to your consent for a discussion. Shri Rajiv Gandhi was the Leader of the House. After the assassination of Shri Rajiv Gandhi, the Government appointed one Commission and then later on appointed another Commission.

In this House, several times in the past, you allowed Members to raise the issue of progress of the inquiry of the Commission and its findings. We are all grateful to you for that. Now, do you not think, Mr. Speaker, Sir, when after six years, such a sensitive issue found some line and link and found the light of the day and that matter is before the House. It should get the top priority than any other item? That is my only appeal to you. Shri Rajiv Gandhi - forget the name - was the Leader of the House. His cruel assassination was discussed in the House and you allowed Members several time to ask questions on the progress of the inquiry. Is it not conscience of all the Members that this issue should get the top priority of the House than any other item? (Interruptions)

✓ MR. SPEAKER: Shri Dasmunsi, you are very right that ultimately the House is supreme and it can decide, whatever may be the rules, on such matters. But then, the Manual says that in such a situation the decision has to be unanimous. Shall I read the Manual?

"The Question Hour may be dispensed with, if the House agrees unanimously."

If the Government agrees to it, it becomes unanimous. They are not agreeing to it and, therefore, it is not unanimous. The main Opposition Party has agreed to it and the Congress is demanding for it but the Government is not agreeing to it.

THE MINISTER OF RAILWAYS (SHRI RAM VILAS PASWAN) : The Government has no objection for it. (Interruptions)

✓ MR. SPEAKER: Is it the pleasure of the House that the Question Hour be suspended?

SEVERAL HON. MEMBERS : Yes.

✓ MR. SPEAKER : Thus Motion is carried. The Question Hour stands suspended.

WRITTEN ANSWERS TO QUESTIONS

11.35½

[English]

Funds for Rural Roads

*21. SHRI CHHITUBHAI GAMIT : Will the Minister of RURAL AREAS AND EMPLOYMENT be pleased to state:

(a) the extent of funds made available for the development of roads in rural and tribal areas during each of the last three years and in the current year and the number of villages connected by link roads so far, State-wise;

(b) whether funds so allocated are reported to have been found inadequate for the development of rural roads;

(c) whether requests from certain State Governments have been received to increase the availability of funds on this account; and

(d) if so, the details thereof and the reaction of the Union Government to each of the requests ?

THE MINISTER OF RURAL AREAS AND EMPLOYMENT (SHRI KINJARAPPU YERRANNAIDU) : (a) The extent of funds made available for development of roads in rural and tribal areas during each of the last three years is given in Statement-I. Quantum of funds for rural road development for the current year is not known as yet as the financial year is not over. State-wise information on the number of villages connected so far by link roads is given in Statement-II. Construction of roads including roads in rural and tribal areas is part of state Plans and necessary funds are earmarked for the purpose. Moreover, Additional Central Assistance is provided by the Planning Commission under the Basic Minimum Services Programme. The States have been given flexibility to earmark their own *interse* allocations among the 7 Basic