

[Sh. Hukumdeo Narayan Yadav]

tions. I am raising point of order on the last day of the Session, because I have been observing from the beginning of the Session that the hon. Members interrupt the proceedings and senior member like Shri Vasant Sathe is also doing the same. That is why I decided to raise the point of order. The hon. Members always violate the aforesaid rules. If he behaves like this the person like me will also violate the rule and try to interrupt his speech. The hon. Members of the Ruling Party should follow these rules so that new members like me may also learn to uphold the dignity of the House. But he is a senior Member and he has been the Minister for many years and if he violates the rules, I can not bear it any longer. It should not happen. Mr Deputy Speaker, Sir, please give some ruling about this issue. It should not happen from any side. There should be a rule for making statements. Under this Rule I would like to speak.. (*Interruptions*) ... He will have to hear. I would like to urge the hon. Members that they deserve sympathy, because they have lost their balance while enjoying power and as a result they are violating all rules and laws and forget all etiquettes... (*Interruptions*)

SHRI VASANT SATHE: Mr. Deputy Speaker, Sir, I would like to draw your attention to rule 357... (*Interruptions*) It will be much better if Mr. Hukamdeo refers to Rule 357. Mr. Deputy Speaker, Sir, I have risen for making a personal explanation. The hon. Minister has levelled a charge against me that in the conference in which I had participated other people were also present there... (*Interruptions*)

MR. DEPUTY SPEAKER: This entire speech is not disputed. The dispute is only this much that you had opposed autonomy...

(*Interruptions*)

SHRI VASANT SATHE: That is what I am also saying...

(*Interruptions*)

DR. SHAILENDRANATH SHRIVASTAVA (Patna): Your entire speech is recorded.... (*Interruptions*)

[*English*]

SHRI VASANT SATHE: He said that I have opposed autonomy. (*Interruptions*) I am willing to have any Committee of this House to hear that tape recorded speech of mine. I have never opposed autonomy. I always said that I am in favour of autonomy. 'Auto' means self, 'nomy' means authority, authority to the people in the Doordarshan and in AIR. That is what I want. I am not in favour of creating an independent organisation which deprives the Parliament of this country of its powers of monitoring and supervising the functioning of this media. That is what I said. And that is what I maintain. The hon. Minister has misled, because even in our manifesto we have made it very clear that we are in favour of giving autonomy to Akashvani and Doordarshan and I have always stood for that promise given in our manifesto.

MR. DEPUTY SPEAKER: With the agreement of the House, consideration of the Bill is adjourned to a later date.

17.39 hrs.

CONSTITUTION (SEVENTY-SECOND) AMENDMENT BILL

[*English*]

MR. DEPUTY SPEAKER: Now we take up Item No. 27. The hon. Minister may move that the Bill further to amend the Constitution of India be taken into consideration.

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Deputy Speaker, Sir, I have been making efforts for the last ten years for getting statehood to Delhi. I would like to say only one thing that we have been listening to the assurances of the Government for the

last ten years and now the hon. Minister should say that it will be the last assurance of the Government and no more assurance will be given. As our leader has said that they will be giving this Bill next time. If the hon. Minister let us know draft of the Bill and main points thereof, people of Delhi will get some satisfaction.

SHRI J.P. AGARWAL (Chandni Chowk): Mr. Deputy Speaker, Sir, we also belong to Delhi. How is only Shri Madan Lal Khurana concerned about the Bill? Shri Khurana is behaving like a bridegroom eager to ride a mare. (*Interruptions*)

SHRI DAU DAYAL JOSHI (Kota): The people of Delhi know that you have taken so much time of the House... (*Interruptions*)

SHRI J.P. AGARWAL: Mr. Khurana is ready to provide statehood to Delhi, but Bill has not been introduced till now. (*Interruptions*)

[*English*]

SHRI P. CHIDAMBARAM (Sivaganga): Sir, I think, the BJP is right to the extent that this Government has not been able to make up its mind on this at all. In fact you would recall that it was the previous Government which appointed a Committee on 24th December 1987. That Committee gave a report. When that report came, there was a new Government to take a decision on it. Now we know that the Minister of State for Home held a meeting. The newspapers carried out ten or twelve points which were agreed to in the meeting. The BJP criticised their decision severely. Then, five days ago, I saw a draft of a Bill which apparently has been circulated to the BJP, CPI and CPI (M), which is very very different from what has been given to us now. We spent almost a couple of hours discussing that Bill. All I can say,—a common thing between that Bill and this Bill is only that this Government knows nothing about the problems of Delhi. It was not able to make up its mind on that Bill, nor is it able to make up its mind on the conscience of this Bill. Mr. Advani is absolutely

right. One cannot make head or tail of what this Government wants either from the first Bill which it circulated or this Bill which is just circulated. Sir, that Bill ran into several pages, several Clauses. We spent several hours, trying to understand what they wanted to give in that Bill. Now, we have got another Bill. They said that was going to be passed under Article 4(2) by a simple majority, not by a constitutional amendment. Today, they have given a Bill, which is a Constitutional (Amendment) Bill. This is very different from the other Bill. These are matters which cannot be rushed like this. Just because the Government is dithering and tottering and debating and criticising each other, just because it is debilitated within itself, there is destabilisation within, they cannot take Parliament for a ride by circulating one Bill five days ago and another Bill today. These are matters which should be considered very carefully... (*Interruptions*) I wish to appeal to the BJP on one thing. I know that you have a great political stake in this area. Equally the Congress Party has a great political stake. Now we are not going to debate about it... (*Interruptions*) We know, you have got a serious political stake. Now, my distinguished colleague Jai Prakashji said, we have a serious political stake and the people will decide. That is not the issue now.

There are 123 Members from the Southern States. Now there are linguistic minorities in this part of the country. There are serious apprehensions in the minds of the linguistic minorities, particularly people from Tamil Nadu, and Kerala. I also know there are apprehensions from Bengal and Andhra also. So, we have to consider this matter dispassionately. I am quite sure that whenever some form of Government emerges for Delhi, whoever forms the Government, that Government will be a Government for all the people who are living in Delhi including the linguistic minorities. Therefore, there must be a very serious consideration. I appeal to the Minister of State for Home, who represent the Home Ministry to please consider the apprehensions of the linguistic minorities. Please call their groups. They have got schools here. They have got educational

[Sh. P. Chidambaram]

institutions. They will have to consider all these things. Therefore, this Bill cannot be rushed through in this session. It has to be done very calmly after considering all the points of view.

SHRI A.K. ROY (Dhanbad): I have already submitted on this Bill that this is not a Bill which should be rushed through like this. But I sought your permission for a different issue. I say, as everybody is appealing to have to specify when this Bill or that Bill will come in the next session, my emphasis is that the Government before the close of this session, should also convey when they are going to bring in the Bill of Right to Work because it is the most important thing on which this Government has come.

SHRI INDRAJIT GUPTA: I must say a word about the rather curious and shabby way in which Delhi statehood Bill has been dealt with by the concerned Ministry. In the first place, it is known what Mr. Chidambaram has just said, that there were several drafts, one after the other. Nobody knew actually what was going to be taken up. Ultimately this Bill which has come now, was not made available to all the Members. A number of copies were placed in the publications counter here where Bills are not supposed to be distributed from. After a little interval of time, it was found that had again been removed from there. Then this morning, in the Parliamentary paper packet which we all receive, this Bill was not there. Most of the Members have not received it. I myself have not seen a copy of that Bill till I came to this House and borrowed it from somebody else. I do not know why this peculiar method has been followed. This either shows that the Government could not make up its mind or the people who drafted this Bill made a mess of the whole thing. Therefore, there is no question of asking it up now at all. The whole matter has got to be gone into again thoroughly and it has to be brought in the next session.

I want to make one thing quite clear as

far as my party is concerned. We are not going to support any Bill which does not explicitly provide for delimitation of the constituencies. In Delhi there has to be delimitation of constituencies. And then only we can consider a Bill. This Bill is a sort of half-baked thing. It provides for something and leave out so many other things. And the meaning of it is not here at all, apart from the fact that there is no time now.

A Bill which is so important, which is for the first time going to confer statehood on the capital city of this country, must be very carefully drafted and must be preceded by proper consultations and discussions with all the different parties and people who are involved in it. This is not being done adequately. I deplore the fact that the Government has made a very half-baked kind of job on this whole Bill.

SHRI SOMNATH CHATTERJEE (Bolpur): So far as this Bill is concerned, it is an important matter dealing with the statehood of Delhi. Although I believe, all the parties are committed to this, as to what shape and form it would take, what would be the nature of its powers, what would be the territorial dimension and about the law and order situation, etc. on whom the power will vest, these are matters which require full consideration and deeper consideration. We have also made it very clear during our discussion that the principle of delimitation must precede the final adoption of the scheme. The other thing is very clear. The Statement of Objects and Reasons of this Bill also makes it very clear that there has to be a complementary legislation; otherwise we do not get the full idea of the nature of the State that is going to be created and what would be the ambit of its power. Therefore, it is necessary that we have an idea and full terms of the other Bill along with the Constitution (Amendment) Bill that is being separately introduced. Therefore, unless we get that, it is very difficult to formulate our views finally on this matter and what suggestions we wish to make if there are suggestions to make for improvement. It is actually impossible even to discuss it. There is no time left.

Therefore, I request that this Bill may be taken up in the next session. The inter-session may be utilised for having discussion and preparing the structure of the other Bill and give it to us. We want to consider it. We want to make suggestions in this, if there is time available. Therefore, Sir, let it go over to the next Session.

[*Translation*]

PROF. VIJAY KUMAR MALHOTRA (Delhi Sadar): Mr. Deputy Speaker, Sir, there is not much choice before the House is regard to constitution (Amendment) Bill which has been introduced today.

Mr. Deputy Speaker, Sir, the Legislative Assembly was constituted in Delhi in the year 1952, but it was dissolved afterwards. For the last 32 years that means since 1958, there has been a continuous demand to provide statehood to Delhi and to constitute a Legislative Assembly. It is a matter of happiness that the Government has made a commitment for the first time, and introduced a Bill for providing statehood to Delhi. I feel that it has given a ray of new hope. It has been said repeatedly till now that Delhi can never become a State and aspirations of Delhities have been suppressed for the last 32 years. In addition to it, it was also stated that Delhities never got self rule, but now it is a matter of happiness that a commitment has been made in this house that self rule will be provided to Delhi. But it is a matter of regret also that this Bill has been introduced half heartedly, it will not serve much purpose, but as has been stated earlier that another Bill will have to be introduced and that will also be a Constitutional (Amendment) Bill. It is not a healthy tradition that one Constitutional Amendment Bill is introduced today and another one afterwards. There is no option but to pass it entirely in the next Session. I would like to request everyone that they should cooperate on the issue of statehood and State Assembly for Delhi so that when we meet in the next Session, there should be no hurdles in its passage. The next Session will be held after one and a half month and its enactment in the next Session

should not be held up on some other pretext. So next time we hope to meet the aspirations of the people of Delhi. There is no objection to taking it over to the next Session because it is like a rattle which has no life. The Bill which has been introduced today does not serve any purpose. Even if it is passed today we cannot have a State Assembly here. So this Bill will have to be passed in the next Session. If everyone wants to have further consideration on this Bill, we have no objection to it. We hope that in the next Session this Bill would be passed unanimously. (*Interruptions*)

SHRI TARIF SINGH (Outer Delhi): Mr. Deputy-Speaker Sir, this Government has made a beginning towards grant of Statehood to Delhi because upto now there has never been a responsible administration in Delhi. We are not opposed to Statehood for Delhi but at the same time we must take into account the increase in population in Delhi. In one constituency there are 3.80 lakh voters while in another there are 17 lakh voters. To remove this disparity a delimitation bill should invariably be introduced along with this Bill.

SHRI SURYA NARAYAN YADAV (Saharsa): Sir, the National Front Government had said in their manifesto that Delhi would be granted statehood. For this purpose a Bill has been introduced in the House today I would like to give two suggestions to the Government on this issue. I would ask the Government to examine this Bill carefully. There are two points to be considered while granting statehood to Delhi. Firstly, the number of voters in all the Assembly constituencies should be equal. Secondly, electoral lists should be revised on the basis of the 1989 census and not the 1981 census. During this period many people have come there from Uttar Pradesh, Haryana, Bihar and as Shri Chidambaram said from south India also. The names of these people do not appear in the electoral list. The number of such people in Delhi is nearly 45 lakhs to 75 lakhs. Therefore, all these new people have the moral right to vote in Delhi. Also the number of voters in all Assembly constituen-

[Sh. Surya Narayan Yadav]

cies should be equal. These are my suggestions.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SUBODH KANT SAHAY): Mr. Deputy-Speaker Sir, the Government has moved the 72nd Constitution (Amendment) Bill for grant of statehood to Delhi. We have brought this Bill to fulfil the promise made by the Government (*Interruptions*)

SHRI J.P. AGARWAL (Chandni Chowk): Why the Assembly is not being given any powers? What is the use of such an Assembly? (*Interruptions*)

SHRI SUBODH KANT SAHAY: Sir, I would like to say that we are trying our best. A committee has been constituted for this purpose. It recommended that Delhi should be made a Union Territory. Some other reports have also been received. All concerned parties have been consulted. I agree with Shri Chidambaram when he says that Delhi does not belong solely to Delhites but it is the capital of the country. So we are committed to grant statehood to Delhi. (*Interruptions*)

[*English*]

SHRI P. CHIDAMBARAM: The Congress party is not consulted. Let him not say that all the parties are consulted.

[*Translation*]

SHRI SUBODH KANT SAHAY: I am praising your suggestion. (*Interruptions*)

SHRI MADAN LAL KHURANA (South Delhi): Why did you not do so in the last 40 years? Why were elections to the Metropolitan Council not held? (*Interruptions*) Something which they could not do themselves in 40 years. They wish that it should be done now in one month only. (*Interruptions*)

SHRI SUBODH KANT SAHAY: Mr.

Deputy Speaker Sir, as you know, presently Delhi is under a Lt. Governor under the new set up Delhi would be under a Governor and would have a public service commission and all other features of a full-fledged State of the country. It will have 7 lakh Sabha seats, 3 Rajya Sabha seats and 84 Assembly seats. Sir, besides this the Election Commission would be given the responsibility of completing work relating to de-limitation before the appointed date. This will fulfil the desires of hon. Members and give proper representation to Delhi. (*Interruptions*)

SHRI J.P. AGARWAL: Why was the Metropolitan Council dissolved? You were not going to introduce the Bill. Why were the elected representatives removed? The Government had no right to dissolve the Metropolitan Council. (*Interruptions*)

SHRI SUBODH KANT SAHAY: Sir, at least let us have their support in these matters of mass welfare. Till now they have been shouting and doing nothing else. (*Interruptions*) Sir, delays have not been due to any fault on the part of the Government. The delay has been due to a proposal received at the last moment regarding the division of Delhi into two parts one to be made a Union Territory and the other to be granted Statehood. The Government did not accept the proposal as Delhi is the capital of the country. The time was sought by the Government to keep the integrity of Delhi intact, through a process which is not yet complete. The provisions regarding its implementation will be put forward in the next Session. If the Bill regarding grant of Statehood to Delhi is passed then as soon as the Election Commission completes the work relating to de-limitation, Assembly elections will be held to form a Government. So I request that the Constitution (Amendment) Bill be passed.

[*English*]

PROF. SAIFUDDIN SOZ (Baramulla): Sir, in the list of Business, item No. 28 is regarding the discussion under Rule 193 which should be taken up for discussion. We can sit up to 8 O'clock and discuss this

subject today. (*Interruptions*)

SEVERAL HON. MEMBERS: No, no.

MR. DEPUTY SPEAKER: Let us first dispose to the item No. 27 in the List of Business. Now, with the agreement of the House the consideration of the Constitution 72nd Amendment Bill is adjourned to a later date.

Now, I think hon. Industry Minister, Shri Ajit Singh will lay a Paper on the Table of the House.

18.03 hrs.

PAPERS LAID ON THE TABLE - *CONTD.*

Policy measures for promotion of small scale and agro based industries

[*English*]

THE MINISTER OF INDUSTRY (SHRI AJIT SINGH): Sir, I beg to lay on the Table a copy of the Policy measures for the promotion of small scale and agro-based industries and changes in procedures for industrial approvals (Hindi and English versions). [Placed in Library. See No. LT-1144/90]

[*English*]

PROF. SAIFUDDIN SOZ: Sir, I strongly plead for taking up the discussion under Rule 193 regarding Kashmir situation. You cannot carry this to the next session. We must conclude the discussion today. On many occasion we sat upto 8.00 P.M.

SHRIMATI GEETA MUKHERJEE (Panskura): Since relevance is not much in the order of the day this is the last day of the session and my submission through you, Sir, to the Members of the House is that they give up a part of their allowances for all the time wasted in the last few days of the sitting of the House. I hope you will consider that and put it before the Parliament.

SHRI A. CHARLES (Trivandrum): In the 8th Lok Sabha also, a lot of time was wasted because of those Members. (*Interruptions*)

SHRI VASANT SATHE (Wardha): Sir, I would suggest that we are agreeable to the suggestion made by Mr. Soz. Kashmir issue has been very important and this matter has not been completed and we have half-finished this issue. I think he is perfectly all right if we extend this House by 1/1-2 to 2 hours so that we can finish the Kashmir issue.

SEVERAL HON. MEMBERS; No, no. (*Interruptions*)

PROF. SAIFUDDIN SOZ: Sir, I have a point of order. Sir, my point of order is that on 22nd of this month, the hon. Home Minister made some observations. First he gave figures about the deaths on 21st and I said that the figures given by him were wrong and he should visit the place and find out the exact figures.

MR. DEPUTY SPEAKER: There is no point of order.

PROF. SAIFUDDIN SOZ: Kindly listen to me, the other part is very important. And then when I gave figures, those figures were correct but he said these are the figures given by the terrorists. So I have given a privilege motion. I said, I would not press it if he withdraws that. So, he should be here to withdraw those remarks. He should give the correct figures and he should withdraw those remarks. (*Interruptions*) The Home Minister is not here, any senior Minister must rise up, but I insist that the Home Minister should reply to this today. (*Interruptions*). The Home Minister is not here, he should be here, I do not know.

18.06 hrs.

[MR. SPEAKER *in the Chair*]

Sir, kindly listen to me. I am on a point of order, I want your Ruling.