

was looted on the 8th of September. They took away explosives with 3000 detonators. Border Roads vehicle was taken over and the driver was taken along with the vehicle. The explosive materials were loaded in the same Border Roads vehicle and the driver had to take the vehicle up to the place where the terrorists wanted them to unfold at the appointed place. (*Interruptions*) There are many things to be said.

Sir, I will give suggestions. The district Doda must be declared "disturbed area" and the Army be asked to flush out the terrorists. There are 10,000 ex-servicemen in the District who are willing to work voluntarily as the "village voluntary force". They only want weapons. I request the Government that they may be given sophisticated weapons and organize the ex-servicemen like the Punjab village voluntary force. They will be capable of handling the terrorist activities.

There are four mountain passes. The terrorists come through four passes from the Valley side to Doda district. The Army should take over these passes and seal the passes so that the terrorists from the Valley side do not come to Doda district.

There was a daylight murder of one local leader on the 19th December 1992. On the 11th December, he had written a letter to the DC saying that either he would be kidnapped or murdered. But yet nothing was done by the administration. His name is Mr. Santosh Thakur. I request the Government to institute CBI enquiry as to why the District administration did not take any action on this.

There are some BSF people deployed in the area. I suggest that CRPF should also be deployed because the way the BSF have behaved there have cost faith of the people. So, the CRPF should be deployed.

[*Translation*]

SHRI GIIRDHARI LAL BHARGAVA (Jaipur): Mr. Speaker, Sir, the Union Government has fixed the support price of wheat and

barley at Rs. 330 and Rs. 260 per quintal respectively. Rajasthan has got a bumper crop this time. There is large scale arrivals of barley and wheat. The Food Corporation of India is not purchasing the food grains. Food grains are being supplied to the wholesale markets in Kota, Ganganager, Sawai Madhopur and Bharatpur. But the Food Corporation is refusing to purchase food grains as they do not have sacks. If the Food Corporation does not purchase food grains even at the support price fixed by the Centre, the food grains will get spoiled.

The farmers, from whom the food grains have been purchased by Food Corporation, are not being paid price for as many as 15 days. Due to the irresponsible attitude of the Food Corporation, wheat is not being purchased at support price.

The electricity charges and prices of fertilizers have also gone up. The farmers of Rajasthan are in much distress as they are not even getting the support price. In Punjab and Haryana the wheat is being sold at Rs. 555 per quintals. The price of cotton has also decreased. I, therefore, request the Union Government to direct the Food Corporation to purchase wheat and barley, so that the farmer can get the support price.

RE: CANCELLATION OF BY-ELECTIONS TO CERTAIN LOK SABHA AND ASSEMBLY SEATS.

[*English*]

MR. SPEAKER: Now there are one or two issues before me.

SHRI P. G. NARAYANAN (Gobichettipalayam): I have given notice.

MR. SPEAKER: I am just speaking about the same thing. Before I allow you to speak on this point, I would like to make it very clear that as far as the cancellation of the Lok Sabha and the Assembly elections are concerned, I will

allow you to have your say on the floor of the House. But as per the Constitution, as per the law, if you are speaking anything against the Constitutional authority, that will not go on record.

SHRI P. G. NARAYANAN: Mr. Speaker, Palani bye-election in Tamil Nadu has been postponed on flimsy grounds. The presence of drought is known to all, including the Election Commission at the time of announcing election notification itself.

It is strange to note the election has been postponed on the ground of drought when polling was about to take place in another ten days.

I admit that there is scarcity of water. The Government of Tamil Nadu has been solving this problem on war-footing. But it is very unfit to postpone the election on this ground. Earlier, Ranipet Assembly election has been postponed on flimsy grounds. One of the reasons attributed is that of naming one of the bifurcated districts of South Arcot after Shri S. S. Ramaswami Padayachiar, but it has nothing to do with the Ranipet Assembly constituency. Ranipet Assembly seat is situated in Ambedkar district which is altogether different from South Arcot district. So, it has nothing to do with Ranipet.

The decision on election is arbitrary and unjustified. All the people of Tamil Nadu know who is behind this decision. The Congress is resorting to undemocratic method to avoid defeat. Had the election come through, our AIADMK party would have proved the AIADMK under the leadership of Shri Puratchi Thalaivi is strong enough to stand alone and win the election. The Congress is unable to stand alone without any strong alliance partner. *(Interruptions)\**

MR. SPEAKER: Only the statement of Shri P. G. Narayanan will go on record.

*(Interruptions)\**

MR. SPEAKER: That will not go on record.

SHRI P. G. NARAYANAN: Let me complete.

MR. SPEAKER: That is not going on record.

*(Interruptions)*

SHRI P. G. NARAYANAN: It has nothing to do with it. It is a different district. *(Interruptions)* Let me complete it. *(Interruptions)*

MR. SPEAKER: Please take your seat. I have not allowed you. It is not going on record. Shri P. G. Narayanan, Please continue.

SHRI P. G. NARAYANAN: The people of Tamil Nadu will not accept the Congress culture which is anti-people and cunning. The Congress Party knows that it will lose the deposit. *(Interruptions)*

MR. SPEAKER: I will look into it.

SHRI P. G. NARAYANAN: It is unfair, childish. It is a baseless allegation. I deny this allegation. *(Interruptions)*

The Congress Party has not started its election campaign till now knowing fully well that the election will be postponed. So, it is very unfair. The Congress is resorting to undemocratic methods to avoid defeat. Let me complete. *(Interruptions)*

MR. SPEAKER: Now, you have made your statement.

SHRI P. G. NARAYANAN: \*\*

MR. SPEAKER: This is not going on record.

*(Interruptions)*

SHRI INDER JIT (Daarjeeling): This is beyond your guidelines set by you.

MR. SPEAKER: Shri P. G. Narayanan you were doing very well. I thank you very much for

\* Not recorded.

\*\* Expunged as ordered by the chair.

presenting your case in a proper manner. You please stick to it. You did very well. You made your point very forcefully.

SHRI P.G. NARAYANAN: I have no grudge against the Election Commission. I have to say something on the reason attributed to the postponement.

MR. SPEAKER: That cannot go on record as per the Constitution. You made your point very well.

SHRI P.G. NARAYANAN: It is very unfair to postpone the elections.

MR. SPEAKER: I wanted to thank you for sticking to the rules as well as making your point very forcefully.

*(Interruptions)*

SHRI P.G. NARAYANAN: It is summer season. It is quite natural that there is a scarcity of water. The Government of Tamil Nadu has been solving this problem on a war footing. It is very unfair to postpone the election on the ground of drought.\*\*

MR. SPEAKER: Thank you, Shri P.G. Narayanan. Now, I call Shrimati Suseela Gopalan to speak. Madam, the same thing applies to you also which applied to Shri P.G. Naryaanan. He did very well. I hope you will also do in the same fashion.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Sir, I am neither from Kerala nor from Tamil Nadu.

MR. SPEAKER: You will not be allowed.

SHRI NIRMAL KANTI CHATTERJEE: I have raised it already. If you do not permit me.. I have to get into it! *(Interruptions)*

SHRIMATI SUSEELA GOPALAN (Chairayinkil): Sir, there is no justification for

postponing the election in Ottapalam constituency. After the declaration of election, there was not a single incident in that constituency; there is no trouble at all. The previous day, the Collector had a meeting with all the political parties and he said that the law and order situation is very well and there is no trouble at all. But, all of a sudden it seems that the Home Secretary or the DIG or somebody has sent some report from the state Government and that is why this has been postponed. But the Chief Minister says that he does not know anything. The point is either the DIG or others sent a report without the knowledge of the Chief Minister. He declared there and told the people that he has not said anything. But it is being postponed. There is no communal tension at all even before that. Even after December 6, in that constituency, there was no tension at all. Actually, the tension is in the minds of the Congress people. There is no tension in the state. We can very peacefully conduct the elections. *(Interruptions)*

There is a conspiracy behind this. The local BJP people had demanded postponement of elections. There is a conspiracy between the Congress and the BJP to get somehow elected. They are helping the Congress to get elected. This is being done.\*\*

He just believed the report of the ruling party. I do not know how the Central Government ..... *(Interruptions)*

SHRI MRUTYUNJAYA NAYAK (Phulbani): Madam, the Chief Minister of Tamil Nadu had sought the protection by the Central Government to provide more helicopters. What is the reason for it when she is not in danger? How do you say that there is peace in the state? *(Interruptions)*

SHRIMATI SUSEELA GOPALAN: These arguments are not at all valued. Both in Tamil Nadu and in Kerala, there is not ample reason for the postponement of the elections. *(Interruptions)*

\*\* Expunged as ordered by the Chair.

MR. SPEAKER: Please understand that this afternoon we are going to have some important business. We have to adjourn 1 o'clock and assemble at 2 o'clock

*(Interruptions)*

SHRIMATISUSEELAGOPALAN I fail to understand how the Central Government sends its report that the law and order situation is very bad in the constituency. Actually, action should be taken against the state Government. If they are unable to control the situation, if the situation is bad, the Chief Minister should be removed. How did the central Government send the report to the Election Commission that the situation was bad. *(Interruptions)*

MR. SPEAKER: Very good. In the finest manner you have put forth your views.

*(Interruptions)*

MR. SPEAKER: Are we not satisfied unless we all of us stand up together and speak at least for five minutes everyday? We are doing it in a proper manner. Why are you giving up?

*(Interruptions)*

SHRIMATI SUSEELA GOPALAN I demand that immediately there should be elections. There is no difficulty for peaceful elections. *(Interruptions)*

MR. SPEAKER: Mr. Anbarasu, very briefly please. I warn you at the beginning itself that both these Members who spoke, they did it according to the rules. You are expected to do the same thing.

*(Interruptions)*

SHRI ANBARASU ERA MADRAS CENTRAL) I will do it according to rules. The very fact that the Chief Minister's life is in danger, she asked for the protection from the Centre, will go to prove that the law and order situation in Tamil

Nadu is very bad. *(Interruptions)*

KUMARI MAMATA BANERJEE (Calcutta South) Let him speak. *(Interruptions)*

SHRI ANBARASU ERA. Recently, three accused were escorted from Madras to Madammambakkam. On the way, the three accused who were involved in the Padmanabha murder case, were freed by the LTTE by firing and one sub-inspector and two constables died on the spot. That definitely goes to prove that law and order problem is not good in Tamil Nadu.

Another thing is, about Rs 450 crores worth of Government schemes were announced after the declaration of elections. That is definitely influencing the voters.

Another point is recently the Vanniyar Christians who were considered as a forward class people, they are declared backward class people. They constitute one lakh population in Palani. Therefore, it is nothing but influencing the voters. What the Election Commission did is correct and it is justifiable. It is democratic. They all entered into undemocratic methods. The AIADMK has lost the credibility of the people they have lost the influence of the people.

MR. SPEAKER: I will call you later.

SHRI NIRMAL KANTI CHATTERJEE (Dundum) Why?

MR. SPEAKER: I do not know.

SHRI NIRMAL KANTI CHATTERJEE: I should precede him.

MR. SPEAKER: Now you do not dictate to me all the time as to how I should do it.

SHRI LALK ADVANI (Gandhi Nagar) Mr. Speaker, Sir, even if you had not cautioned the House, I would have felt restrained speaking on this subject because it is a decision which has been taken by a constitutional authority. But I

must say that we were taken totally by surprise. Why? How? It is because I do not recall elections having been cancelled just ten days before the day of poll on the ground such as 'drought'. After all, Sir, drought is a continuing situation. If it had been law and order, as it is said in case of Kerala, one could have had it postponed. And what the lady member just now said was that one day before that, it was officially said that the law and order situation there is perfectly under control.

Sir, why I am raising it here is because, I think, that all these decisions whether in respect of Palani, whether in respect of Kerala seat vacated by the Vice-President or whether it is the case of even Kalka - there should be a statement by the Government - till now all that we have read is in the newspapers and we cannot confront the Chief Election Commissioner except by a Motion in the House. There is no other way.

So, the Government owes it to the House. Here is same situation in which two elections have been canceled - one in Kerala and one in Tamil Nadu. One election was canceled by the Election Commission, once again declared the it is done by the High Court, once again canceled by the Supreme Court and once again canceled/uptumed by the High Court; now it will go to the Supreme Court. We are not concerned with what the courts do. But, we are very much concerned that everything that has been happening in the last one fortnight sets the precedent for the future. And what is the precedent? I would like to know, for instance, did the Tamil Nadu state Government make any recommendation that the situation in Tamil Nadu is of drought and, therefore, elections cannot be held? Did the Kerala Chief Minister make any recommendation to cancel the elections? According to Shrimati Sushila Gopalan, the Kerala Chief Minister said that he has nothing to do with it. Is it true?

SHRI K. P. UNNIKRISHNAN (Badagara):  
Yes.

SHRI LAL K. ADVANI: I would like to know

from the Government, I would like to know from the Home Minister, what are the facts in this regard, on the basis of which the Election Commission has come to certain conclusion because whatever conclusions have been arrived at, whatever decisions have been taken, have relevance even to the future. And, therefore, before we comment on them, let us get the full facts from the Government. This is my submission.

And, Sir, I wish the B.J.P.'s name had got been dragged in but, I totally overlook it because some parties are in obsession with it.

SHRI NIRMAL KANTI CHATTERJEE: I would have also been happy had the B.J.P.'s name has been avoided. But, unfortunately, it is a fact. Therefore, it could not be avoided. But, I am on a different point altogether. It is not a matter for Kerala state; it is not a matter for Tamil Nadu.

MR. SPEAKER: Do you mean to say that this kind of a matter should be discussed in the Zero Hour without giving notice to anybody?

SHRI NIRMAL KANTI CHATTERJEE:  
Zero Hour sometimes disposes of matters which are.....

MR. SPEAKER: Let us not take price in what we do in Zero Hour.

SHRI NIRMAL KANTI CHATTERJEE: It is tremendously important. All these activities were unlisted in the business.

Therefore, during the unlisted Hour, we have to raise it. It is not a matter for West Bengal either. It is not a matter for the Council of Ministers either because there is a situation which had arisen when one of the Council of Ministers has to resign from the Council of Ministers for his failure to get elected from West Bengal Legislative Assembly into the Rajya Sabha. It is for the Parliament to decide: Is there something wrong in our law that such thing could

happen? It was continuing nicely for all these years. But suddenly a situation has arisen wherein all kinds of obstacles are appearing in all parts of the country and everywhere before an election can be held. And the law is made by Parliament. Therefore, Sir, I am anxious that it is not merely a question of an individual. Maybe it is a matter of individual. I do not know. If it is a matter of individual, there is a \*\*

If it is not a matter of then we have to have a look

MR SPEAKER Reference to the will go off the record

SHRINIRMAL KANTICATTERJEE As the law stands today, that has to take place. Therefore, apart from having a statement from the Government, we want a statement from the Law Minister or the Minister for Parliamentary Affairs, whether we ourselves have gone wrong. That is why I would like to draw your attention. Only last week the entire House, Shri Chandra Shekharji, was there, stood up to say that we must discover a way out either through the Parliament or through

MR SPEAKER Referee to the is not on record

SHRI CHANDRA SHEKHAR (Ballia) I shall like to know under what rule you say that he word should not go on record?

MR SPEAKER I will tell you. I am very sorry that every now and then I am confronted with these questions.

SHRICHANDRASHEKHAR Under what rule the word should not go on record?

MR SPEAKER With all respect for you, I do not want to contradict everything you are saying. But if you are not correct on the law point, I have no option but to show it to you. I will tell you, this notice is not before the House. Please

understand. It is not before the House. It is with the Speaker. Please understand that it is with the Speaker.

SHRICHANDRASHEKHAR I do not speak without understanding. You are very much under wrong impression that I speak without understanding.

MR SPEAKER Please understand that these matters come before the House when it goes to the Committee and the Committee gives the report. It is still with the Speaker and the Speaker has to take a decision.

*(Interruptions)*

MR SPEAKER I have asked the Members to come before me and establish the case, not once, but four or five times or even more than that.

SHRI CHANDRA SHEKHAR I have no objection on these points. My only point is

MR SPEAKER Mr CHANDRA Shekhar, I have full respect for you. I hate to contradict what you say. But every now and then if you are rising on the point of order, I have no option but to tell you that you are wrong on this point.

SHRI CHANDRA SHEKHAR All right, you may say I am wrong and I can say \*\*

MR SPEAKER If you say again you are wrong.

SHRICHANDRASHEKHAR No, I am not wrong. You have the patience to hear me. I also know the Parliamentary rules. If an hon. Member gives a notice to you on a certain matter, the Member has every right to mention it in the House.

MR SPEAKER Not in the House, in the Chamber. You understand it. If I discuss all the notices in the House, I will have to discuss one

\*\*Expunged as ordered by the Chair

lakh notices in the House.

SHRI CHANDRA SHEKHAR: You may say that you cannot discuss it. You may ask the Members to come to your Chamber and discuss it. But you cannot bar a Member saying that he has given a notice. Because it is a matter of fact; it is coming in the Press. Everybody knows about it and you say that the Member should not mention it in the House. My only objection is that he word is not unparliamentary. He is to not mentioning any individual. He is not saying what is written in the...notice. But the Chair should not be so allergic to the word....because a particular situation has been created because of the inaction of the Government and because of the indecision of the people in authority.

MR. SPEAKER: Let me make it very clear. If there is any matter of this nature coming to the Speaker, it does not come to the House unless the Speaker sends it to the Committee and the Committee gives a report and that report is placed on the Table of the House. I have to be careful in this respect because these are the constitutional authorities. The President, the Vice President, the Election.

Commissioner, the Supreme Court Judges are the constitutional authorities and we do not discuss them. I have not disallowed anybody from raising this matter outside the House. But I would not be doing my duty if I do not bring to your notice that matter of this nature should not be brought before the House without applying of mind. You come to me, you convince me about the applying of mind. You come to me, you convince me about the statement made, it will go to the proper corners, then it will come with the report. If this nicety is not understood and if simply because you are a senior Member, I do not contradict you and I respect your feelings, so every now and then if you get up and say that it is not correct; it is also not correct.

SHRI CHANDRA SHEKHAR: Mr. Speaker, I am sorry that you are creating a wrong impres-

sion. I never said that I do not agree with what you say. I say that if I am not intelligible to you, it is my fault. But I only say that he should not mention words written in the notice.

**13.00 hrs**

But, just to say that I have given a notice of..... there is nothing wrong; it is not against the rules.

MR. SPEAKER: Unless it becomes a matter of record, it comes to the floor of the House, it is not allowed. Unless the matter is before the House, it is not allowed. I have not disallowed these kinds of matters, if they are not constitutional matters.

*(Interruptions)*

*[Translations]*

SHRI SHARAD YADAV: Mr. Speaker, Sir, the entire country is so much worried. It may be your problem but what should we do....*(Interruptions)*

MR. SPEAKER: You should come and establish it.

SHRI SHARAD YADAV: We have been given complaint. What would we do? *(Interruptions)*

MR. SPEAKER: Yadavji, you do not know the facts. I have requested the Members to come, more than often, before me and do it; they have not come. If you do not know the facts, please do not bring this on the floor of the House.

*(Interruptions)*

SHRI SYED SHAHABUDDIN (Kishanganji): Mr. Speaker, Sir, the cancellation of the by-elections has been received with much concern and regret by the entire country because they are based on rather flimsy grounds, as reported in the Press. Therefore, they serve

as a warning and as a point of caution for all of us. It seems to us that the working of this constitutional authority, the Election Commission of India, and the laws that are administered by it, need to be reviewed; as stated by the hon. Leader of the Opposition; and the lacunae should be identified. Otherwise, the entire democratic institution is receiving a bad name and is losing its prestige in the eyes of the people. I would say that it will not be good for the future of the democracy in this country, that the Election Commissioner instead of holding elections should start canceling the elections. He may come to a point when perhaps it may be difficult to constitute the House - that general election is announced and for a majority of the seats the elections cannot be held; and that will be the logical end print of this process.

Therefore, before we reach that point, Mr. Speaker, I pray that the Government should give us all the facts, and should also apply its mind and find out what needs to be done in order to set a regular procedure which must be followed by the Election Commissioner before he comes to a decision on this point that whether then election can be held or cannot be held or cannot be held and must be canceled.

It appears that the decisions are being taken without the grounds being generally acceptable or being strong enough to carry the conviction of the people.\*\*

13.03 hrs.

PERSONAL EXPLANATION BY  
MINISTER IN RESPONSE TO CERTAIN  
REMARKS MADE ABOUT HIM RE: THE  
RELEASE OF SOME ARRESTED TER-  
RORISTS IN DODA IN THE STATE OF  
JAMMU AND KASHMIR

[Translation]

THE MINISTER OF CIVIL AVIATION AND  
TOURISM (SHRIGHULAM NABI AZAD): Mr.

Speaker, I rise to give a personal explanation... (Interruptions)

[English]

MR. SPEAKER: At 2 O'clock, we have to assemble here again for some important business.

(Interruptions)

[Translation]

SHRIGHULAM NABI AZAD: During zero-hour on Friday Rajmata ji had mentioned about the women in Jammu-Kashmir, particularly the women of Doda district. I wanted to raise this issue in her presence. Maybe she is not here... (Interruptions) She is here. Rajmata ji had said that she was agreeing with whatever shrimati Mahajan had said. (Interruptions) What Rajmata ji said had gone on record, as such, I would like to repeat it that the terrorists, who were caught in the murder case in district Doda, were not convicted but they were behind bars and were released after a telephone call from Shri Ghulam Nabi Azad was given. I am very sorry to say that such things were said, which we can never imagine. I think Rajmata ji will also regret this and she is also aware of the incidents happening to our women folk and relatives in Jammu-Kashmir. You may remember that two years ago, my brother-in-law was abducted by terrorists. I had then said in this House and in the Press Conference that even if they kill him, no request will be made by the Government or by myself for release of any abducted person... (Interruptions) I stuck to my words for five months, after which the terrorists understood that there would be no use in keeping that person abducted. You may recall the second case also. Just four months ago, an additional collector, who is real cousin of my wife, was shot at. He was discharged after four months from the hospital the day before yesterday. Rajmata ji may be well aware of such cases but what do the terrorists do to us is felt by us daily. Since this matter has come in record in

\*\*Expunged as ordered by the Chair.