

[MR. DEPUTY-SPEAKER *in the Chair*] :

STATUTORY RESOLUTION RE : CON-
TINUANCE IN FORCE OF PRESIDENT'S
RULE IN PUNJAB

[*English*]

MR. DEPUTY-SPEAKER: We are tak-
ing up Statutory Resolution.

Shri Buta Singh.

THE MINISTER OF HOME AFFAIRS
(S. BUTA SINGH): I beg to move:

"That this House approves the
continuance in force of the Procla-
mation dated the 11th May, 1987 in
respect of Punjab, issued under
the article 356 of the Constitution
by the President, for a further pe-
riod of six months with effect from
the 11th May, 1989."

As the House is aware, in view of the
then prevailing situation in Punjab, Procla-
mation under article 356 of the Constitution
in relation to the State of Punjab was issued
on May 11, 1987 on the recommendations of
the Governor. Approval of the Lok Sabha as
well as Rajya Sabha for the issue of the
Proclamation under article 356 was obtained
on 12-5-1987. The Legislative Assembly of
the State, which was initially kept under
suspended animation, was dissolved on 6th
March, 1988 on the recommendation of the
Governor.

As the law and order situation in the
State continued to be disturbed, approval of
both the Houses of Parliament was obtained
for continuance of President's Rule for a
further period of six months with effect from
11th November, 1987.

Under the existing provision of article
356 (5) of the Constitution, President's Rule
could not be extended beyond a period of
one year unless the two conditions men-
tioned in that clause are met. As both these
conditions were not fulfilled, article 356 (5) of

the Constitution was amended by the Con-
stitution (Fifth-Ninth Amendment) Act, 1988
so as to make clause (5) of that article
inapplicable to the proclamation issued on
11th May, 1987 with respect to the State of
Punjab. With this amendment, President's
Rule can be extended, if necessary, for a
total period of three years in Punjab without
fulfilment of the conditions mentioned in
clause (5) of article 356 subject to the ap-
proval of both Houses of Parliament for
continuance of Proclamation for a period of
six months on each occasion.

After enactment of the Constitution (Fifty-
Ninth Amendment) Act, 1988, President's
Rule in Punjab has been extended with
effect from 11th May, 1988 and again with
effect from 11th November, 1988. The pres-
ent term of President's Rule in Punjab is due
to expire on 10th May, 1989.

The Governor of Punjab in his report
dated 3rd May, 1989, addressed to the
President of India has stated that continu-
ance of President's Rule since 11th May,
1987 has contained terrorism to a great
extent. From January this year, 135 of the
217 Police Station (11 Railway Police Sta-
tions) have not had any terrorists killing till
2nd May, 1989. In fact, only 82 Police Sta-
tions have recovered terrorists crimes from
January, 1989 as opposed to 143 in 1988.

The Governor has further reported that
while it is true that the number of killings is
still large, it has to be noted that most of the
killings are today not for achieving any sepa-
ratist or fundamentalist ideology, but for
mainly anti-social and criminal reasons such
as robbery, kidnapping, land grabbing, loot-
ing, extortion etc. In other words, a number
of dangerous criminals, armed with sophis-
ticated weapons and arms, are continuing
their efforts to take advantage of the situ-
ation.

The Governor has further assessed that
the fearless manner in which the police and
security forces are fighting terrorism, is
demonstrated by the fact that during the
period from 12th May, 1987 to 30th April,

1989, as many as 827 terrorists were killed and 7,481 arrested. During this period, 2,751 innocent persons and 214 policemen were killed. These figures not only speak for themselves but they also show the seriousness of the situation that the President's Rule is trying to tackle in a determined manner. The fight is not yet over and is being carried on with full determination.

The Governor has cited certain developments which are indicators of improvement achieved during the period of President's Rule so far. Khalistani posters or slogans are not generally seen or heard these days. Bhindranwale tapes are no longer much in evidence. Bhog ceremonies honouring dangerous Khalistani terrorists are not held and the people seem to have gone against both the concept of Khalistan and terrorism.

The Governor has further reported that following the announcement made by the Prime Minister in Parliament recently, the Jodhpur case has been withdrawn altogether. Also, the cases of sedition against 437 persons including some well known people are being withdrawn. Punjab is no longer a prohibited area and any foreigner can go to Punjab without any restriction. The Notifications applying the Disturbed Areas Act and the Special Powers (Police) Act have been withdrawn from 9 out of the 12 Districts.

The Governor has further mentioned that the entrenchment of the Khalistani terrorists in the sacred precincts of the Golden Temple has been dismantled and Harmandir Sahib cleared of the terrorists. Tens of thousands of devotees belonging to every religion have commenced visiting Golden Temple again.

The Governor has further reported that in the two years of President's Rule, Punjab has progressed considerably in the economic sphere as will appear from the fact that a growth rate which was reduced to 3 percent in 1987 from 10 percent in 1981 is again fast increasing and should be reaching 8 percent shortly.

The Governor is of the view that we must not waver or falter or dilute in any way our determination to fight the forces of anti-national terrorism, disintegration and disunity and be even more firm in our resolve to control the situation as early as possible. For this a strong and committed administration which can, in the present circumstances, be only under President's Rule with the Central and State Governments working in total cohesion, cooperation and coordination under a determined and unified control.

The Governor has assessed that any elections held for the Assembly in the present disturbed and uncertain situation are likely to result in further confusion and chaos. The Governor is of the view that in the circumstances as they are today, Assembly election if held, no party will be able to form any stable Government in the State and run the administration in accordance with the provisions of the Constitution of India.

In the circumstances, the Governor has recommended that the Proclamation date 11th May, 1987 under Article 356 of the Constitution may be extended for a further period of six months with effect from 11th May, 1989.

Keeping in view the situation prevailing in the State and taking all the relevant factors into consideration, it is proposed that the president's Rule in Punjab may be continued for a further period of six months with effect from 11-5-1989.

In view of the position explained by me, I solicit the approval of this august House to the Resolution mentioned by me at the beginning.

MR. DEPUTY SPEAKER: Motion moved:

"That this House approves the continuance in force of the Proclamation dated the 11th May, 1987 in respect of Punjab, issued under Article 356 of the Constitution by the President, for a further period of six months with effect from the 11th May, 1989".

(Interruptions)

SHRI E. AYYAPU REDDY (Kurnool): Sir, I have tabled an amendment to the Resolution. I have already given notice. As soon as the Resolution was circulated to us, I gave it. *(Interruptions)*

MR. DEPUTY SPEAKER: It has not been admitted.

(Interruptions)

SHRI E. AYYAPUREDDY: It was circulated only in the House. It was not in the original List of Business.

SHRI AMAL DATTA (Diamond Harbour): It was not circulated earlier. *(Interruptions)*

SHRI THAMPAN THOMAS (Mavelikara): Sir, I would submit that the amendments are not protected. Is this the way of circulating an important subject?

MR. DEPUTY-SPEAKER: It has not been rejected because of the time factor. But on the merits, it has been rejected.

(Interruptions)

SHRI INDRAJIT GUPTA (Basirhat): But on such an important matter, how is it that it did not form part of the normal List of Business? It came as a Supplementary Agenda as though it is an afterthought. It is a serious matter. Why has it been treated in this frivolous manner? *(Interruptions)*

SHRI THAMPAN THOMAS: We seriously object to this practice.

MR. DEPUTY-SPEAKER: It was not suddenly circulated. In the morning itself, they have issued the Supplementary List of Business.

SHRI INDRAJIT GUPTA: The question of extension of President's Rule in Punjab, is it to come as a Supplementary Agenda circulated later on?

MR. DEPUTY-SPEAKER: Previously also, it was done like this. This had happened. It is not a new thing.

(Interruptions)

SHRI SAIFUDDIN CHOWDHARY (Katwa): This is a very serious matter *(Interruptions)*

SHRI THAMPAN THOMAS: We have got a right to move a disapproval Resolution. That was also denied.

MR. DEPUTY-SPEAKER: He has given the amendment. But, on merits, it has been rejected. That is all.

SHRI THAMPAN THOMAS: This shows the callous nature of the Government in conducting the Business. The point is on the 10th May, the President's Rule is going to end. They should have made it clear earlier and presented it before this House. Sufficient opportunity should have been given to Members to discuss it.

MR. DEPUTY-SPEAKER: You are still having sufficient time. You can debate it and approve it. If you are not satisfied, then you disapprove it.

(Interruptions)

SHRI AMAL DATTA: How can you say there is sufficient time when you have not given sufficient notice? There is no scope. *(Interruptions)*

SHRI INDRAJIT GUPTA: Even this morning, before we came to the House, we had no inkling that this item would come up. It is not in the original list of Business. Is this the way to treat such a serious matter?

SHRI AMAL DATTA: Members, who would like to speak, may not have come today. They would not be available to participate. *(Interruptions)*

MR. DEPUTY-SPEAKER: We will take it up tomorrow also. There is still time. We

are not going to finish it today. We are going to take it up tomorrow also.

(Interruptions)

SHRI C. MADHAV REDDI (Adilabad): Members have been denied the chance to move amendment.

SHRI E. AYYAPU REDDY: The basic right has been denied.

MR. DEPUTY-SPEAKER: We have given sufficient time. I want to inform you that we will give sufficient time to debate. Tomorrow also, we can discuss it, apart from today.

SHRI E. AYYAPU REDDY: What about my amendment?

MR. DEPUTY-SPEAKER: Regarding the amendment, first of all, it has been received in time. There is no objection to it. But on merits, it has been rejected.

SHRI E. AYYAPU REDDY: We have not even been informed of it. What is the merit on which it has been rejected?

MR. DEPUTY-SPEAKER: It is not necessary to give the reasons.

(Interruptions)

MR. DEPUTY-SPEAKER: It is only an extension.

(Interruptions)

SHRI C. MADHAV REDDI: It is a substitute motion. Why should it be rejected?

MR. DEPUTY-SPEAKER: It is only for six months extension. This is not a new thing that we are introducing. Therefore, the amendment has been rejected.

(Interruptions)

MR. DEPUTY-SPEAKER: If you want to say anything, I will give sufficient time. Every Member can participate and give his

ideas. In the end, if you do not accept it, you can be rejected.

(Interruptions)

SHRI THAMPAN THOMAS (Mavelikara): That is not proper for parliamentary democracy. *(Interruptions)*

SHRI E. AYYAPUREDDY: Mr. amendment may be circulated. *(Interruptions)*

MR. DEPUTY-SPEAKER: Mr. Ramachandran Reddy to speak.

(Interruptions)

SHRI AMAL DATTA: You must give sufficient time before we speak tomorrow.

MR. DEPUTY-SPEAKER: Tomorrow also, we will give sufficient time.

SHRI AMAL DATTA: "Also" means, everybody would like to speak tomorrow. What can you do?

MR. DEPUTY-SPEAKER: Those who are interested can speak today. If you want to speak tomorrow, you can speak tomorrow. I have no objection.

(Interruptions)

SHRI E. AYYAPU REDDY: There are other listed items which are partly discussed. One item is under Rule 193. There are two Bills. They can be taken up. After all, at 4.00 P.M., another item is going to be taken up. *(Interruptions)*

PROF. N.G. RANGA (Guntur): I cannot understand why there should be any hesitation at all to have a discussion on this for two hours or three hours, whatever it is.

MR. DEPUTY-SPEAKER: Out of other three hours, tomorrow also we can take it up and today also we can discuss it. Since at 4.00 P.M. we are going to take up another item, that means, today we can discuss it for one and a half hours and tomorrow also we

can discuss it for one and a half hours. At that time, those Members who want to participate tomorrow, they can participate.

(Interruptions)

SHRI K. RAMACHANDRA REDDY (Hindupur): I have not been able to understand the implication. When the Resolution has been moved, Members have got the right to move amendments. You should give some time for moving amendments.

MR. DEPUTY-SPEAKER: On that basis, it has not been rejected. This is only for giving six months extension. Therefore, on the merits, his amendment has not been admitted.

(Interruptions)

SHRI E. AYYAPU REDDY: If the office had informed me earlier, I would have corrected it and answered to the objection.

MR. DEPUTY-SPEAKER: Whatever you had given us was not rejected on the ground that there was not sufficient time.

(Interruptions)

SHRI E. AYYAPU REDDY: Members are entitled to move amendments within 24 hours.

(Interruptions)

SHRI K. RAMACHANDRA REDDY: I would like to know whether Members are entitled to move amendments or not. Is it not necessary for you to give some time for the Members to move amendments? I am not able to understand this. This is an unhealthy trend.

MR. DEPUTY-SPEAKER: You have got the right to move the amendment. Nobody is saying "no" to it.

SHRI K. RAMACHANDRA REDDY: I would invite your ruling to the fact whether Members are entitled to move amendments or not.

MR. DEPUTY-SPEAKER: Members are entitled to move amendment to the Resolution.

(Interruptions)

SHRI E. AYYAPU REDDY: What is the time allotted for Members to move the amendment according to rules? Did we have sufficient time? This Resolution was circulated when we were in the House. Do you mean to say that we should have run away from the House to table an amendment?

MR. DEPUTY-SPEAKER: You have a right to move your amendment and that you have already moved. But it has been rejected on the merits because it is only for an extension of six months. It is not a new thing. Therefore, there is no scope for the amendment. If the House feels that it can be rejected, it can be rejected on voting.

(Interruptions)

SHRI C. MADHAV REDDI: Members may be permitted to move amendments within fifteen minutes from now on. What objection do you have? This has been done in the past.

MR. DEPUTY-SPEAKER: It is not a new thing. It is only an extension.

SHRI C. MADHAV REDDI: While the discussion goes on, you may please give them half-an-hour's time to give their amendments. That has been done in the past also.

SHRI INDRAJIT GUPTA: That has been done many times.

SHRI E. AYYAPU REDDY: Rules permit and rules require that Members must be given time for moving their amendment. Without that the entire discussion will be irregular and illegal.

MR. DEPUTY-SPEAKER: I am not coming in the way. Rules say that there is no scope for the amendment because it is only an extension of what is already going on. Therefore if the House feels that it should be

rejected, the House can reject it. That is why I am saying that there is no scope for that... (*Interruptions*)... My ruling is that there is no scope.

SHRI E. AYYAPU REDDY: If I say, for six months you substitute three months, how can you rule out such an amendment?

MR. DEPUTY SPEAKER: You can raise that point during the course of the debate.

SHRI E. AYYAPU REDDY: I am entitled to move my amendment that for six months you substitute three months.

MR. DEPUTY SPEAKER: There is no scope at this stage. I am not allowing it.

SHRI E. AYYAPU REDDY: How can you disallow that? Kindly see the rules. How can you prevent me from moving such an amendment? How can it be disallowed? Under what rule?

SHRI D.B. PATIL (Kolaba): I am on a point of order Sir. Now you have said that there is no scope to move the amendment. Under what rule do you say that there is no scope? Because I have to refer to the rules.

MR. DEPUTY SPEAKER: It is not necessary for me to give the reasons. I need not necessarily give the reasons for my ruling. The Chair need not necessarily give reasons for its ruling.

SHRI K. RAMACHANDRA REDDY: I am not asking the reason; under what rule are you giving that ruling?

MR. DEPUTY SPEAKER: Over my ruling you cannot argue.

SHRI E. AYYAPU REDDY: Sir, my amendment should be admitted. Finally it can be rejected by the House; but it cannot be rejected by the Office unless it is irrelevant, frivolous or against the rules. So I move that...

MR. DEPUTY SPEAKER: No. I am not allowing it.

SHRI E. AYYAPU REDDY: How can you prevent me? Under what rule can you over-rule my amendment?

MR. DEPUTY SPEAKER: Under what rule are you moving it?

SHRI E. AYYAPU REDDY: For every Motion that is before the House Members can move their amendment.

MR. DEPUTY SPEAKER: Once it is disallowed. I cannot allow it again.

SHRI C. MADHAV REDDI: For any Motion before the House, Members can move their amendment. (*Interruptions*)

SHRI THAMPAN THOMAS: I would like to know whether I have got a right to move a resolution disapproving this Resolution. Can it be denied to me? (*Interruptions*)

MR. DEPUTY SPEAKER: Your argument is that sufficient time is not given for giving you amendment. That is all you are saying.

SHRI E. AYYAPU REDDY: My basic objection is that when you are taking up an item which is not in the Agenda already circulated, first it must be put to the House. The House must approve skipping of the listed item and taking up an item which is not already there. That also has not been done in this case; and you are not even allowing us to move our amendment.

MR. DEPUTY SPEAKER: Mr. Ayyapu Reddy, you can give your amendment by 4 O'clock, I will see that. Before 4 O'clock you can give your amendment.

SHRI C. MADHAV REDDI: That is exactly what we were asking for.

SHRI K. RAMACHANDRA REDDY (Hindupur): Mr Deputy Speaker, Sir, I very strongly register my protest at the cavalier

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way in which this Resolution has been brought before this house. It is a very important Resolution. It is for the fourth or fifth time that the President's Rule in the State is being extended in Punjab. I know with the brute Majority the Government will get the Resolution passed. But still, I register my very strong protest. What was the Government doing all these days? At least, they could have been gracious enough to mention it in the Agenda. They do not even mention it in the Agenda Paper for today. Suddenly, at about 12 noon or 12.30 p.m., we received a paper, wherein this Statutory Resolution is there. This matter has not been taken up by the Business Advisory Committee and this has been listed as Item 7 A, and to take up some business other than what is mentioned in the Agenda paper, I think the permission of the House is required. Even the permission has not been given. Members have not been given any notice or sufficient time even to move their amendments and more over Members have not been given time even to formulate their thoughts, to think about the matter—whether to oppose it or not; if we want to oppose it, on what grounds; and if we want to support it, on what grounds. Even this time has not been given. That is why, I register my very very strong protest on behalf of all the opposition parties.

Now, the way in which the Government is acting is very very bad. You know the President's Rule is coming to an end on 11th May. This session is likely to come to a close on 10th May. I do not know whether it is going to be extended or not.

If you want the extension of the President's Rule in Punjab, why did you not come up some three or four days before and give time to the Members to prepare themselves, to get some material? A number of facts have been given by the hon. Home Minister about the number of killings, about the weapons seized and about the state of affairs. There is no time for us even to get some information about whether the facts mentioned by the hon. Home Minister are correct

or otherwise. We are not in a position to dispute them or accept them. We do not know the facts. If we were given some three or four days time, we would have made efforts and see whether the number of killings is correct or otherwise, whether the reasons given by the Governor for extension of the President's Rule are valid or not. No such thing is there. Suddenly the Resolution is moved and we are asked to speak, without any preparation, whatsoever. I am very sorry that this sort of thing is being allowed when you are in the Chair. I am very sorry that such things are happening.

Now, the President's Rule is being extended or sought to be extended by six months. What were the reasons given by the Governor? The main reason given by the Governor is that uncertainty of the situation is the State to hold the elections for the Assembly. Now, what is the uncertainty? How the uncertainty has come? What are the reasons on which the Governor based his assessment? Why does he feel that the Assembly elections cannot be held? How is he able to say that if elections are held, no party will get the majority? Is he an astrologer? How did he do it? Now another thing we have been hearing is that the Panchayat elections will be held in the State. If the uncertainty does not prevail for holding the Panchayat elections, how does uncertainty prevail for holding Assembly elections, I am not able to understand. The Panchayat elections are also part and parcel of the Assembly elections in a way. Even there, the political parties have to take part. Panchayat elections are at the grass-root level. They contest more vigorously than in the Assembly elections, because Assembly constituency is a bigger constituency and the Panchayat constituencies are very small constituencies. So elections there, are fought with a lot of enthusiasm. When you can hold the Panchayat elections, how is it possible that you cannot hold the Assembly elections? How does the Government say that uncertainty prevails in the State, which renders that the Assembly elections could not be held? So it is a very peculiar report. We are not even given a copy of the report,

to see whether some facts have been brought out.

We do not know as to what are the facts. We are not able to remember the facts or note them down. We do not know whether they are correct or otherwise and also the actual situation. If in this way the Government is trying to impose Presidents Rule, then, I can say that it is an unseemly haste. It is unwarranted. If the Government wants to really deal with the problem of Punjab in this cavalier fashion, then I do not think that the problem can be solved. I am doubtful whether the Government wants to really solve the Punjab problem or keep it pending for various reasons. I feel that they want to keep this Punjab problem as it is so that they may utilise it for extending the period of parliament for another six months or one year. That may be the motive in the mind of the Government. They may try to utilise the situation to extend the present term of Parliament for one more year. I would like to Home Minister to give a categorical assurance that no such thing will be done.

The next point is that the President's Rule has been invoked in the State for the past two years. What is the situation now? In the previous years when Mr. Barnala was ruling, during Mr. Barnala's time, about 300 to 400 people were killed per year. You made use of the situation that the killings had not been mitigated and since Mr. Barnala was also not able to control the killings you imposed President's Rule. At that time we thought that the President's Rule may bring some solace to the people of that area, that President's Rule may be able to contain the killings and terrorist activities but alas, the figures which I would like to give show that the President's Rule has not improved the situation in any way. When the President's Rule was imposed in May, 1987, the number of people who were killed from May 1987 to the end of 1987 was 634 and the number of terrorists who were killed was 277. In 1988, 1949 people were killed the unofficial figure is that 2674 people were killed and 373 terrorists were killed. As on 1st April, 1989, that is this year, 343 people were killed as

against 188 terrorists. Totally, 250 police people were killed. Besides all this, total of two hundred and fifty police people have been killed and 800 to 900 terrorists have been killed. During these two years, so many people have been killed. So many mothers have lost their sons and so many sons have lost their parents. So many brothers and sisters have lost their brothers and sisters. When this is the situation, when you can dismiss Barnala Government under a simple plea that he was not able to contain terrorism, when you have miserably failed to contain terrorism in the State, when a number of police people have been killed, when more than 3300 people have been killed, what right have you got to rule the State? You are ruling the State through the Governor. The Centre is ruling the State. The Home Minister is responsible for this. Is there anybody in this Government who can own moral responsibility and offer his justification for the failure of this Government? In this case, the hon. Home Minister happens to belong to that State. His relatives have also been killed. He was not able to save his own relatives and contain the killings. Killings have been increasing. When such is the case, this is a fit case where the Home Minister must own the moral responsibility and resign

Since people have got power, I think, in the next elections, people will dismiss you and remove you from power. Under these circumstances, I oppose the President's Rule. What are the reasons for this? Has the Government analysed these reasons? How is the administration being run? It has come in the number of papers that there is lot of corruption both in the civil side and on the police side. Huge sums are being collected by the police administration. Corruption is rampant everywhere. Police people have taken law in their own hands and in the guise of containing terrorism, a number of innocent people have been killed in fake encounters.

15.00 hrs.

If a young man is arrested and he is not

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able to give them bribe and he does not have any connection in high circles, he is killed. That is one of the reasons that you are not able to contain the corruption during the past two years.

Then, there is a very peculiar situation in Punjab. If a terrorist comes and a citizen does not keep his weapons with him, he is killed; if he keeps the weapons, the next day the police will come, catch hold of him and accuse him for harbouring terrorists. Then, at the dead of the night, terrorists would come and ask for cooking food for them, if they do not cook, they would be killed and if they cook, the next police will catch hold of them and say that they are harbouring the terrorists and they have something to do with them.

Thus, the people of the State have been caught between the devil and the deep sea; they are not able to survive in any situation. They have not only to face the terrorism of the terrorists, but also the State terrorism. The people of Punjab are vexed not only with the terrorists, but also with the State terrorism, that has been unleashed by the State police.

As I said, so many youths have been killed and a lot of corruption is there. The Government has failed to stop these killings as also put an end to the corruption which is rampant there. Until you are able to take the people of Punjab into confidence, I do not think you will be able to solve this problem.

The hon. Home Minister was saying that in 82 police stations terrorist crimes have been recorded, while in 135 police stations there have been no terrorist killings. Terrorist activities are on the increase in 12 more police stations. Therefore, in about 94 police stations, terrorist acts are on the increase. The situation is very bad, and, therefore, people have been running away to towns. Some of them have left Punjab and come to Delhi and other States. It is very astounding to note that the Governor is not

able to contain the terrorist activities. I am sorry to say that when you open the daily newspaper in the morning, you see how many people have been killed the previous day. It is just like knowing the score, as we find out in the cricket or other games. If we make the calculations, some thousands of terrorists and others have been killed. I do not know how many terrorists have actually been killed. What is the number of terrorists? How many terrorists are still there? How many terrorists have been liquidated? A lot of weapons, AK-47 and hundreds of rifles have been seized. That include sophisticated weapons. Where are the hide-outs of the terrorists? Are those hide-outs in Pakistan? What are the weapons with them? From where are they getting these weapons? Has any effort been made to ascertain all these facts? If so, have you been able to identify the places from where these weapons are coming to our country? Have you take up the matter with Pakistan in a suitable manner? What is the outcome of that? Why have you not been able to convince Pakistan that they should not give assistance to terrorists?

The action take by you so far shows that you are not serious to tackle this matter. I do not know how many people you have sacrificed so far. Three or four thousand people including terrorists, and police have been killed. About 250 policemen have been killed. I do not know how many people this Government wants to be killed. This problem has not been created by anybody else, but by this Government for its own purposes.

Now, when you are holding the panchayat elections, why don't you be bold enough and hold elections to the Assembly also. Whosoever may come to power, allow them to rule the State so that they are able to do something to contain the terrorism. Unless popular Government comes, I don't think terrorism can be contained in the State.

So, even though this resolution is likely to be passed, I very strongly oppose this resolution.

SHRI SHANTARAM NAIK (Panaji): Mr. Deputy Speaker, Sir, I rise to support the statutory resolution moved by the Home Minister. In the past on two or three occasions I have also said that whenever issues of national interest are brought before the House and whenever the Government proposes to take some legislative or other measures, the cooperation of the Opposition parties has never come through. They have proved it time and again. They have not only spoken against the clauses of the Bill but even on small procedural matters they have gone against the Government. Wherever Government can be opposed on one or the other pretext, they have not missed the opportunity. This is what I have been consistently saying and I repeat and reiterate my stand that the Opposition parties have never come to help the Government.

Again, some 15 minutes back we could see the role of the opposition so far as this statutory resolution is concerned. No doubt this item has been included as Item 7-A in the List of Business, but as provided in the rules this can be done. No doubt Sir, they may have some grievances and they have every right to put forth their grievances, but realising the situation in Punjab should they have resorted to such pretext or not is a question.

Mr. Deputy Speaker, Sir, as far as Punjab is concerned, I have got special affection for the people of Punjab for one simple reason. I can proudly say for the information of Ramoowaliaji that it was the people of Punjab who came to Goa and helped us in our liberation struggle. That is why I have a lot of consideration and affection for the people of Punjab. As a congress man, I would certainly like that democracy flourishes there and democratic institutions are brought of life in the State of Punjab. The Congress Government will lose no opportunity to bring these institutions to life in the State of Punjab.

Sir, there is a legislation namely the Terrorists' And Disruptive Activities Prevention Act, 1987, which will be perhaps discussed tomorrow. Most of the Matters relating to Punjab terrorism are dealt with through

it. Since this is a temporary legislation, Government is seeking extension of this legislation. This legislation is the main instrument for the governance of Punjab administration and acts of terrorists. I would like to know that whether in this Bill which governs basically the acts of terrorists the courts designated for the purposes of trial of terrorists, etc. are some special courts or they are the courts which are in existence like the Sessions Court or the District courts. If these court are vested with power, then there will not be speedy trial of offences and the offenders will not be brought to book. Normally it happens that a sitting judge or a additional Sessions judge is empowered with powers of designated courts or special courts and, therefore.....

SHRI THAMPAN THOMAS: Sir, what is the subject under discussion? I think, it is the extension of President's Rule in Punjab.

SHRI SHANTARAM NAIK: When we are speaking on the extension of the Proclamation, I would like to know one point from the hon. Home Minister. As far as the situation as it stands today is concerned, a lot of developments have taken place in our neighbouring country, Pakistan and a democratically elected Government came into being in Pakistan. After Mrs. Benazir Bhutto took over the reins in Pakistan, what are the factors which have changed, as far as the terrorist activities are concerned? Have the Government of India renewed their efforts in this direction because a democratically elected Government in Pakistan is committed to have better relations with our country? This factors is very much relevant as of today in the entire context of the Punjab issue. Therefore, kindly throw some light on this aspect.

Secondly, the Governor's report says that a situation has not yet arisen whereby any elected government can, with reasonable stability, rule the States. This is the crux of the problem. Under our Constitution, unless a government is able to function within the provisions of the Constiution, we cannot have an elected government. Here a ques-

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tion was posted as to why Assembly elections could not be held when panchayat elections could be held. I submit that the structure of governance, basically the apex body of governance is the Assembly, as is well known to all. If the Government wanted to avoid elections at all stages, they would have avoided the Panchayat elections as well. But the fact is that the Government is not against holding elections. Tomorrow, the results can be this way or that way and if you happen to win, you may put forth your own arguments. The question is when we are trying to strengthen the local self-bodies such as the Panchayats, you should welcome the measure. On the country, you are trying to organise bandhs throughout the country, when we are trying to strengthen the panchayat Raj bodies. When prime Rajiv Gandhi is trying to realise the dream of Mahatma Gandhi and establish 'Gram Raj', you are opposing it. When we are trying to hold Panchayat elections in Punjab, you are opposing it. When we are trying to give powers to villagers, to rural folk to the common man in the village, you are opposing it.

SHRI K. RAMACHANDRA REDDY: We are not against holding Panchayat elections. My only question is when the situation is all right for holding Panchayat elections, why is it not so for Assembly elections? That is our argument and we are not against holding Panchayat elections in Punjab. Why do you indulge in this double talk?

SHRI SHANTARAM NAIK: The question is that they are basically opposite to giving any power to the Panchayats. They are holding even Bharat Bandhs for this purpose.

As far as the Punjab situation is concerned, Shri Ayyapu Reddy has tried to move an amendment... (Interruptions)*

MR. DEPUTY SPEAKER: Please do

not refer to it. I cannot allow you to speak on that point. (Interruptions)*

SHRI SHANTARAM NAIK: My submission is that even according to his argument, there is a case for extending the proclamation.

SHRI E. AYYAPU REDDY: After hearing me on my amendment, you can reply and not the Home Minister, Shri Buta Singh!

SHRI SHANTARAM NAIK: On Punjab issue, from the very beginning, even when the prime Minister tried to bring the opposition parties together to consult them, they did not put forth any concrete suggestions.

Even today when certain persons are coming openly—certain persons who are their friends, certain persons with whom they work together for political purposes—and when they issue statements propagating the theory of Khalistan—when that man is their political associate—no action was taken against him. That person is well-known to them. I will not name him.

SHRI AMAL DATTA: What is he doing? Don't allow him to speak.

SHRI SHANTARAM NAIK: He is part and parcel of the national Front. That man went to a foreign country—the United States—gave an interview to the private TV network and propagated the theory of Khalistan. You will be surprised to know that immediately after the TV interview of that man, another interview was followed by an astrologer who predicated that an attempt against the Prime Minister will be successful now.

So, this link of that person—whom I refuse to name—with others, i.e. the astrologer, has been well—established. He is their associate. They said that they were not for Khalistan. But for all purposes, he is actually a member of that political party. This is the type of politics they are indulging in Punjab. They are not for the improvement of Punjab situation. (Interruptions)

SHRI AMAL DATTA: What is all this? that.

Has anybody said from the Opposition that we are supporting Khalistan? I do not know why are you allowing him to speak like this. (*Interruptions*)

The Prime Minister also referred to it and he had to come to the House twice to withdraw it. (*Interruptions*)

SHRI AMAL DATTA: He is repeating the same thing and you are allowing him. I have protested against this initially.

Please have the entire thing expunged just now.

MR. DEPUTY SPEAKER: He is not mentioning any particular person. (*Interruptions*)

SHRI AMAL DATTA: It should not go on record. (*Interruptions*)

MR. DEPUTY SPEAKER: If at all there is any particular allegation, I can consider it. But how can I expunge it if there is no particular allegation? I cannot tell the Member of the house what he has to say. (*Interruptions*)

MR. DEPUTY SPEAKER: Mr. Naik, you come to the point.

SHRI SHANTARAM NAIK: I am within my point. Why do you go by their version that I am not within my point?

My contention is that it is borne out by the record of this House that they have never cooperated.**

SHRI AMAL DATTA: Again he is repeating the whole thing. Who has done what? You give an example. We shall take it up. (*Interruptions*) The Prime Minister had said something and he had to withdraw that. (*Interruptions*)

MR. DEPUTY SPEAKER: Mr. Naik, don't bring anything controversial. I will see

SHRI AMAL DATTA: Why don't you expunge it?

MR. DEPUTY SPEAKER: I will go through the record, I will see whether there is anything objectionable.

(*Interruptions*)

SHRI HARISH RAWAT (Almora): Shri Naik was referring to the interview given by a Member of the upper House. (*Interruptions*)

MR. DEPUTY SPEAKER: Please listen to me. What the Opposition Members are objecting to is that they have not said it. So, that portion will not go on record.

SHRI HARISH RAWAT: Mr. Naik didn't say that the Opposition Parties are supporting Khalistan... (*Interruptions*)

SHRI AMAL DATTA: Who supported Khalistan? We never supported Khalistan. (*Interruptions*)

MR. DEPUTY SPEAKER: I have already told you that I will go through the record. If there is any allegation against the Opposition, that part will not go on record.

SHRI AMAL DATTA: This has happened before also. (*Interruptions*)

MR. DEPUTY SPEAKER: Mr. Amal Datta I have told you that the allegations made on the Opposition parties will not go on record.

(*Interruptions*)

SHRI SHANTARAM NAIK: The Government, for the purpose of curbing terrorist activities, has brought not less than 5 or 6 Bills in this House—and amendments. On several occasions, Ordinances were issued. On several occasions, discussions under Rule 193 were raised, and they were discussed widely by the house during the last

**Expunged as ordered by the Chair.

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four years. On each of these occasions—Mr. Deputy Speaker, Sir, the record will bear me out—the legislations, ordinance and resolutions moved by the Government for the purpose of curbing terrorism and for the purpose of opposing Khalistan, have not been supported by them. (*Interruptions*)

SHRI AMAL DATTA: It is not correct. You see the record.

(*Interruptions*)

SHRI SHANTARAM NAIK: They have opposed the Government on all issues. On all the ordinances that the Government had brought, to curb terrorism, they opposed the Government. What does this indicate? (*Interruptions*) In any case, they are not concerned... (*Interruptions*)

MR. DEPUTY SPEAKER: Order, please.

SHRI SHANTARAM NAIK: In any case, they are concerned with Punjab they are not concerned with administration. I am talking something about administration. Several cases are being field in the courts. This Bill contains some good provisions, although it is a temporary legislation... (*Interruptions*)

SHRI THAMPAN THOMAS: Still he is on another subject. He is talking about a Bill.

SHRI SHANTARAM NAIK: This is an Act under which the acts of terrorism are for the time being controlled (*Interruptions*) If certain revisions which are there, are not implemented properly, peace cannot be restored. That is why I am discussing this aspect.

In several matters, witnesses come to the courts. Since they are afraid of their security, certain provisions have been made. *I would just like to have some information from the hon. Minister. As far as this Section 16 is concerned, which gives protection to witnesses, after the enactment of this Bill,*

are the witnesses coming forward? This is very important.....(*Interruptions*)

Why this interruption? I do not understand. They do not believe in what is happening in Punjab. They do not believe in Assemblies. They are now not believing in what is happening in Parliament. They believe in nothing. (*Interruptions*)

SHRI THAMPAN THOMAS: The amendment of the agenda creates problems for Congress. (*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SONTOSH MOHAN DEV): They are trying to barrack the Member. He may be saying something irrelevant but they can reply to it later. This is not the parliamentary way. He is a very new Member he is trying to speak. This is not the way to do it. What they do is not correct. (*Interruptions*)

MR. DEPUTY SPEAKER: Please don't interrupt. Order, please.

(*Interruptions*)

MR. DEPUTY SPEAKER: Mr. Amal Datta, I am not allowing you. You are not going on record.

(*Interruptions*)

MR. DEPUTY SPEAKER: I request the Members not to interrupt when a Member is speaking. If there is any objection, they can raise it. It is up to them. But if they go on commenting or objecting to it, it is not fair. This applies to others also.

Do not make running commentaries: I am requesting you.

(*Interruptions*)

SHRI THAMPAN THOMAS: On a point of order, Sir.... (*Interruptions*) I sincerely feel that the member is under a wrong impression.

SHRI SONTOSH MOHAN DEV: My point is that he may be speaking irrelevantly but they cannot barrack a Member like this. This is not a democratic method. This is unmannerly. (*Interruptions*)

SHRI THAMPAN THOMAS: I think he is on some other subject.

SHRI SOMNATH CHATTERJEE: This is not relevant.

SHRI THAMPAN THOMAS: The member has misunderstood it; it has nothing to do with the subject. (*Interruptions*)

MR DEPUTY SPEAKER: I am here to look after. Please take your seat.

(*Interruptions*)

SHRISOMNATHCHATTERJEE: When he does not know the rules what is to be done. (*Interruptions*)

MR. DEPUTY-SPEAKER: Whether it is relevant or irrelevant, I will take care of it. Please do not make any running commentary. That what I want to say.

SHRI. AMAL DATTA: What about the allegations?

MR. DEPUTY-SPEAKER: I have already said in the beginning itself that whatever allegations are made, they will not go on record. They will not go on record. I tell you.

SHRI C. MADHAV REDDY: We are only helping the Chair. (*Interruptions*)

MR. DEPUTY-SPEAKER: Everybody is shouting. That is the problem.

SHRI THAMPAN THOMAS: If he talks about Kerala during the discussion on President's Rule in Punjab, how can you allow it? (*Interruptions*)

MR. DEPUTY-SPEAKER: Now, please come to the point, Mr. Naik.

SHRI. SHANTARAM NAIK: Now, Sir, let it go on record that I was interrupted, that I was not allowed to speak on the subject; let it be on record. And I am sitting now. They have interrupted. let it go on record.

MR. DEPUTY-SPEAKER: Mr. Saifuddin Chowdhary.

SHRI SAIFUDDIN CHOWDHARY (Katwa): What happened to him, sir?

MR. DEPUTY-SPEAKER: Now, what is going to happen, you know.

(*Interruptions*)

SHRI SONTOSH MOHAN DEV: This is not the way. This is most unhelpful. (*Interruptions*)

KUMARI MAMATA BANERJEE (Jadavpur): As a senior member, the conduct of Mr. Amal Datta is most unfortunate.

SHRI AMAL DATTA: Why are these allegations being allowed?

MR. DEPUTY-SPEAKER: It is not an allegation.

SHRI AMAL DATTA: You should expunge that.

MR. DEPUTY-SPEAKER: It is not an allegation.

(*Interruptions*)

MR. DEPUTY-SPEAKER: It is a counter argument.

Please take your seat. Mr. Chowdhary.

SHRI SHANTARAM NAIK: I will apply to you subsequently as Mr. Chatterjee had done, to continue subsequently.

MR. DEPUTY-SPEAKER: Mr. Naik, if you want you can continue.

(*Interruptions*)

MR. DEPUTY-SPEAKER: If you want, you can continue your speech. I cannot allow you later.

SHRI SONTOSH MOHAN DEV: Let him finish.

MR. DEPUTY-SPEAKER: Mr. Shantaram Naik, do you want to continue?

SHRI SHANTARAM NAIK: Yes, but they have interrupted me.

MR. DEPUTY-SPEAKER: If you want to continue, you continue now. But if you want to speak on the same subject later on, I cannot allow you. Otherwise, I will call Mr. Chowdhary.

SHRI SHANTARAM NAIK: They have interrupted me. I told you, to let it go on record.

MR. DEPUTY-SPEAKER: If you want to continue, I have no objection. You can conclude your speech, But afterwards do not say that I have called some other member and you wanted to speak. That I cannot allow.

SHRI SHANTARAM NAIK: You have given once time to Mr. Somnath Chatterjee.

MR. DEPUTY-SPEAKER: No, that is not the question.

(Interruptions)

MR. DEPUTY-SPEAKER: I said in the House at that time itself that you cannot quote it as a precedent. That is all. Now you can continue. Now, silence please.

SHRI SOMNATH CHATTERJEE: Let us hear some wisdom.

SHRI SHANTARAM NAIK: As far as Punjab is concerned, since the Government has to approach the House again and again, for the purpose of extension and the opposition parties are not cooperating, there is a solution which you may accept, or you may

not accept you may agree, or you may not agree. Because if the democratic process was allowed to be gone through in a proper manner, it would have been all right, for extension, etc. I would suggest—as a member of the House I would suggest, it is for the Government to accept or not to accept—that Punjab be declared as a Union Territory without an Assembly for a period. Under the Constitution there is a provision that it can be declared as a Union Territory with a body of legislature, or without a body of legislature. Therefore, Punjab, for a period, till the situation improves, be declared as a Union Territory by an amendment of the Constitution. Then there will not be any legislature and there will be no need for extension, no need of a proclamation and there will be no trouble of any sort or of any nature during that period, *(Interruption)* and that is the only solution for the problem.

MR. DEPUTY-SPEAKER: Mr. Chowdhary.

SHRI SOMNATH CHATTERJEE: Another rape of the Constitution.

SHRI SAIFUDDIN CHOWDHARY (Katwa): That is why I told you not to allow him now.

MR. DEPUTY-SPEAKER: Now, Shri Saifuddin Chowdhary.

SHRI SAIFUDDIN CHOWDHARY (Katwa): Again the Resolution for extension of the President's rule in Punjab is here before us and we have to speak on this. The normal provision that is there in the Constitution for President's rule has expired and this time the Government has to invoke special provisions in the 59th Amendment of the Constitution for continuation of President's rule in Punjab.

Here you have come to get the approval of the House for this extension. This is a very glaring admission of the failure on the part of the Government to restore normalcy in Punjab and for which you enacted a bunch of legislation which were in nature anti-demo-

cratic. You tried many existing legislations in order to curb normal freedom and normal liberty in Punjab. In those times we opposed those enactments. We made it clear that by president's rule or by stringent legislative measures, Punjab situation cannot be tackled. It has been proved that by these kinds of stringent administrative measures, police measures, you cannot tackle a situation like that in Punjab. We have said this hundred times. I do not know whether the Government is coming to realise the same thing as we do and whether you are really understanding that a political solution with the active involvement of the people of Punjab is the only way to find a lasting solution to the Punjab problem. you can take any yardstick to measure the achievements of President's rule. If you take the killings of people, killings of people are more during the president's rule than they were during Barnala's time. on that plea mainly you toppled that Government. Maybe, there may arise a certain case where in a peculiar situation you have to take certain measures like that of imposition of President's rule. But in this case of Punjab, when the issue has been considered as a national issue by all the political parties, the very imposition of President's rule was very inauspicious. You did not consult the people and the political parties which were very much determined to see the end of terrorism in Punjab and which were emphasising in the need of involvement of the people.

PROF. N.G. RANGA: We consulted you several times.

SHRI SAIFUDDIN CHOWDHARY: About the question of restoration of normal democratic process in Punjab, we have no clear picture when that will take place in Punjab. We do not have any confidence in this Government also as to what they are really wanting to do with Punjab because at least twice in the past Punjab problem came very near to a solution. This I am talking before the signing of the Accord. With the signing of the Accord and the elections that took place after that in a very serious situation where people came out in large numbers to pronounce their verdict against ter-

rorists and to stand by the accord, can the Government tell us now why that real opportunity was missed? Here we require a soul searching and if we fail to analyse the happenings at that time, the ditherings on the part of the Government, the opportunistic attitude that you had, then we do not know whether there can be a real solution to the Punjab problem. Behind the Punjab situation, we all know how different agencies are acting, how imperialist agencies are acting, how terrorists are being aided and abetted by imperialist agencies across the border, how they are getting training across the border. We all know that. But we have our role to play also. The Central Government has its role to play also. We have to see whether any failure in this is really aggravating the situation. If anything like this is happening, then nothing is more unfortunate than this. After the 'Operation Black Thunder', another opportunity was created, but then that was not utilised. Why? Now you go on talking that all the political parties have become irrelevant. Your Governors say this. Your Ministers say this. Is it right to tell this particular thing now as to who has become irrelevant or who has not? Maybe it is one party or the other, I do not know. But the question is as a matter of policy is it prudent to tell that. That will only encourage the terrorists. They will think that they have succeeded in rendering all the political parties ineffective in Punjab. Why can't you say that there are certain political parties which have become irrelevant? I do not take brief for all the political parties but their our certain parties which who are fighting the terrorists on the ground. These very political parties offered hundred times to go to the people together. In this context, the proposal for setting up of Village Resistance Organisations was mooted and I believe the Government has also given its approval for the Village Resistance Committees very recently and the Prime Minister also gave some indication in that regard. But I want to know what concretely has taken place in regard to this since the announcement by the Prime Minister. This is one of the very important demands we raised many years ago. What is needed is to actively involve the people in

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fighting terrorism. Only with the help of police, in isolation of its connection with the people, you cannot fight terrorism. Only by your over-dependence on the Governor or the high officials, you cannot do that (Interruptions).

PROF N.G. RANGA: The Panchayati Raj elections are going to be held.

SHRI SAIFUDDIN CHOWDHARY: Well, that is very good. I am happy that the Government is going to have Panchayati Raj elections in Punjab. But then what is your scheme of things in regard to this also? Are these only pronouncements? Then, the Prime Minister says that certain districts are free from terrorist activity and you are going to have elections in those districts. But when are you going to have them? In those districts where there is no terrorism, why could elections not take place earlier? Why could an attempt not be made by this Government to see how things happen if elections to this very grass-root level take place? That could have been a stepping stone for further measures to be taken for the Assembly elections. So, I believe, the Government is totally confused.

A Cabinet Sub-Committee was set up. For months it did not meet. Now it has met some days ago. What are the concrete ideas of this Sub-committee for the solution of the Punjab problem? We are there to offer any assistance, any help. We are there to take ourselves any action that is required to go to the people for fighting terrorism. But then what are you going to do? That is very important. Now I believe the Governor has said that before the Lok Sabha elections, the solution of Punjab problem is not possible. What does it mean? It means very bad sometimes... (Interruptions). So, till the Lok Sabha elections, Punjab has to remain like this.

This will serve whose interests? Who are trying to get advantage of that? I do not know. These are critical questions that are

posed when people in authority speak like this. Then some vested interests can be found in this. I do not want to go very deeply into it, but these kinds of utterances have to be stopped immediately. May be today, may be tomorrow or maybe the day after, we may take these measures for restoration of normal democratic process in Punjab. But what we must go on saying now is that we are taking steps to do precisely that. This is the thing that is very necessary.

Another important point that will help in the restoration of the confidence of the people in the Administration, in the Government maybe, is the monitoring mechanism that has been promised to look into the excesses committed by police on the people. This is a very important thing because many allegations are made that police are also taking advantage of the peculiar situation in Punjab, harassing people, extorting money and all that thereby really antagonising the people of Punjab. Now, what concrete measures the Government has taken to form this Committee and what kind of activities they are undertaking—this is very important and any misdeed by any police officer or any of their people, that should be punished properly. It is a very delicate and touchy situation. There are lots of instances of harassment of people where the working population are denied their rightful things that they should get, their wages and all that. Now, they cannot have any link with the Administration, Sir, This is a very peculiar situation in Punjab. I went there, people reported to us, they do not know whom to meet. The officials are not available, they don't meet them. And this alienation will not be helpful for the restoration of democracy in Punjab.

PROF. N.G. RANGA: That is why panchayat elections are being brought.

SHRI SAIFUDDIN CHOWDHARY: In the case of the panchayat, I cannot force him to hold Assembly elections. But what you have committed is panchayat elections.

PROF. N.G. RANGA: They are holding.

SHRISAIFUDDIN CHOWDHARY: You put a time limit for that, not for the Assembly elections. (Interruptions).

Now, Sir, the most important thing in the situation that is required is that we, all political parties, are concerned about saving Punjab. I believe now another opportunity is coming before us whereby we can really take advantage of the situation for a solution of the Punjab problem. As has been told correctly that the terrorists having active support from across the border—that kind of a situation has changed a little bit with the change of government in Pakistan. Maybe the situation will improve further in the coming days and the kind of activities the terrorists are having in Punjab, the Home Minister has himself said, is on the decline, and it is a very good sign. Now, in this situation if we collectively, forgetting our narrow political interests, elections and all that, go to the people, we can really make a dent in the situation.

AN HON. MEMBER: Do you think they will forget it?

SHRISAIFUDDIN CHOWDHARY: Well I am forgetting.

Another point that has to be said is that Mr. Buta Singh the Home Minister, while replying to the communal situation said that some of the Opposition Parties are not taking a united stand since their units in Punjab, Haryana and Chandigarh are speaking in different voices. Well, I don't at all support that. That is very harmful. But then in today's *Times in India*, Mr. Satya Pal Dang has written an article. There he said that the Haryana, Punjab and Chandigarh units of Congress (I) met separately the Cabinet Sub Committee and made a different proposal, a contradictory proposal. This is also harmful. Now, what some opposition parties are doing or not doing, you criticise that, I have no objection. But, for your own party, you have to take stern measures against that. You should not allow that to happen. What is the Congress (I) resolution? You try to see that it is accepted by all your units. We will also

see that it is accepted by all. We never wanted to take advantage of the Punjab situation to weaken Congress (I) or the Government at the Centre. We never wanted to take that, but it is the Government which tried in the past to take advantage of the Punjab situation in order to thwart democracy in the country. Now, when Shri Ramachandra Reddy expresses an apprehension that the Punjab Situation will be kept alive only if necessary to make use of it for the purpose of deferment of election, well, I have no positive rebuttal for that. The Government may be having that; they should tell us. Now, I believe, a new situation is developing in Punjab where people can be activated, terrorism can be fought and certain political parties—I hope, all the political parties—will help the Government and would help themselves in that process. But we should not make use of this opportunity for petty political bargaining purposes. So, this is very important.

Sir, I want to make one last point. What will be the frame-work of the Punjab solution? Will the accord that was signed remain as the mainstay for a solution? You have to clearly tell that. We believe that the accord can play a vital role still; but then certain realistic measures have to be taken by the Government to restore the confidence of the people in the political system of our country. Now, just as an example, if Chandigarh goes to Punjab certain lands will go to Haryana. How much land to go or not to go is another thing. Then, if Chandigarh goes to Punjab, Haryana must have a capital. So, independent of whether it has already gone to Punjab or not, have you taken any steps to construct a capital for Haryana? Why don't you identify? Why don't they talk to them? Then only people can feel and I will also feel that you are serious about transferring Chandigarh to Punjab, because you have already started construction of a capital for Haryana. These are the steps that are to be taken for restoring the confidence of the People of Punjab. Now, in this time, we forget about their taking political mileage of this situation. But the real situation is coming whereby we can make a united effort against terrorism and succeed.

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We should not allow this opportunity to be missed because that would be a disaster for the country.

[*Translation*]

SHRI HARISH RAWAT (Almora): Mr. Deputy Speaker, Sir, it is the fourth time when recommendations have been made to extend the President's rule in Punjab. No one, who believes in democratic system would like to have President's rule or Governor's rule in any part of the country. But in the present situation of Punjab, there is no other alternative for the Government. To assess the situation in any State that whether the Governor's rule should be imposed or extended or not, the Central Government has to depend on the Constitutional machinery of that State. I understand that the Governor has clearly stated in his report submitted to the Central Government that it is not possible to hold Legislative Assembly Elections in Punjab in the present circumstances and we can also realise that it is not possible to replace the present set up by elected Government in such a short time by conducting the elections. Not only opposition Members but even we are pained that the Punjab whose people made maximum sacrifices before achieving independence, for the sake of democracy in the country and whenever, the democracy and the borders of the country were endangered, the people of Punjab saved the country and its democracy by sacrificing their lives. If democracy cannot be restored in Punjab for years, it is a challenge to the country as well as for us. Those who believe in democratic system, have to face this challenge and particularly the leaders of the political parties in Punjab should keep it in view and should come forward by forgetting their mutual differences. I am not praising the Governor's rule but it is a fact that in 1987, when President's rule was imposed in Punjab by dissolving the Assembly and the Government there, the situation prevalent there was extra-ordinary. Terrorist organisations openly talked about treason, slogans were raised in support of Khalistan

and Bhindrawale in public places and tapes of speeches of Bhinderawale used to be narrated, their sentiments were incited during bhog ceremonies religious places used to be misused and people were being killed. Atrocities were being committed on the people belonging to all religions but particularly, sikhs in these days, because any reasonable sikh, who did not agree with them, used to be killed. In such situation, the then Government was dismissed and the first courageous step taken after that was 'Operation Black Thunder'. Some political parties in Punjab opposed it, but on the whole the entire country welcomed it and the operation was successful. As a result thereof the members of Gurudwara Prabandhak committee has also said that after Operation Black Thunder, the number of devotees and visitors to Harmandir Sahib and Darbar Sahib has increased and their offerings have increased after this step. Operation Black Thunder was a major step and after that a lot of steps have been taken during the President's rule to normalise the situation there. Particularly, such steps have been taken on law and order front, which will have long term effect. Although, we are not in a position to talk of Legislative Assembly elections there, but we shall hold panchayat elections. Whether in 1987, or thereafter or in early 1988, any political party, would have asked the Central Government to hold elections there and to constitute Legislative Assembly there so that democratic system could be started? It can only be started when there will be improvement in law and order situation and I feel that the most important in law and order situation and I feel that the most important thing which took place during the Governor's rule was that there was improvement in the law and order situation. Common masses are facing the terrorists with more courage. Villagers provide information about hid-outs and whereabouts of terrorists and talk openly against them. People of all communities, whether Hindu, Sikh or Muslim talk of fighting the terrorists collectively. Our friend Shri Balwant Singh Rammowalia has given many such examples during the debate, in which Hindus and Sikhs have fought against the terrorists collectively. Sikhs

have sacrificed their lives in saving their Hindu brothers. It has become possible, because the people have started relying on the machinery, which has been set up there.

I would like to thank the Hon. Prime Minister for his statement that all the Jodhpur detainees will be released. There were 437 cases under different sections like treason etc. against many leaders of Punjab, which have now been withdrawn. The ban on entry of foreigners in Punjab has also been lifted. Disturb Area Act and Special Power Act has been withdrawn from 9 districts and there are only 3 districts left, where the Acts are still operative. The Government has also formed district level grievances and development committees. It has been proposed to appoint representatives of political parties elected by the masses, the Members of the Parliament as the head of these committees. I think that the confidence of people on the constitutional machinery has built up through these committees also. People's confidence will build up in bureaucracy also and together they will participate in the development process. I think that our opposition friends will also agree that there is improvement in the economic condition of Punjab due to the steps taken during the two years of President's rule. On the economic front, the growth rate in 1981 was 10 per cent, which declined to 3 per cent during the year 1982 to 1987. It has again picked up and gone up to 8% during the foregoing years. Punjab has progressed in all the four fronts of economy. In order to maintain this tempo of progress, we have to tackle the terrorists with firm hand. We have to face them. Some political solution should be found to check the help provided to the terrorists from foreign countries. We are happy to note that after Shrimati Benazir Bhutto becoming the Prime Minister, the Government of Pakistan has categorically stated that it will not provide any type of help to the terrorists there. But in so far as Pakistan is concerned, it is well known to everyone that what Shrimati Benazir Bhutto's saying is not all. There are many other influential persons also. It is very difficult for any Government to stop the flow of arms in our country from Pakistan border,

because weapons are available in Pakistan openly and the situation of our border is also favourable to them. In view of the border's situation, flow of arms cannot be stopped altogether. Until a single terrorist is present in Punjab, he can always appear any where with weapons in his hand. There is improvement in law and order situation, but the total number of killings has increased. There is no decrease in them as expected.

We all realise and accept it that the problem of Punjab cannot be solved through the Police forces only as has been submitted by Shri Chowdhary and wide powers cannot be given to the police for a long time because it may make them mentally corrupt and they may commit excesses. It cannot be denied that irrespective of whosoever is the Governor and whichever party is in power there and at the centre, if wide powers remain vested in the police for a long time, the scope of their committing excessive on the people is bound to increase.

16.00 hrs

Ultimately we will have to seek a political solution and the first step in this direction is restoring of confidence among the people have was created by Rajiv-Longowal Accord. Different people have interpreted this Accord in their own different way and have put various hurdles in the way of its implementation. In Punjab and in the Akali Dal itself, there are many people who have made all sorts of efforts to nullify it but it goes to the credit of this Accord that after its conclusion, a political process started there and if we have to revive the political process, we shall have to work under the broader framework of this Accord. The Government has declared its intention to hold *Panchayat* elections in Punjab. I think that it can be the first step towards finding a political solution in Punjab and every political party and each of their members should welcome this move. If we forest our political differences and allow *Panchayat* elections to be held in a normal way and if these elections are held successfully, Government will definitely be in a position to hold Assembly elections there in the

[Sh. Harish Rawat]

near future. We may say anything against each other on account of our political differences and political interests but the moot question is, whether conditions in Punjab are favourable for holding elections to the State Assembly by the Government. If at present, the Government is not in a position to hold Assembly elections in Punjab and if circumstances are not conducive to it I think there can be no other alternative but to extend the period of President's rule and that is why a resolution has been moved by the Government to extend President's rule in the State for a further period of 6 months. In my opinion, the Resolution brought forward in this respect should not be analysed by the hon. Members from their political angle but in the context of the situation prevailing in Punjab. If we adopt this approach all the members of each and every political party will welcome it but if we are guided by our political interests, I have my own doubt if it is going to help in any way to improve the atmosphere in Punjab. Whatever allegations we make against each other, it is bound to have adverse effect on the situation in Punjab. Therefore, we shall have to be specially careful in this regard. Just now, Shri Chodhary said that there was no unity in the congress party. I would like to submit that the Congress is a united party and it has only one political resolution on this issue that a political solution should be found to the Punjab issue, normalcy should be restored in Punjab, which is imperative for a political solution and that the people of Punjab should again be able to exercise their right to constitute their State Assembly but the other political parties should also similarly come forward. Several political parties, such as the C.P.I., C.P.M. have made considerable sacrifices for Punjab and our Hon. Prime Minister, has appreciated it also but necessarily other political parties may also be making sincere efforts to revive the political process and to fight terrorism like C.P.I. and C.P.M. The CPI and CPM cannot speak on behalf of every party and they cannot make attempts to cover the deeds and misdeeds of all those persons.

With these words, I welcome the resolution for the extension of the President's Rule in Punjab.

[English]

MR. DEPUTY SPEAKER: We will continue this item tomorrow.

16.04 hrs.

DISCUSSION UNDER RULE 193

[English]

Prime Minister's statement on Jawahar Rozgar Yojana

MR. DEPUTY-SPEAKER: The House shall now take up discussion under Rule 193 regarding Jawahar Rozgar Yojana.

Shri. V. Sobhanadreeswara Rao.

SHRI. V. SOBHANADREESWARA RAO (Vijayawada): Mr. Deputy-Speaker, sir, I may be permitted to raise a discussion on the statement made by the hon. Prime Minister in the House on the 28th April, 1989 regarding Jawahar Rozgar Yojana. First of all, I wish to register my protest as well as serious objection in regard to the manner in which the Jawahar Rozgar Yojana was formulated on April 28, 1989 as stated by the hon. Prime Minister on the floor of the House. He announced that all the existing rural wage employment programmes stand merged into the Jawahar Rozgar Yojana i.e. NREP and RLEGP schemes are going to be merged into the Jawahar Rozgar Yojana.

Only two months earlier, the hon. Finance Minister Shri S.B. Chavan while presenting the Central Budget for 1989-90 has stated that the Government proposes to merge the NREP and RLEGP into a single programme. And it will operate throughout the country and will be funded to the extent of 75 per cent from the Central Government and 25 per cent from the State Government. He also