

LOK SABHA DEBATES

LOK SABHA

Friday, January 4, 1991/Pausa 14, 1912
(Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

RE. ALLEGED THREAT OF ARREST TO
THE SPEAKER, LOK SABHA BY SHRI
SUBRAMANIAM SWAMY, A UNION
MINISTER

(Interruptions)

[*Translation*]

MR. SPEAKER: Please take your seat.

SHRI ARIF MOHAMMAD KHAN (Bahri-
ach): He is very disciplined.

MR. SPEAKER: Shri Arif, are you less
disciplined. Now it is question-Hour and Shri
Ram Dhan is aware of it...*(Interruptions)* ...
Shri Tyagi, please take your seat. I have
called Shri Ram Dhan.

SHRI RAM DHAN (Lal ganj): Mr.
Speaker, Sir, I would like to submit that the
proceedings of the House can continue in a
tension free atmosphere only and our hon.
Member are becoming so agitated that they
are not ready to accept any other thing.
Yesterday, Shri Swamy threatened more
people in the Central Hall...*(Interruptions)*
...Shri Shankaranand is sitting by his
side...*(Interruptions)* ...He has repeatedly
threatened.

MR. SPEAKER: I expect from the hon.
Members like you and from this House also
that you would ensure tension free atmos-
phere in the House. It is not proper to repeat
here what has happened in the Central
Hall...*(Interruptions)* ...

MR. SPEAKER: I can tell you...

...*(Interruptions)*...

SHRI RAM DHAN: He threatened you
that he would get you
arrested...*(Interruptions)* ... It is a question
of our prestige...*(Interruptions)* ...

MR. SPEAKER: Khuranaji, please take
your seat. I am not allowing you. I am allow-
ing him because I have liked this word ten-
sion-free. ...*(Interruptions)* ...

SHRI RAM DHAN: A tension-free at-
mosphere should be created in this
House...*(Interruptions)* ...

MR. SPEAKER: Shri Makkasar, I know
your voice is very loud. Please take your
seat.

...*(Interruptions)*...

SHRI MADAN LAL KHURANA (South
Delhi): Mr. Speaker, Sir, I am on a point of
order.

MR. SPEAKER: No point of order. I
have only allowed you. Taking the words of
Shri Ram Dhan, I request you to keep the
House tension-free. The hon. Members from
this side will also help in ensuring it and you
also please help. You all should help in
ensuring a tension-free House. ...*(Interrup-
tions)* ...

MR. SPEAKER: Shri Khurana, you are a representative of the people, a Member of Parliament. Please take your seat.

...(Interruptions)...

SHRI RAM DHAN: Mr. Speaker, Sir, both sides will have to help in creating a peaceful atmosphere.

MR. SPEAKER: Of course, both sides will have to ensure it.

SHRI RAM DHAN: Mr. Speaker, Sir, how it will be ensured when on one hand, threats are being given repeatedly and it is being said that they will remove the Speaker...(Interruptions) ... I would like to submit that on one hand, threats are being given and it is being said that they are in majority because Congress is supporting them and the House will run according to their will ...(Interruptions) ...

MR. SPEAKER: Please take your seat. I have heard you. I accept that the House should be made tension-free. It can be done just within two minutes, but please take your seats.

...(Interruptions) ...

MR. SPEAKER: Shri Arif, please take your seat. I want co-operation from you all. Whatever you want to say, I will listen to it after 12 o'clock. Not at present. Now please take your seat. All of you please take your seats.

....(Interruptions)....

MR. SPEAKER: Shri Jena, I want cooperation of you all. All of you please take your seats. ...(Interruptions) ...

MR. SPEAKER: Shri Arif, you are a former Minister, a Member of Parliament, a leader of the people and an experienced person also. I again request you to help us in making the House tension-free. You all please cooperate in this work, so that the House can be made free from tension

...(Interruptions) ...

MR. SPEAKER: Shrimati Subhashini, I never had to request so much from this chair. I request all of you to take your seats, if you have faith in me.

...(Interruptions)...

MR. SPEAKER: How can I disallow you. Please take your seats.

...(Interruptions)...

MR. SPEAKER: Shri Jena, no point of order. Please take your seat. I again request all the leaders that I accept that the House should be made tension-free as started by Shri Ram Dhan, but it should not be made debate-free. Please take your seat. Now I will call Shri Swamy. I want that there should not be any tension. I am calling Shri Swamy. Please help us in conducting the proceedings of the House properly.

...(Interruptions)...

MR. SPEAKER: I again request you personally and as the Speaker to take your seat. I will listen to you at 12 o'clock. Please let me perform my duty.

[English]

In the interest of Parliamentary democracy, please allow me to perform my duties.

Yes, Dr. Subramaniam Swamy.

...(Interruptions)...

[Translation]

SHRI RAM DHAN: Mr. Speaker, Sir, the House cannot be allowed to function like this. We want his resignation. This cannot be done. We will not allow any other person to speak. It is being repeatedly threatened that the Speaker will be removed. So we have one point programme that if Shri Subramaniam Swamy is not sacked from the Government, we will not allow the House

to function. (*Interruptions*)

MR. SPEAKER: I request Shri Madhu Dandavate to persuade the Members of the Janata Dal to take their seats.

(*Interruptions*)

MR. SPEAKER: I request Shri Madhu Dandavate and all the other leaders to let me run the proceedings of the House properly.

(*Interruptions*)

SHRI RAM DHAN: Mr. Speaker, Sir, we are saying that we will not allow the House to function and the Government to function. (*Interruptions*) If this type of threats are held out, this Government cannot be allowed to function. (*Interruptions*)

SHRI ARIF MOHAMMAD KHAN: Mr. Speaker, Sir, I request you to hear me first before calling Shri Subramaniam Swamy. (*Interruptions*)

MR. SPEAKER: I can listen to you, but on one condition that you will assure me that Members of your party will take their seats after that. I will not to any other person. After that I will call Dr Swamy and you all should listen to him attentively.

(*Interruptions*)

SHRI RAM DHAN: We will not listen to Dr. Swamy. We will not allow the House to function. (*Interruptions*)

MR. SPEAKER: Shri Ram Dhan, this is not proper.

(*Interruptions*)

SHRI RAM DHAN: We will not allow the House to function. There is only one way that he should be dismissed. His own party Members are against him, then how can he indulge in such talks. He is repeatedly threatening to arrest you and is still continuing to

do so. The statement has come out in the Times of India also. He said that the news that appeared in 'Hindustan Times' is not true. (*Interruptions*)

MR. SPEAKER: Please take your seat.

(*Interruptions*)

SHRI RAM DHAN: I am telling you about the newspaper, which once had famous journalists like Shri Durga Das. (*Interruptions*)

MR. SPEAKER: Shri Ram Dhan, I hope that you will help us in conducting the proceedings of House without tension.

(*Interruptions*)

SHRI RAM DHAN: We have only one demand that unless Shri Subramaniam Swamy is dismissed from the Government, no Government business would be allowed to be conducted in this House. I request all the leaders to extend support and submit that we should not bow down before such threatenings given by Dr. Swamy. There should be a healthy tradition. This is our second struggle for freedom.

MR. SPEAKER: Shri Ram Dhan, I have listened to you.

(*Interruptions*)

SHRI RAM DHAN: We have fought for the independence of our country. We will not let the Speaker work as a slave. The Speaker should have full freedom. We will not allow murder of democracy, whether it is Subramaniam...**... we will not let the democracy to be murdered. (*Interruptions*)

MR. SPEAKER: Please take your seat. Please don't stand to create confusion.

[*English*]

(*Interruptions*)

SHRI SRIKANTA JENA (Cuttack): Mr. Speaker, Sir, I am on a point of order.

MR. SPEAKER: You can only make your submission and not point of order.

SHRI SRIKANTA JENA: Sir, yesterday we raised this matter and day before yesterday also we raised this matter. We wanted to know what exactly had happened. You said: "yes, I will give a statement." But, so far you are calling upon Shri Subramaniam Swamy only. He has contradicted it.

MR. SPEAKER: You are adding to the confusion.

SHRI SRIKANTA JENA: I am not adding to the confusion. Let me submit my points. It has come in the *Hindustan Times* that whatever has appeared day before yesterday in the *Hindustan Times* is not correct because Dr. Swamy has not said so. (Interruptions)

[Translation]

MR. SPEAKER: You may speak after hearing Dr. Subramaniam Swamy, now you please take your seat.

[English]

SHRI SRIKANTA JENA: I would like to know whether this House will ascertain the facts from Dr. Subramaniam Swamy or from the Speaker. All the leaders have met you and the matter was discussed. The House is interested to know, I am interested to know what exactly has happened in your Chamber and what he has told. That has to be told to the House now.

MR. SPEAKER: I have heard you. You please take your seat. Please resume your seat.

SHRI SRIKANTA JENA: You must tell us what he has said in your Chamber. (Interruptions)

[Translation]

MR. SPEAKER: Chavda Saheb, please take your seat. You are a good person... (Interruptions)

SHRI KHEMCHAND BHAI SOMABHAI CHAVDA (Patan): Mr. Speaker, Sir you had said that there will be a tension free atmosphere.

[English]

According to the parliamentary tradition, will Dr. Subramaniam Swamy tender his resignation?

[Translation]

After that there will be no tension (Interruptions)

[English]

MR. SPEAKER: Dr. Subramaniam Swamy.

SHRI SRIKANTA JENA: What for you are calling him. (Interruptions)

MR. SPEAKER: Mr. Jena, I have heard you. Please resume your seat.

(Interruptions)

SHRI SRIKANTA JENA: We are only interested to know what for you are calling Dr. Subramaniam Swamy. Is he going to make a statement or is he going to apologise?

MR. SPEAKER: You will be happy after hearing Dr. Swami. Please take your seat. (Interruptions)

[Translation]

MR. SPEAKER: Ram Dhanji, there are some Parliamentary traditions and senior Members are accustomed to honour those ... (Interruptions) ... I am requesting you to listen to me... (Interruptions)

SHRI RAM DHAN: It is a question of country's freedom...*(Interruptions)* ...

MR. SPEAKER: I am requesting you to take your seat for the sake of country's freedom. *(Interruptions)* ... Please take your seat.

SHRI RAM DHAN: We are against any hooliganism in this House. This Parliament won't proceed with its business unless and until the guilty is removed and the culprits are arrested...*(Interruptions)* ... It is your order that should run in the premises of Parliament...*(Interruptions)* ... It was decided that you would make a statement...*(Interruptions)* ...

MR. SPEAKER: Ram Dhanji, Arif Saheb is sitting near you and please listen to his counsel.

SHRI RAM DHAN: Arif Saheb will go by what we say...*(Interruptions)* ... Dr. Swamy should be dismissed from the Council of Ministers. ...*(Interruptions)* ...

MR. SPEAKER: You will be satisfied, after hearing Dr. Swamy. Please resume your seat.

(Interruptions)

SHRI RAM DHAN: He should be arrested under Section 504 of the Indian Penal Code for the crime he has committed. There cannot be any compromise on this...*(Interruptions)*... Mr. Speaker, Sir, when I informed this House that I had received threats that I would be killed, you just ignored it. At that time also, I had requested you to take appropriate action. The danger to my life persists even today. You are trying to dilute this matter this time also. Those very people, you claim to uphold democratic values and call themselves true democrats have threatened to get you arrested. Perhaps, after independence, such a violation of democratic norms and values,

which Shri Subramaniam Swamy...**...*(Interruptions)*...

MR. SPEAKER: Please take your seat.

SHRI RAM DHAN: ...**...*(Interruptions)* ...

MR. SPEAKER: Please sit down... what has been said about him will not go in the records...*(Interruptions)* ...

SHRI RAM DHAN: Anarchy cannot be allowed to gain an upper hand in this country. We want Shri Subramaniam Swamy to be dismissed from the Council of Ministers. The House won't be allowed to conduct its business, until and unless Shri Swami is arrested under Section 504 of the Indian Penal Code. Therefore, in order to bring about a tension-free atmosphere in the House, it is necessary to adjourn the House and hold talks. Only then, the House can proceed with its business. We humbly request you to adjourn the House and sit together and find out a solution, so that the House can proceed with its normal business...*(Interruptions)*

MR. SPEAKER: Mr. George Fernandes, you please intervene and assist me in maintaining order in the House.

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Speaker, Sir, as far as we understand, you have come up with the suggestion that we should give a patient hearing to Mr. Swamy's submission, whatever its content may be and you feel that we would be satisfied after hearing it. But what is that submission about? First of all, the newspapers came out with reports of what took place in your chamber. Mr. Swamy did not consider it necessary to say anything about it, until a hue and cry was raised about it in the House. Although, three days have passed since then, he has not come out in Public with any kind of apology or statement owning his folly. If any such thing, as published in the

newspapers, took place, it can be interpreted in two ways....

MR. SPEAKER: George Saheb, the House is supreme.

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, if any Member goes to your chamber and blasts out something absurd, and if that makes headlines in the newspapers, then every Member has got a right to seek necessary clarification about it. The matter should be clarified in the House. Now, such a thing can have two sides. One is that whatever took place in your chamber, could be in good humour. If it was the case, then it was your duty to inform the House that it was just a light-hearted talk. In the past two days, you did not make any such explanation that what even took place in your room was all said and done in a light-hearted manner. Actually, even now, we are under the belief that whatever took place in your room concerned the matters pending before you for decision. However, in our view, there is one more aspect to it and it is that Shri Subramaniam Swamy is neither a Member of this House nor a member of the Janata Dal (S) party. Now, he went to your chamber in his capacity as the Minister of Law and Justice and according to statements attributed to him, that have appeared in the newspapers, he went to you to explain some legal matters. How this news appeared in the newspapers on the very first day that the court has issued stay order. As far as I know no stay order has been issued by the court. The court can't issue any stay order in this case but the news has come in the press and we are seeing this news regularly for the last 2-3 days. If we have to depend for all these things on the press reports and if we go by them, he is still saying that he will set right the Speaker and everybody else. Such things are being said...(Interruptions)

MR. SPEAKER: Order please.

SHRI GEORGE FERNANDES: When you are telling us that there will be a submission today which will solve all the problem, what is the point of his submission?

MR. SPEAKER: Listen to his submission first.

SHRI GEORGE FERNANDES: What was the incident? If there was a discussion about the incident, the incident should be made clear. The House is very much disturbed for the last few days, and this anxiety is with regard to the dignity of the House and the office of the Honourable Speaker. So our honourable Member Shri Ram Dhan has suggested to adjourn the House and first of all decide what has actually taken place after summoning all the leaders. When the incident is made clear and there is any submission or any motion to seek an apology, only then it will be possible for the House to consider it and decide whether the person should be excused or not, otherwise you would be happy and the tension will be on the increase. Therefore, Mr. Speaker, Sir, the question is not of individuals but of dignity of your office and the House. So keeping in view these things it is to be decided. (Interruptions)

[English]

MR. SPEAKER: No further discussion please.

[Translation]

SHRI SATYA PAL MALIK (Aligarh): Mr. Speaker, Sir. ...

MR. SPEAKER: Mr. Malik, how can I prevent you when there is repetition.

SHRI SATYA PAL MALIK: You please say that I have said something irrelevant, but this is my point of order...

MR. SPEAKER: This is not a point of Order but I will definitely listen to you.

SHRI SATYA PAL MALIK: I have a point of Order. If Swamy ji has to speak something according to the consensus arrived at between you and the leaders of all the parties in the House, all of us would accept that. Even then I would give you fresh information

through a Point of Order. I want your ruling I believe that this matter would not end since just now he, as Law Minister, said that you were going to be divested of the powers to decide these matters. He is bringing an amendment in that connection. He is not authorised to amend the constitution. (*Interruptions*)

MR. SPEAKER: You are well-versed in the matters regarding proceedings of Parliament.

(*Interruptions*)

SHRI SATYA PAL MALIK: But he has initiated a new controversy within a few days. I would seek your ruling in this connection also. Please give your ruling in this regard also. (*Interruptions*)

[*English*]

MR. SPEAKER: The Matter was discussed more than once in my Chamber with the leaders of parties. A course of action has been agreed to. I appeal to hon. Members to hear Dr. Subramaniam Swamy. His statement, I hope, will satisfy the hon. House, Dr. Subramaniam Swamy to speak.

(*Interruptions*)

[*Translation*]

MR. SPEAKER: Shri Ram Dhan, I once again appeal to you and other Honourable Members to accept it and act according by.

(*Interruptions*)

[*English*]

MR. SPEAKER: Dr. Subramaniam Swamy, you proceed.

(*Interruptions*)

MR. SPEAKER: Please take your seats.

(*Interruptions*)

MR. SPEAKER: I am here conducting the proceedings of the House.

(*Interruptions*)

MR. SPEAKER: I will again request Shri Ram Dhan who is a personal friend of mine and an experienced parliamentarian to resume his seat. Shri Ram Dhan, please resume your seat.

(*Interruptions*)

MR. SPEAKER: I would request Shri Ram Dhan to resume his seat.

(*Interruptions*)

THE MINISTER OF COMMERCE AND MINISTER OF LAW AND JUSTICE (SHRI SUBRAMANIAM SWAMY): Sir, I hold the office of the Speaker and hon. Mr. Rabi Ray himself in the highest esteem. The Speaker represents the dignity of the House and the nation itself. For what has come to pass in the Speaker's chamber last week, I request the Speaker and the entire house to accept my unqualified apology and close the matter honourably.

MR. SPEAKER: Dr. Swamy has tendered unqualified apology to the House. In the best traditions of our parliamentary system, this matter may now be treated as closed. I am grateful to all the hon. Members particularly the party leaders for helping me in arriving at an amicable solution to this issue consistent with the dignity of the office of the Speaker.

Let us now proceed with the business of the House.

Now we shall take up the Question Hour. Shri B. Devarajan.

(*Interruptions*)

MR. SPEAKER: I would request Mr. Brahmabhatt to resume his seat. Please go to your seat.

(Interruptions)

MR. SPEAKER: I will request hon. members to resume their seats. I have permitted Mr. Advani, the Leader of the Opposition to make a submission.

SHRI L.K. ADVANI (New Delhi): Mr. Speaker, Sir, so far as the issues arising out of *The Hindustan Times* report are concerned, they are closed after Dr. Subramaniam Swamy has made a statement which broadly confirmed to the consensus evolved in your room after discussion with various party leaders.

I do not propose to refer to this Hindustan Times episode at all. But I do think that the Government must take into account the very strong feelings of a large section of this House.

SHRI R. MUTHIAH (Periyakulam): No, large section confines to your party only. *(Interruptions)*

SHRI VASANT SATHE (Wardha): You refer only to the opposition.

SHRI L.K. ADVANI: I have not used one single instigating word when I said a large section of this House. *(Interruptions)*

MR. SPEAKER: He has agreed with you, with what you have said.

SHRI L.K. ADVANI: I have said merely that so intense is the feeling of a large section of this House that even their leaders... *(Interruptions)* ...All right, the real opposition, you are not the opposition.

My submission is just this. This episode must be treated as closed. But the Government should not ignore the sentiments and the feelings of us. How these feelings can be respected and honoured is Government's own look out. *(Interruptions)*

SHRI ARIF MOHAMMAD KHAN: Sir, I only want a clarification.

MR. SPEAKER: I can hear you after 12 O' clock. Now let me proceed with the Question Hour. I permitted only the leader of the Opposition now.

SHRI L.K. ADVANI: In parliamentary history for any lapse committed by any member or a minister, the moment he says he is willing to apologise, it is always treated as closed. But for the first time in forty years this House discovered and I am sure every one took note of it that despite the Speaker pleading with the House, despite party leaders pleading with the House a large section of the opposition was not willing to treat the matter as closed. *(Interruptions)*

MR. SPEAKER: Please take your seats.

SHRI L.K. ADVANI: I want to conclude by saying that while this episode is over, the wishes of the House, as reflected in the House, expressed by very many back-benchers must be taken note of by the Government and remedial steps taken. *(Interruptions)*

SHRI ARIF MOHAMMAD KHAN: I am only on a point of clarification Sir. *(Interruptions)*

SHRI SONTOSH MOHANDEV (Tripura West): We will appreciate the point made by the Leader of the Opposition if the Leader of the Opposition also follows the same thing because the whole House decided that the BJP and its leader was responsible for the communal riots in the country. So he should also resign because this was the consensus of the House. *(Interruptions)*

MR. SPEAKER: Now I must proceed with Question Hour. Please take your seats and let me proceed with the business.

(Interruptions)

SHRI SONTOSH MOHAN DEV: Let him resign. The whole House said that he should resign.

SHRI M.J. AKBAR (Kishanganj): We want a censure motion against Mr. Advani

for raising communal passions in the country unparalleled in forty years. (*Interruptions*)

SHRI ARIF MOHAMMAD KHAN: I am on a point of clarification Sir.

MR. SPEAKER: No point now please after 12 O' clock.

Mr. Yamuna Prasad Shastri to put his question.

11.40 hrs.

ORAL ANSWERS TO QUESTIONS

[*Translation*]

Water Pollution Due to Orient Paper Mill in Shahdol District of M.P.

*122. SHRI YAMUNA PRASAD SHASTRI: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Union Government are aware that M/s. Orient Paper Mill at Amlai in Shahdol district of Madhya Pradesh is discharging poisonous effluents into the Sone river;

(b) if so, whether water of this river has become poisonous and it is posing serious threat to the lives of tribals and animals living on the banks of this river upto 20 miles; and

(c) the steps proposed to be taken by the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI MANEKA GANDHI): (a) and (b). The Orient Paper Mill, Amlai, in Madhya Pradesh has installed an effluent treatment plant. The Chemicals Oxygen Demand (COD) in the treated effluents is higher than the prescribed limits. Colour and chlorinated organic compounds are also causing pollution. Due to the presence of

lignin in the effluent, the colour of the river water downstream of the paper mill is affected. The sub-soil water in some villages has also been adversely affected. No details on the impact on the health of villagers and livestock downstream of Amlai on the river Sone are available with the Government. However, alternate sources of drinking water from new dug wells and tube wells and reconditioning of existing wells and tanks have been provided by the industry to the affected villages.

(c) The steps taken include:

- (i) The Government has launched a special drive for highly polluting industries including pulp and paper for taking concerted action for prevention and control of pollution by December 31, 1991.
- (ii) The Government has included the pulp and paper industry as one of the sectors for which low waste, clean technology including colour removal is to be developed.
- (iii) The unit has been asked to improve the efficiency of its chemical recovery system to bring down the Chemical Oxygen Demand (COD) concentration in the effluents being discharged. The unit has also been directed by the Central Pollution Control Board and the Madhya Pradesh Pollution Control Board to adopt process modifications, in-plant control methods and better house-keeping to check spillages and to improve the quality of the treated effluents by May, 1991.
- (iv) The Madhya Pradesh Pollution Control Board is carrying out regular monitoring of the river Sone at Batrua, Triyallipar and Basharatghat.