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Title: Need for inquiry into the violation of human rights of Sri Lankan Tamils in Sri Lanka by an International Investigation Agency.

DR. M. THAMBIDURAI (KARUR): Madam, we have discussed the issue of Sri Lankan Army's violation in 2009 Ethnic War in this House many times. At that time genocide of Sri Lankan Tamils has taken place and they suffered a lot.

Madam, the hon. Prime Minister made a speech recently that he is going to insist the President of Sri Lanka, Mr. Rajapakshe, to implement the 13<sup>th</sup> constitutional amendment to see rights of the Tamils are protected. But Sri Lanka is not bothering at all. Madam, you know very well that nearly two lakh Tamils were killed in Sri Lanka in the Ethnic War. There are so many violations. How the people were tortured there? How rapes took place there? There were so many violations that took place. For that, we would request the hon. Prime Minister and the Union Government to take necessary steps to initiate some kind of resolution which can be passed in the coming Geneva Conference, UNHRC. In that respect, already our hon. Tamil Nadu Chief Minister has written a letter to the Prime Minister to see that – whatever the resolution is passed in Tamil Nadu Assembly – till the Tamilians issue is solved in Sri Lanka, the economic sanction must be imposed on Sri Lanka.

Regarding students' agitation – it is a State subject – Tamil Nadu Government is taking all steps on that. But their anguish is to see that Government must take the initiative....(*Interruptions*)

What is students' demand? Their demand is that the Government must take the initiative to pass a resolution in the UNHRC against Sri Lanka. I would like to know whether the coalition partner is ready to impose it. Still they are in the Government; they are not raising the issue. ...(*Interruptions*)

MADAM SPEAKER: Address the Chair. Please conclude now.

DR. M. THAMBIDURAI : The demand of the students is only to see that Sri Lanka must be punished against whatever violations they have done against the Tamilians there. That is what they are demanding that India must take the initiative. I am also reiterating on behalf of my Government, Tamil Nadu Government, and the hon. Chief Minister that the Government must come forward to take initiative to bring a resolution in UNHRC which is going to take place in Geneva soon. That is our demand.

MADAM SPEAKER: Shri P. Lingam is allowed to associate with the issue raised by Dr. M. Thambidurai.

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JHARKHAND BUDGET(2013-14) - GENERAL DISCUSSION

DEMANDS FOR GRANTS ON ACCOUNT(JHARKHAND), 2013-14

DEMANDS FOR SUPPLEMENTARY GRANTS (JHARKHAND), 2012-13

MADAM SPEAKER: Item Nos. 11 to 13, the Jharkhand Budget, Shri Nishikant Dubey.

**श्री निशिकान्त दुबे (गोड्डा):** मैडम, अगर आपकी अनुमति हो, तो मैं आगे आकर बोलना चाहता हूँ।

**अध्यक्ष महोदया :** ठीक है, आगे आकर बोलिए।

SHRI INDER SINGH NAMDHARI (CHATRA): Madam Speaker, I am on a point of order.

MADAM SPEAKER: Under which rule?

SHRI INDER SINGH NAMDHARI : Under rule 376, Madam.

MADAM SPEAKER: What is it?

SHRI INDER SINGH NAMDHARI : Madam, I will elaborate it. Hon. Finance Minister has presented the annual financial statement of the estimated receipts and expenditure of Jharkhand for the year 2013-14 which is going to be taken up. My point of order is that the Central Government, by bringing an Annual Budget for the State of Jharkhand for the year 2013-14, has committed Constitutional impropriety. The House has approved Statutory Resolution seeking approval of the Proclamation in respect of Jharkhand for a period of six months. That means the Proclamation will be in force till 17<sup>th</sup> July, 2013.

Article 356 (4) provides that a Proclamation, unless revoked, ceases to operate on the expiration of a period of six months from the date of issue of Proclamation. Bringing an Annual Budget proposes two things. The Central Government intends to keep the Jharkhand Assembly in a state of suspended animation for the whole of the next financial year or the Government is in no mood to conduct elections in the State for the appointment of a duly elected democratic Government. This is my point of order.

MADAM SPEAKER: Hon. Minister.

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): Madam, there is no point of order as no rule of the House has been violated. My learned friend is quoting the rule under which a point of order can be raised. But, that is not a violation of that very rule. Yesterday, the House approved the Proclamation and President's Rule has been imposed in Jharkhand.

Now we have to present the Budget. It has been done before in other States. We have to present the Budget for the year. We are presenting a Budget for the year. When elected Government takes over. When elected Government takes over in Jharkhand, they can always modify that Budget. We cannot now say when elections will take. It is for the Election Commission to decide. We cannot now say what the President will decide. Therefore, we have to present a Budget for the whole year and when an elected Government takes over, the elected Government can always modify the Budget. It has happened before. What we are doing is nothing wrong. No provision of the Constitution is violated. No Rule is violated. And, I therefore, request that the Point of Order may be rejected.

**SHRI INDER SINGH NAMDHARI:** Why does the Government not take Vote on Account? Why is there full year Budget for the State of Jharkhand?

**श्री यशवंत सिन्हा (हज़ारीबाग):** मैडम, मैं केवल एक बात कहना चाहता हूँ। यह देश की लोक सभा और और सबसे महत्वपूर्ण सदन है। इस सदन ने फैसला किया कि झारखंड में राष्ट्रपति शासन छः महीने के लिए लगेगा। अब दूसरी जो संवैधानिक संस्था इस देश की है, वह चुनाव आयोग है। उसे छः महीने के अंदर झारखंड में चुनाव करना है। चुनाव आयोग अपनी इच्छा या विल इस सदन पर नहीं लाद सकता कि हम चुनाव नहीं कराएंगे, हम तो 12 महीने में कराएंगे या उसके बाद कराएंगे। इसलिए अगर छः महीने के भीतर चुनाव होना है, तो तत्काल सरकार को यह ऑप्शन है कि वहां की विधान सभा चुनाव की घोषणा करने के लिए चुनाव आयोग से आग्रह करें। यह नहीं करके झारखंड का अगर पूरे साल का बजट लाया जाता है तो सरकार की नीयत के बारे में एक सवाल उठता है कि उसकी नीयत क्या है।

आप जानती हैं कि संविधान में प्रावधान है कि छः महीने के बाद, और छः महीने के लिए उसे बढ़ाया जा सकता है, केवल विशेष परिस्थिति में। झारखंड में कोई विशेष परिस्थिति नहीं है इसलिए सरकार को यह आश्वासन देना चाहिए सदन में कि हम लोग छः महीने भीतर झारखंड में चुनाव कराएंगे और उसके लिए चुनाव आयोग से आग्रह करेंगे। अगर सरकार ऐसा नहीं करती है तो सरकार की नीयत में खोट है, ऐसा हमारा निष्कर्ष है।

SHRI P. CHIDAMBARAM: Yesterday, the Home Minister made it clear that we have no intention of keeping the President's Rule even for the period that has been stipulated here. He made it clear that every effort was made to form a Government. He, even, invited political parties who can still form a Government: "Please form a Government." We have no intention of extending the President's Rule. We know that the President's Rule may appear to be attractive for the first few days but the President's Rule is no answer to the people of any State. It is our intention to hold elections within the period of six months, for which the Proclamation is made.

