

Fourteenth Loksabha

**Session : 4**

**Date : 01-03-2005**

**Participants :** [Advani Shri Lal Krishna](#), [Mukherjee Shri Pranab](#), [Singh Shri Mohan](#), [Rawat Prof. Rasa Singh](#), [Malhotra Prof. Vijay Kumar](#), [Chouhan Shri Shivraj Singh](#)

LOK SABHA DEBATES

LOK SABHA

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Tuesday, March 1, 2005/Phalgun 10, 1926 (Saka)

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The Lok Sabha met at Eleven of the Clock

(MR. SPEAKER in the Chair)

Title: Notice of Adjournment Motion regarding dismissal of the duly elected Government of Goa by the Governor of the State.

... (व्यवधान)

प्रो. विजय कुमार मल्होत्रा (दक्षिण दिल्ली) : अध्यक्ष महोदय, मैंने आपसे रिक्वेस्ट की थी कि प्रश्न-काल सस्पेंड कर दिया जाए और जो एडजर्नमेंट मोशन श्री आडवाणी जी ने मूव किया है, उसके बारे में चर्चा की जाए।... (व्यवधान)

MR. SPEAKER : I have received the notice for Adjournment Motion from the hon. Leader of the Opposition. I will hear him after the Question Hour.

... (Interruptions)

प्रो. विजय कुमार मल्होत्रा : प्रश्न-काल का सवाल ही नहीं है।... (व्यवधान)

Sir, I have already given a notice for suspension of Question Hour. ... (Interruptions)

MR. SPEAKER : Okay. I am prepared to hear him on the admissibility of the Adjournment Motion.

... (व्यवधान)

अध्यक्ष महोदय : श्री आडवाणी जी, आप बोलिए।

श्री लाल कृष्ण आडवाणी (गांधीनगर) : अध्यक्ष जी, आपने मुझे एडजर्नमेंट मोशन की एडमिसिबिलिटी के बारे में बोलने के लिए कहा है, लेकिन मैं इस बात पर बल देना चाहूंगा कि गोवा में आज जो स्थिति है, वह न केवल गोवा की जनता के लिए दुखदाई है, बल्कि देश में कुल मिला कर जो भी लोग संविधान के बारे में चिन्तित हैं और संविधान की मर्यादा को बनाए रखना चाहते हैं, उन सब को लगता है कि एक मजाक सा हो रहा है।

अध्यक्ष महोदय, एक महीने से अधिक हो गया है, एक डेमोक्रेटीकली इलैक्टिड सरकार को मनमाने ढंग से बर्खास्त किया गया।... (व्यवधान)

MR. SPEAKER : Please, let us have some order. I have permitted him to speak. When I have permitted him to speak, you should not interrupt.

... (Interruptions)

MR. SPEAKER : Let us have some method of functioning. I have permitted him. Please do not interrupt.

... (व्यवधान)

मानव संसाधन विकास मंत्री (श्री अर्जुन सिंह) : आपने जो नागालैंड में किया।... (व्यवधान)

श्री लाल कृष्ण आडवाणी : मेरी समझ में नहीं आया कि इसमें नागालैंड का कहां उल्लेख है?... (व्यवधान)

अध्यक्ष महोदय : आप इसे छोड़िए।

... (व्यवधान)

श्री लाल कृष्ण आडवाणी : जब हमारी, श्री वाजपेयी जी की सरकार थी तो उन्होंने किसी सरकार को भंग नहीं किया।... (व्यवधान) अब आप नागालैंड की बात कर रहे हैं।... (व्यवधान) वह सरकार ऐसी थी, ... (व्यवधान)

MR. SPEAKER : This is an important matter. Let us discuss it in a manner which is consistent with the dignity of the House.

... (*Interruptions*)

श्री लाल कृण आडवाणी : अध्यक्ष महोदय, इस सदन में 1967 से लेकर दल-बदल के बारे में चिन्ता होती रही है। हमने कई कानून सोचे हैं, कई कमेटियां बनी हैं, जिसमें मैं भी रहा हूं और शायद आप भी कहीं रहे होंगे। हमने एक कानून बनाया और उस कानून में हमने एक स्पीलिट की व्यवस्था कर दी, जिसके कारण रिटेल में तो डिफेक्शन अपराध हो गया, लेकिन होल-सेल में जो डिफेक्शन है, वह क्षम्य है, यह मान लिया गया। हमारी सरकार ने... (व्यवधान)

SHRI MADHUSUDAN MISTRY (SABARKANTHA): Sir, they are making a statement. He should speak on admissibility. ... (*Interruptions*)

अध्यक्ष महोदय : मिस्त्री जी, आप बैठिए।

...(व्यवधान)

श्री लाल कृण आडवाणी : एनडीए की सरकार के समय सब लोगों ने मिल करके... (व्यवधान)

श्री पवन कुमार बंसल (चण्डीगढ़) : इसका जवाब दोनों तरफ से दिया जा सकता है।... (व्यवधान)

अध्यक्ष महोदय : हम सुन रहे हैं।

...(व्यवधान)

MR. SPEAKER : I will try to answer.

... (*Interruptions*)

MR. SPEAKER: Shri Advaniji, not on merits.

... (*Interruptions*)

MR. SPEAKER : Why this impatience? Let me say that I will give full opportunity to you. Shri Advaniji, please speak on the admissibility.

SHRI L.K. ADVANI : Sir, I am not going on merits. There are three aspects to the situation. I am confining myself to the situation in Goa about which I would say, ... (*Expunged as ordered by the Chair*) a democratically elected Government was asked to prove its majority on the floor of the House, but immediately after he proved his majority ... (*Interruptions*)

SHRI PAWAN KUMAR BANSAL : What did the Speaker do there? ... (*Interruptions*)

MR. SPEAKER : Shri Bansal, do you want to say something on the admissibility?

SHRI PAWAN KUMAR BANSAL : Yes, sir.

MR. SPEAKER : Advaniji, please speak on the admissibility, not on merits.

SHRI L.K. ADVANI : Sir, the second situation is that the law against defections approved by Parliament has been reduced to a fallacy by a devious device that has been found out to make Members resign from the Assembly and a House of 40 has been reduced to a House of 34. ... *(Interruptions)*

MR. SPEAKER : I will request you to please speak on the admissibility.

SHRI L.K. ADVANI : Today the Government is at a standstill. The whole Government administration is paralysed. Therefore, I would plead with the Government here - personally we have spoken to the Home Minister, to the Defence Minister, to the Prime Minister - that in a situation of the kind which obtains in Goa, the best course would be to go to the people. Let us go to the people and let the people decide! I do not know what is going to happen in Goa. Every day some thing new happens which makes me feel sad about the manner in which all these provisions of the Constitution ... *(Interruptions)*

MR. SPEAKER: At the moment, Advaniji, I am only concerned with the admissibility of the Adjournment Motion. I am not making any comment on the importance.

SHRI L.K. ADVANI : If a Governor dismisses a Government unconstitutionally that is sufficient for a substantive motion. The Central Government fails to do its duty in that regard, that itself is sufficient.

MR. SPEAKER: I have to take a decision sitting here.

SHRI L.K. ADVANI : The point is that the people are absolutely agitated over this. This House also feels that first and foremost issue that should be taken up is this.

श्री मोहन सिंह (देवरिया) : अध्यक्ष महोदय, जब आपने शुरू कर दिया है...*(व्यवधान)*

MR. SPEAKER: Please sit down. I will try to regulate the matter. You cannot speak any time you choose. Please sit down. I am asking the Leader of the House to speak. I will hear you if you want to speak. I am asking you to speak only on admissibility.

THE MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE): Mr. Speaker, Sir, the subject before the House right now is whether the notice of Adjournment Motion is admissible or not. You are to decide whether the notice of Adjournment Motion given by some hon. Members will be admissible or not. I am not going to comment on the admissibility of the Adjournment Motion. I have only two points to make. The Leader of Opposition has referred to me. ... *(Interruptions)*

MR. SPEAKER: He has said many things apart from the admissibility.

SHRI PRANAB MUKHERJEE: The Leader of Opposition has said that he had a talk with me, he had a talk with the Home Minister, and he had a talk with the Prime Minister. If he had not referred to me, I would not have risen to make any comment on the notice of the Motion. But my most respectful submission is that even the beginning has a beginning. What has happened in Goa is definitely deplorable and we are sad that the democratic process in the State has been affected. But, before we come to the decision of the Governor, we shall have to go into the picture of what happened in the Assembly itself.

When a Motion of Confidence was to be sought for and when the Governor wanted to ascertain the strength of the Legislative Assembly from the secretariat of the Speaker, the Speaker submitted a list of the Members of the House to the Governor. It was found, when they were asked to decide about the confidence motion, that suddenly one Member was dismissed and he was finally removed from the House.

MR. SPEAKER: Let us not go into this.

PROF. VIJAY KUMAR MALHOTRA : Is this relevant to the admissibility?

SHRI PRANAB MUKHERJEE: Artificial majority was attempted to be created. Therefore, before discussing the conduct of the Governor we should look into this aspect also.

MAJ. GEN. (RETD.) B. C. KHANDURI (GARHWAL): Advaniji was not allowed to speak; he was constantly disturbed.

MR. SPEAKER: I have allowed him to say whatever he wanted to say.

... (*Interruptions*)

MR. SPEAKER: I appeal to you. Let us have some decorum in the House and you speak one-by-one.

... (*Interruptions*)

MR. SPEAKER: You are dictating all the time to the Chair. Please do not do it.

... (*Interruptions*)

MR. SPEAKER: He has referred to the Governor. I will have to see how far it is admissible.

MAJ. GEN. (RETD.) B. C. KHANDURI : When Advaniji was speaking, you were reminding him that he should speak only on the admissibility. Why are you not reminding the Leader of the House?

श्री अनंत गंगाराम गीते (रत्नागिरि) : अध्यक्ष महोदय, आपने उनकी पूरी बात सुन ली, लेकिन जब आडवाणी जी बोल रहे थे, उस समय ये चार बार खड़े हुए।... (व्यवधान)

MR. SPEAKER: What he has said is on record. Please, all the time do not dictate to the Chair.

PROF. VIJAY KUMAR MALHOTRA : They are dictating to the Chair, not we.

MR. SPEAKER: Whoever dictates, I resent it. You can suggest a course of action, certainly. So far I wanted to hear about the admissibility. My view is, my opinion, my ruling is that this notice of Adjournment Motion is not admissible. I am giving my ruling, if you are prepared to listen.

... (*Interruptions*)

प्रो. विजय कुमार मल्होत्रा : अगर इनको ऐडजर्नमेंट मोशन पर बहस करने में कोई ऐतराज नहीं है तो क्या दिक्कत है ?... (व्यवधान) When the Congress party says it has no objection for discussion, what is the problem?

MR. SPEAKER: No, I cannot permit it.

मोहम्मद सलीम (कलकत्ता-उत्तर पूर्व) : गोवा में जनतंत्र की बर्बादी कर रहे हैं।... (व्यवधान)

प्रो. विजय कुमार मल्होत्रा : गोवा में जनतंत्र की हत्या हुई है। We cannot be silent spectators. ... (व्यवधान) हम यहां पर कोई तमाशायी नहीं हैं। जनतंत्र की हत्या हो जाये, जनतंत्र का खून हो जाये और क्या हम यहां केवल तमाशायी बनेंगे ?... (व्यवधान) We cannot be spectators. ... (Interruptions)

प्रो. रासा सिंह रावत (अजमेर) : अध्यक्ष महोदय, जनतांत्रिक मूल्यों की रक्षा का सवाल है। ... (व्यवधान) (Expunged as ordered by the Chair). ... (व्यवधान)

MR. SPEAKER: Hon. Members, may I make a request?

... (Interruptions)

श्री शिवराज सिंह चौहान (विदिशा) : अध्यक्ष महोदय, लोकतांत्रिक सरकार को भंग कर दिया जाये, बर्खास्त कर दिया जाये, ऐसा पहले कभी नहीं हुआ है। ... (व्यवधान)

प्रो. विजय कुमार मल्होत्रा : अध्यक्ष महोदय, गोवा के बाद उत्तर प्रदेश होगा, उत्तर प्रदेश के बाद झारखंड होगा। ... (व्यवधान) आप सारे हिन्दुस्तान में जनतंत्र की हत्या करेंगे ... (व्यवधान)

MR. SPEAKER: Hon. Members, I am respecting your wishes. Kindly listen to me. Give me a little opportunity.

... (Interruptions)

श्री शिवराज सिंह चौहान : अध्यक्ष महोदय, वहां लोकतंत्र की हत्या की गयी है। ... (व्यवधान)

MR. SPEAKER: You speak whenever I request you or allow you to speak. At the moment, will you take your seats?

... (Interruptions)

अध्यक्ष महोदय : आप बैठिये। मुझे बोलने दीजिए।

... (व्यवधान)

अध्यक्ष महोदय : आप सब थोड़ा शांत रहिये।

... (व्यवधान)

प्रो. विजय कुमार मल्होत्रा : अध्यक्ष महोदय, आप दूसरे माननीय सदस्यों की बात भी सुनिये। ... (व्यवधान)

श्री प्रभुनाथ सिंह (महाराजगंज, बिहार) : अध्यक्ष महोदय, आप हमें भी सुनिये। ... (व्यवधान)

श्री रामजी लाल सुमन (फिरोजाबाद) : अध्यक्ष महोदय, यह संविधान की मर्यादाओं के खिलाफ है। ... (व्यवधान)

श्री मोहन सिंह : अध्यक्ष महोदय, आप एडजर्नमेंट मोशन स्वीकार न करें, लेकिन आप गवर्नर के आसन के दुरुपयोग पर चर्चा तो कराइये। ... (व्यवधान)

MR. SPEAKER: Please take your seat. You have not given any Adjournment Motion. You cannot speak on somebody else's Motion.

... (Interruptions)

श्री मोहन सिंह : हमने नहीं दिया लेकिन आप इस पर चर्चा तो कराइये। ... (व्यवधान)

MR. SPEAKER: Hon. Members, I am not minimising the importance of the issue that has been raised. I shall be very happy if it is discussed on the floor of the House.

... (Interruptions)

श्री मोहन सिंह : आप दूसरे माननीय सदस्यों को बोलने का समय दे रहे हैं। ... (व्यवधान) हमें बोलने का समय नहीं देते हैं। ... (व्यवधान)

MR. SPEAKER: This is very unfortunate. You are all senior Members. Please listen.

... (Interruptions)

अध्यक्ष महोदय : आप बैठिये।

... (व्यवधान)

श्री मोहन सिंह : अध्यक्ष महोदय, यह ऐसा मामला है जिससे सभी राज्य सरकारें प्रभावित होंगी। ... (व्यवधान)

अध्यक्ष महोदय : यह बहुत दुख की बात है।

... (व्यवधान)

MR. SPEAKER: Shri Mohan Singh, I do not expect this from you. Please listen. I myself said that it is an important matter to be discussed on the floor of the House.

श्री मोहन सिंह : अध्यक्ष महोदय, जिस तरह गवर्नर के आसन का दुरुपयोग हो रहा है, उस पर चर्चा कराई जानी चाहिए। ... (व्यवधान)

MR. SPEAKER: I am only concerned at the moment sitting in this Chair about the admissibility of the Adjournment Motion. I am giving the ruling. This is not permissible. Why is it not admissible? There are other rules applicable. You can take recourse to those rules for the purpose of discussion.

... (Interruptions)

श्री प्रभुनाथ सिंह : अध्यक्ष महोदय, आप दूसरे माननीय सदस्यों को भी सुन लीजिए। ... (व्यवधान)

अध्यक्ष महोदय : यह कोई रूल नहीं है। Do not teach me!

... (Interruptions)

PROF. VIJAY KUMAR MALHOTRA : It can only be done by Adjournment Motion.

MR. SPEAKER: Nothing will be recorded.

(Interruptions)\*

\*Not Recorded.

MR. SPEAKER: It is very unfortunate. The Speaker is not allowed even to give his ruling. This is the position of Lok Sabha today.

... (Interruptions)

MR. SPEAKER: I am appealing to all the senior leaders of all sides.

... (Interruptions)

MR. SPEAKER: I am appealing to every hon. Member.

... (Interruptions)

MR. SPEAKER: There is an important question – Q.No.1 on Tsunami disaster.

... (Interruptions)

श्री रामदास आठवले (पंढरपुर) : अध्यक्ष महोदय, सुनामी आपदा पर प्रश्न कराइए।... (व्यवधान)

**11.15 hrs.**

(At this stage Smt. Kiran Maheshwari and some other hon.

Members came and stood on the floor near the Table.)

MR. SPEAKER: The House stands adjourned till 11.30 a.m.

**11.15 hrs**

*The Lok Sabha then adjourned till thirty minutes past*

*Eleven of the Clock.*

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