

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): Mr. Speaker, Sir, I must draw the attention of this august House that this Bill is brought in pursuant to the Report of the Joint Committee on Office of Profit, which was presented on 9th April, 1992. The Committee had gone into details about what offices of profit, what offices should not incur disqualification. It is absolutely and totally non-controversial. I had been the Minister of Planning Commission. If the Deputy Chairman is the Member of this House, this House will be benefitted because you will have the advantage of hearing him as a Member of Parliament. There are many cases where an hon. Member is a Chairman of an organisation, which is very useful. The Planning Commission is the nerve centre of the infrastructure and every other thing of the country. If he is a Member of the House and if he is a Member of Parliament, it is advantageous.

Similarly, there is a National Commission on Women; there is a Minorities Commission. They are all very important Commissions. If the Chair-person of those Commissions is an hon. Member of Parliament, we should be happy about it, because we are giving such important position to an hon. Member of Parliament. If you go through the whole Report, you will find that they have suggested various other offices of profit. Also disqualification should not be there. We are processing that in consultation with the States; and I am hopeful that I will be able to bring another comprehensive legislation with regard to other offices of profit.

For the time being, I seek support only with regard to this Bill which is in pursuant to the recommendations of the Joint Committee of Parliament.

MR. SPEAKER: The question is:

"That the Bill further to amend the Parliament (Prevention of Disqualification) Act, 1959, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. SPEAKER: The House shall now take up clause-by-clause consideration of the Bill. The question is:

"That Clauses 2 to 5 stand part of the Bill."

Clauses 2 to 5 were added to the Bill.

MR. SPEAKER: The question is:

"That clause 1, The Enacting Formula and The Long Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

SHRI H. R. BHARDWAJ: I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

MR. SPEAKER: There are some other items which we will be taking up now. May I request all the hon. Members to note that we are sitting on Saturday to complete the Bills and other business which is before the House so that it may not become necessary for us to extend the sittings of this House beyond 27th August, 1993. So, may I request again all the hon. Members to make their points very forcefully but not repeat them and will help the House to transact its business which is before the House.

12.50 hrs.

STATUTORY RESOLUTION RE: DISAPPROVAL OF THE PREVENTION OF ILLICIT TRAFFIC IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (AMENDMENT) ORDINANCE, 1993 AND PREVENTION OF ILLICIT TRAFFIC IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (AMENDMENT) BILL.

As passed by Rajya Sabha

[English]

SHRI NITISH KUMAR (Barh): I beg to move:

"That this House disapproves of the Prevention of Illicit Traffic in Narcotic Drugs and Psycho-

tropic Substances (Amendment) Ordinance, 1993 (Ordinance No. 27 of 1993) promulgated by the President on the 30th June, 1993."

[*Translation*]

Mr. Speaker, Sir, I do not oppose this Bill in the form in which it has been presented. They brought it in the form of an ordinance and as a matter of principle we are against issuance of Ordinances. The Government should be prepared in advance. If they want to amend a law, they should take all aspects into consideration and make the amendments accordingly but it is a bad tradition to introduce amendment in the form of ordinances as and when anything strikes them. Ordinances should be taken recourse to only when there is no other alternative. The Executive should carry out their administrative duties well but generally they are not able to do so because they are engaged in other works, and then, take recourse to emergency provisions, i. e. Ordinance. It is becoming a tradition to A large number of ordinances between every two sessions and we are forced to hold debates on them. The Government should be well prepared in advance to introduce a Bill.

The Bill is meant for very limited purposes. The Preventive Detention Act, 1988 was to remain in force upto 31st July, 1993 and this legislation extends its duration by three years. The Preventive Detention Act was to check drug trafficking in India. India seems to be becoming a haven of illicit traffic in narcotic drugs which is ruining our youth. You have mentioned certain highly vulnerable areas which are important from your point of view. There are other areas where trafficking in narcotic drugs is going on and our youth are falling victims to it. We see many young people getting addicted to narcotic drugs in our society. This trade runs in Varanasi and has its serious impact in districts of Rohtas and Bhabhua in Bihar. These narcotic drugs are easily available everywhere. The distressed unemployed youth try to hide his frustration by taking recourse to it.

There are many frustrations in our society due to various restrictions imposed by us. There are broken homes in our society and as a result of that the children of those houses get frustrated and traumatised and they take refuge in narcotic drugs. Sometimes, the company in which one moves makes him go astray and one starts taking drugs. The person starts living in an illusory world and feels that everything

around is enchanting and good. He wants to live in that state. The moment the impact of the drug starts wearing out he faces the stark realities of life and gets disillusioned. He, then, wants to go back to the illusory world. And as a result thereof, the tendency to take drugs is increasing and it is affecting the society adversely and crores of young people.....

[*Interruptions*]

[*English*]

MR. SPEAKER: On that point there is no dispute.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): He is proving that he could raise non-disputed points also.

MR. SPEAKER: The only point is whether we should extend the period or not.

[*Translation*]

SHRI NITISH KUMAR: This tendency is increasing. On the one hand, we would have to take stringent punitive measures and on the other hand a campaign needs to be launched in the society to check drug trafficking. We will have to make efforts to eradicate such evils from the society and this problem needs to be seriously attended to. We will have to take care that the future of our youth should not be dark.

There cannot be two opinions about the ill-effects of the trading of these drugs. This ordinance has been introduced with a limited objective. I am not satisfied with this. Its period has been extended by three years. It has been stated in its objects and reasons that to some extent it has controlled this menace, but on the whole instead of decreasing it is still increasing in these areas. It is rapidly increasing in vulnerable areas and new areas are coming under its influence. Therefore, a provision for simple punishment in the law will not solve the problem. We shall demand that the Government make a provision for stringent punishment in this regard. Although the Government attaches their properties but due to various reasons till the crime of the culprit is not proved in a court of law he continues to reap the benefit of his property. But such people are the enemy of the society, nation and the country. Therefore, laws should be made more stringent so that none dare indulge in it in future. Enforcement agency does not have sufficient resources. We make laws but there is no proper machinery to enforce those laws. This is a priority sector and unless timely attention paid to it, it may spread

out in the entire North East and several other areas. I am not talking of any particular area. It is spreading in the entire country. Experts say that the use of narcotics is helping in the spread of AIDS. In this circumstances the entire future generation is heading towards the destruction. It is therefore requested that the most stringent actions should be taken to stop it. If the situation so demands we may go in for stringent laws. Besides making laws the enforcement agencies should also be strengthened. Resources should be made available to them. In order to check this menace, they should be provided with resources in the border areas.

One can speak for hours on this subject, I do not want to take much of your time, because in the very beginning you had said that there was no dispute. Therefore, there cannot be any dispute in it.

[Interruptions]

MR. SPEAKER: This is a very important issue. A detailed discussion is warranted on it.

SHRI NITISH KUMAR: I know that there is a paucity of time. There is lot of money involved in this business, therefore, it is most likely that there in authority might become victims of temptation. Therefore, in order to contain it, there should be provision of punitive action. The way a sense of nationalism is inculcated in the personnel of our armed forces, be it Navy, Airforce or Army, the same way such spirit should be inculcated in the people engaged in that job. If our own child is engaged in such activities what would be our social and psychological condition can well be imagined. Therefore, bearing this fact in mind they should be imparted such training so that they may attain will power and there should be no bungling in it. It calls for a firm mind and calls for punitive action to contain it.

On the other hand there should be a wide ranging campaign against it in the society, step should be taken to promote social awareness against it and a provision should be made for setting up of more reform-house. The Welfare Ministry has not made adequate arrangement in this regard.

Although there are Reform houses for this purpose but they should be equipped with more facilities and the nation should accord it top priority.

I conclude with this.

[English]

13.00 hrs.

MR. SPEAKER: Motion moved:

"That this House disapproves of the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Amendment) Ordinance, 1993 (Ordinance No. 27 of 1993) promulgated by the President on the 30th June, 1993."

SHRI NIRMAL KANTI CHATTERJEE: Mr. Speaker, Sir, he did not relate it to the Scam. He left that.

MR. SPEAKER: He made a good speech, as usual.

[Translation]

There are three aspects. Firstly, people take drugs, secondly what steps are being taken for its prevention and the future strategy in this. This is a very important issue and if one wants to take up the issues in detail any amount of time would fall short. I would, therefore, request you to take up other points. He has spoken well on this topic. If necessary, we may hold discussion on this issue at any other time but at present it would be better if we transact today's business.

13.01 hrs.

The Lok Sabha then adjourned for lunch till fourteen of the clock.

[English]

14.00 hrs.

At 14.00 hours quorum bell was rung. No quorum was made. At 14.3 hours quorum bell was rung again and no quorum was made. At 14.6 hours once again quorum bell was rung and no quorum was made. Thereafter the Secretary-General made the following announcement.

14.10 hrs.

ANNOUNCEMENT RE: POSTPONEMENT OF THE SITTING OF THE HOUSE UPTO 15.0 HRS. FOR WANT OF QUORUM.

[English]

SECRETARY GENERAL: There is no quorum. The House, therefore, cannot meet, and we may not start the House till there is quorum. The hon. Speaker has directed that the House should meet at 3 o'clock.