

15.03 hrs.

**JOINT COMMITTEE ON THE CONSTITUTION
(EIGHTY-FIRST AMENDMENT) BILL**

Report

[English]

SHRIMATI GEETA MUKHERJEE (Panskura) : Sir, I beg to present the Report (Hindi and English versions) of the Joint Committee on the Constitution (Eighty-first Amendment) Bill, 1996...*(Interruptions)*

SHRI BASU DEB ACHARIA (Bankura) : Sir we want that this Bill be passed within this week...*(Interruptions)* We have already discussed it.

[Translation]

SHRIMATI SUSHMA SWARAJ (South Delhi) : Mr. Speaker, Sir, now this report has been presented in the House. Therefore, I would like to submit that you should issue directions to get it passed...*(Interruptions)* You had earlier asked the Select Committee to submit the report and now it has submitted the report...*(Interruptions)*

SHRI RAM NAIK (Mumbai North) : Mr. Speaker, Sir, the evidence has not been laid. Therefore, you should ask the Select Committee to lay the evidence also...*(Interruptions)*

[English]

SHRI BASU DEB ACHARIA : Let the Bill be passed without discussion...*(Interruptions)*

[Translation]

VAIDYA DAU DAYAL JOSHI (Kota) : Mr. Speaker, Sir, you should make arrangements to get this Bill passed today itself...*(Interruptions)*

MR. SPEAKER : Now, item No. 10.

(Interruptions)

MR. SPEAKER : She has to read out the second part of it.

15.04½ hrs.

**JOINT COMMITTEE ON THE CONSTITUTION
(EIGHTY-FIRST AMENDMENT) BILL**

Evidence

[English]

SHRIMATI GEETA MUKHERJEE (Panskura) : Sir, I beg to lay on the Table the record of evidence tendered before the Joint Committee on the Constitution (Eighty-first Amendment) Bill, 1996.

Sir, I also join all my friends in demanding that the Bill be passed without delay. This is the last recommendation of the Committee. Today is the Fiftieth

Anniversary of the first sitting of the Constituent Assembly. This is one of the subjects which we could take up in honour of this occasion...*(Interruptions)*

SHRI SONTOSH MOHAN DEV (Silchar) : Sir, we would support it but we want a discussion on it...*(Interruptions)*

[Translation]

SHRIMATI SUSHMA SWARAJ (South Delhi) : Please get it passed in this very session...*(Interruptions)*

[English]

KUMARI MAMATA BANERJEE (Calcutta South) : Yes, Sir, we want a discussion...*(Interruptions)*

MR. SPEAKER : In the last meeting of the Business Advisory Committee it was discussed and taken note of that the Joint Committee would submit its Report on the 9th of December; and then it was felt that the Members would require some time to go through the Report and so, the Bill could be taken up for discussion after two days. It is because two days would be required for the Members to go through the Report. There is no problem in this. That is what has been decided by the BAC.

[English]

SHRI JASWANT SINGH (Chittorgarh) : Mr. Speaker, Sir, we had, earlier this morning, the honour and the great privilege of participating in a function to observe the 50th anniversary of the first sitting of the Constituent Assembly. I take this opportunity to revert to a subject that I had raised in this House just the other day. I raise it specifically in the context of our soldiers, sailors and airmen, particularly the ex-soldiers.

Sir, during the Operation of the 1971, a great many of them had been decorated for gallantry and valour. Then in 1981, to the best of my recollection, our late Prime Minister, Indira Gandhi had constituted a Committee for the welfare of ex-servicemen of which my friend - he does not appear to be present here now - Shri K.P. Singh Deo then as Minister of State for Defence, was the Chairman and I had the distinction of serving on it.

Sir, briefly I would appeal to the Government, to all the Members of this House as also to the Members of the other House to bear in mind three things.

First, a number of all those soldiers, sailors and airmen who got decorated for gallantry in 1971, of which we are observing the 25th anniversary today, have not received the benefits that had been promised to them by the respective State Governments.

This takes me to my second point. A point that has been referred to in that high level Committee - a soldier, sailor or airmen could well serve in the same unit but come from different States of the Union. You could have soldiers belonging to the same regiment and coming.

say for example, from the State of Haryana and another coming from the State of Rajasthan. The State Government of Haryana, as part of the Gallantry Award benefits, says that they would give, say, ten acres of land and a sum of Rs. 1,50,000/-. Now, the first part is not fulfilled. The second part is that somebody coming from the State of Rajasthan might receive only five acres of land and much less of money. This differential between one soldier and another becomes accentuated when they become ex-servicemen. So, my second appeal is that this differential between the benefits that is granted to the ex-servicemen from one State to another be levelised upwards.

My third request, which is also contained in that report, is that till such time as they are servicemen, their welfare is the responsibility of the Government of India.

The minute they become ex-servicemen, they become the responsibility of the respective State Government. I think we need to address ourselves to this question and at least in this 25th year of operation of 1971 - to the very significant military victory - we try and resolve what has been pending for a very long time. That is the only appeal that I have to make.

KUMARI MAMATA BANERJEE (Calcutta South) : We all support it.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : Let me make a submission, Sir, There is an ex-servicemen association. Very recently I had to write to the Minister of Civil Aviation that the Bar services from the airport, which is run by them, is getting closed one-by-one. At least nine persons in Calcutta have already been discharged from service. Let us, therefore, on this day try to give at least this much consideration that the ex-servicemen do not suffer from these kind of inabilities and these kind of policies. We certainly extend our support to what Shri Jaswant Singh has said.

KUMARI MAMATA BANERJEE : It is a very good proposal. We support it.

MR. SPEAKER : The Defence Minister is here. I am sure he has taken note of it.

Today we have only 17 names for the Zero Hour instead of 60 or 70 names that we generally have. So, everybody is going to get his chance. I will call one-by-one.

15.11 hrs.

RE : LODGEMENT OF KUM. J. JAYALALITHA,
FORMER CHIEF MINISTER OF TAMILNADU, IN
CENTRAL JAIL, CHENNAI

[English]

SHRI P.R. DASMUNSI (Howrah) : I am thankful to you for giving me this opportunity. I am drawing the

attention of the House to an incident which has been very widely reported in the newspapers yesterday, day before yesterday and even today. Ms. Jayalalitha, the former Chief Minister of Tamil Nadu has been arrested and is under the judicial custody. The Parliament is not competent to make any comment on the judicial wisdom of any judge of India and I am also not referring to the question of judicial pronouncement. What I am interested to tell the House is, there are cases in the State of Tamil Nadu. If I recollect, I have seen burning of the Constitution of India in the streets of Tamil Nadu, defying the very concept of unity of India. I do not know the fate of these cases.

15.13 hrs.

(Shri P.C. Chacko, in the Chair)

I may recall, after the assassination of Shri Rajiv Gandhi, if there was anybody on the soil of Tamil Nadu who fought for the defence and unity of the country, it was Ms. Jayalalitha. As a result of this 'Z' category security was provided to her. I only wish to submit that the Government must assure the nation that in custody, her security shall be taken care of. While in custody she will be free from interference of any kind of terrorist element supported by LTTE.

I cannot forget Ms. Jayalalitha's contribution for the country in the field of sports, in terms of SAF games or in respect of building of Nehru Stadium. We are all against corruption. Corruption should be rooted out, if it is proved. Just now we were talking about the women's Reservation Bill. But you may see the manner in which a lady was harassed by calling the camera crew and others in just to show how the persecution can take place. It is very shameful. Cases can be tried in a court. That is a different thing... (Interruptions).

SHRI P.R. DASMUNSI : Ms. Jayalalitha therefore, requires total security inside the custody. I demand that... (Interruptions)

MR. CHAIRMAN : Please take your seat.

SHRI P.R. DASMUNSI : I demand that without any discrimination total security may be provided to her while she is in custody.

Mr. Chairman, Sir, I may also submit that Ms. Jayalalitha is not merely a lady... (Interruptions) in the given context of India's unity, I, therefore, demand... (Interruptions)

MR. CHAIRMAN : Will you please sit down? Will you please take your seat?

SHRI P.R. DASMUNSI : I may mention here, Sir, that the State in which she has been taken into custody is still infested with a number of terrorists from LTTE. I doubt whether her life is secure there or not. Therefore, it is the duty of the Prime Minister and the Home Minister of India to see that so long as she is in custody total security is provided to her. She may also be provided total security from 21st December onwards, when she