

Dunkel draft to us?

MR. SPEAKER: You do not have to respond, please.

SHRI SOMNATH CHATTERJEE (Bolpur): An assurance was given that a note would be given. That was Shri Chidambaram's commitment.

MR. SPEAKER: I can understand the anxiety of the hon. Members in the House on this proposal and we should appreciate the concern they feel about it. We should facilitate the discussion on a matter like this. I am sure that we can discuss it in many ways. This can be discussed while discussing the Motion on President's Address; this can be discussed while discussing the Budget. We can discuss it while discussing the Demands for Grants of the concerned Ministries. I have also said on the floor of the House that it is the wish of the Members to discuss it separately and pointedly and in a concentrated manner, it should not be difficult. The only request that I would make to the hon. Members in the House is that if the matters are of this great importance, they would not just fling those matters at ourselves without any notice. It would be profitable to give a proper notice under the rules and seek the discussion and you will find that there would be adequate response to such notices. We will certainly find time for discussion. On this point, it seems that everybody is concerned to discuss it. We will have a discussion under Rule 193 at a proper time, agreed upon by all the Members. The only thing is that those hon. Members who are interested in it will please kindly give the notice under the rules.

SHRI SAIFUDDIN CHOUDHURY (Katwa): Sir, there is another aspect that is about holding the rally at Boat Club.

MR. SPEAKER: No, no, please. I am not allowing on that point. I am allowing you on another point. Otherwise, this will continue; this debate will continue.

SHRI SAIFUDDIN CHOUDHURY: Sir, it has to be noticed that we have already been mentioning it.

MR. SPEAKER: That has already been said. On this kind of notice, everybody is not expected to speak. You have expressed your views. If you want to say anything on some other point, I will allow you.

SHRI SAIFUDDIN CHOUDHURY: The Minister of Internal Security is here. We want an immediate response on that.

MR. SPEAKER: I am not allowing on that point. Are you going on that point or on some other point? Let me know, otherwise, I am going to call Shri Vajpayeeji.

12.24. hrs

RE: HOLDING OF ELECTIONS IN
TRIPURA

[English]

SHRI SAIFUDDIN CHOUDHURY: (Katwa): I have another point also. We have given notice for Adjournment on the question of the prevailing situation in Tripura. We raised this matter yesterday. The Home Minister made a statement. We expressed our dissatisfaction on the statement.

SHRI SOMNATH CHATTERJEE: Nothing is there.

SHRI SAIFUDDIN CHOUDHURY: The most unprecedented incident had taken

place. The Election Commission, the Constitutional authority, had given a severe indictment of the present Government that is the caretaker Government now in Tripura for their failure to maintain law and order, which is conducive for holding free and fair election. They had indicated also some political personalities who tried to interfere with the peaceful holding of election. Now, in view of this, what was necessary even without waiting for different political parties to ask for imposition of Constitutional remedy in Tripura, may be the President's Rule. It is because we have no other portion to remove these dead bodies that is polluting the situation in Tripura, in the name of caretaker Government. We want to know why this Government is silent in this very grave a political question; the question of Constitution, the question of property, the question of morality. The continuance of this caretaker Government even for a minute is an assault on the democracy and it will create suspicion in the minds of the people that this Government is also not interested to hold free and fair elections in Tripura. I want an immediate reaction from the Government. What action are they going to take? They must make it clear in the House.

SHRI SOMNATH CHATTERJEE: Sir, we have given sufficient notice to the Government yesterday the Home Minister was kind enough to say that he will make a statement. I do not know whether they had the time to go through the statement. I said, this was a deliberate affront and insult to the parliament. We only read out what happened one month back and said that the Ministry is continuing. No reference has been made to the Election Commissioner's order of 27th of February. There is no Legibility Assembly there. What is the effect of this? Was there any other Constitutional remedy in this country except to impose the President's rule? The Home Minis-

ter says it is not his job, it is the Law Minister's job. This is amazing. This is just taking the parliament for a ride and the country for a ride. Is it the response of the Home Minister of India? And, Sir, kindly see this statement. We want a categorical assurance from this Government that this will be done and that the discredited, indicated so-called caretaker government should be immediately removed. Otherwise it is very very difficult to have any trust on this Government about their commitment to Constitution and about their commitment to democracy, and we shall have to decide how to go about..(Interruptions)

[Translation]

MR. SPEAKER: It is good if members speak one by one on a particular topic; otherwise the whole thing is disturbed.

(Interruptions)

SHRI RAM VILAS PASWAN (Rosera): Mr. Speaker, Sir, I would like to draw your attention to the fact that...(Interruptions)

MR. SPEAKER: If you linger on this topic even after you are convinced with it, then there will be no time left to have discussion on the Dunkel proposal.

(Interruptions)

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir. I raised a matter regarding Tripura yesterday. Shri S.B. Chavan had said that the matter was concerned with the Ministry of Law instead of the Ministry of Home Affairs. The hon. Minister of Law would perhaps like to speak something about it. The Home Minister is on record. (Interruptions)

MR. SPEAKER: What could you not

SHRI RAM VILAS PASWAN: I would like to say that we support what Shri Saffuddin Chcodhary and Shri Somnath Chatterjee have said. I request you that since the Minister of Law is present here, he may make a statement.

[*English*]

MR. SPEAKER: That is right. Now I am calling..

(*Interruptions*)

SHRI SAIFUDDIN CHOUDHURY: We want the response from the Government Sir..(*Interruptions*)

SHRI SOMNATH CHATTERJEE: Has the Law Minister to do anything with President's rule? Is President's rule to be decided by the Law Minister? The Law Minister does not decide this question..(*Interruptions*)

SHRI SAIFUDDIN CHOUDHARY: We want the reaction of the Government , Sir..(*Interruptions*)

SHRI SOMNATH CHATTERJEE: Sir, the procrastination of this Government resulted in the demolition of the mosque and this is how they are demolishing the Constitutional fabric of this country..(*Interruptions*)

[*Translation*]

MR. SPEAKER: See, the business of the House will be disturbed if everyone rises to speak.

(*Interruptions*)

SHRI SHIVRAJ NATH CHAUHAN

(*Vidisha*): Mr. Speaker, Sir, I have given a notice of Privilege Motion, I should be given an opportunity to speak.(*Interruptions*)

[*English*]

SHRI ANIL BASU: Sir, how is it that the government there is still continuing? (*Interruptions*)

SHRI INDRAJIT GUPTA: Sir, the Law Minister, I must submit in all humility, is going to say something. He should confine himself to explaining that after the 28th of February is over, when the life of this present Ministry has expired, when the Assembly is no longer there, what is the Constitutional position now in Tripura. He should explain that. What are the intentions of the Government , we do not want to hear from him..(*Interruptions*)

[*Translation*]

SHRI RAMESH CHENNITHALA (*Kottayam*): Mr. Speaker, Sir, Shri Somnath Chatterjee had raised this issue yesterday and Shri Saifuddin Choudhary his raised this issue again today. Is it right to raise one and the same issue daily? Why the people of C.P.M. and C.P.I. are demanding President's rule? Earlier they had raised their voice for the impeachment of the Election Commission. Now they have all praise for the Election Commission. They have been fighting against the Congress Government Tripura for the last five years and yet they make allegations against our Government every now and then.

I would like to submit that the Government should hold elections on a fixed date by maintaining law and order situation. (*Interruptions*)

[English]

SHRI ANIL BASU (Arambagh): Sir, this is the difficulty with the Congress party; they do not understand and Constitution.

(Interruptions)

MR.SPEAKER: Shri Bhardawaj may speak now.

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS SHRI H.R. BHARADWAJ: Mr. Speaker, Sir, I am very grateful to you for to giving me an opportunity. I have noted the anxiety of the House regarding fair and free elections in the State of Tripura. There can be no controversy that there should be fair and free elections everywhere in the country. That is the commitment of this august House and of the Government also. (Interruptions)

You will appreciate that when the process of elections was started in North East and other places, there was near normalcy, according to the records available to me from the Election commission. I have gone through the letters exchanges between the State Government and the Election Commission; between the Election Commission and this or that political party. I have seen every document. I am convinced that something has happened after the schedule of the poll was announced. You will kindly see that the Election Commission was constrained to give a notice to the State of Tripura that there is a deterioration in the law and order situation in the State and the Government might like to do something. The State Government replied to it. The Chief secretary made certain arrangements which have been listed in detail and given to the Election Commission. But one thing is apparent from the record.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum):

MR. SPEAKER: What Shri Nirmal Kanti Chatterjee saying is not going on record.

SHRI H.R. BHARDWAJ: Sir, actually I am assisting the hon. Members in knowing the malady.

So, the Election Commission got certain information from various sources - from the media, from the letters from this side and that side and from our side that the party workers are clashing. There was even a raid on the political party's office and booths and what not. They gave notice to the State. The State Government said that they are looking into it. The Chief Election Commission I wrote to the Home Secretary also. Immediately the Home Secretary had made certain commitment of deploying paramilitary forces and that was done.

But, Sir, kindly see what is the reality of the situation? When the political parties tried to clash and create a law and order situation, there is bound to be a disturbance and it should to our committee to give all assistance to the Election Commission to hold free and fair election. Let us not blame ourselves. On this issue we must cooperate because the commitment to democracy comes from all corners. So, this is what I have noted from that notice and thereafter reply was given. But, unfortunately, the situation has come to a point where the Election Commission had to postpone the election to 3rd April, 1993 and orders were passed and we are all aware of it.

There, he has listed certain facts in which he has blamed the workers of political parties for resorting to violence. (Interruptions) I will read out if you like..(Interruptions)

SHRI NIRMAL KANTI CHATTERJEE:

It is the Chief Election Commissioner who has termed the first report of the Tripura State Government as . This is what I was referring to.

SHRI H.R. BHARDWAJ: Sir, I do not think that we can use the word like for the Election Commission. (*Interruptions*)

SHRI RAM VILAS PASWAN (Rosera): The Election Commission used that word and said that it was..

SHRI H. R. BHARDWAJ: I am not going to say anything on what the Election Commissioner says and what word he uses.

(*Interruptions*)

MR. SPEAKER: Well, people outside may use that word, but you have to use a parliamentary word.

(*Interruptions*)

SHRI H.R. BHAR·DWAJ: Sir, may I just bring this to your kind attention because I have to reply about the part played by the Central Government and it is my duty to bring to your notice that the Election Commission acknowledges in the Order that the deployment of large and extra Companies of para-military forces 72 hours before the elections has not served the purpose. We have been assisting the State Government and the Election Commission in providing a large number of para-military forces to maintain law and order. But the situation was such that this Order was passed.

SHRI NITISH KUMAR: Will the President rule be imposed or not (*Interruptions*)

[*English*]

MR. SPEAKER: Please. Not like this, Nitish Kumarji.

SHRI ANIL BASU: Let him reply on the Order of the 27th.

MR. SPEAKER: This applies to you also.

(*Interruptions*)

SHRI H.R. BHARADWAJ: Sir, may I, therefore, submit that now that the Order of the Election Commission has been passed, the Election Commissioner has called upon all the political parties to see that at least on the 3rd of April the elections are held peacefully and an atmosphere conducive to in free and fair elections. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: You are misleading the House deliberately. Why don't you refer to the Order of 27th?

AN HON. MEMBER: What is the Order of 27th?

(*Interruptions*)

SHRI ANIL BASU: In the Order of 27th the Election Commissioner has passed a specific Order.

SHRI CHITTA BASU (Barasat): Very specifically he should mention about the Order of the Election Commissioner on 27th February.

MR. SPEAKER: Please, now, Chitta Basuji, take your seat.

(*Interruptions*)

MR. SPEAKER: Bharadwaj Ji, you address

the Chair, then your problem will be solved.

SHRI H.R. BHARADWAJ: I want to answer all the questions raised by hon. Members for assisting them. But if this is the type of debate, then, we cannot blame anybody, the answers will not go on record. *(Interruptions)*

Sir, I personally want to reply to all the points raised by them. Regarding the complaints received by the Election Commission against certain officers, the Chief Election Commissioner has ordered an inquiry according to law and that inquiry has been hold by officers of the State. Reports have been submitted by them to the Election Commission, but that inquiry has been ordered within the purview of the election law and the Election Commission is fully empowered to look into that and we are going to give him full assistance on this. But you will kindly appreciate that the Union Government cannot inflict punishment on those officers, they belong to the State Government and whatever the Election Commission writes to them, the State Government will go into it. But actually the problem is that they have made certain allegations and they are not accepting the report of the Inquiry.

SHRI NIRMAL KANTI CHATTERJEE (Dum dum): He has mentioned that disciplinary action has to be taken against the officials. *(Interruptions)*

MR. SPEAKER: Please don't reply to what Normal Kantiji is telling.

SHRI H.R. BHARDWAJ: I am not replying, but in order to give you a proper reply, I want to put the record straight that whatever inquiry was ordered by the Election Commission, the same has been hold and the Election Commission has been infromed that the allegations were totally baseless,

there was no substance in the allegations and that report has been submitted to the Election Commission. The Election Commission has been informed.

With regard to the law and order situation, our Minister of Internal Security visited Triopura and assured the Administration there that 'whatever is required from the Central Government , we want to give it to you once you hold a peaceful election On 10th, the of Home Affairs went there. This is the scenerio. We are committed to free and fair elections.

SHRI ANIL BASU: He is not referring to the Order of the 27th.

SHRI H.R. BHARADWAJ: With regard to the dissolution, the term of he Assembly has expired, there is no Assembly now, and we have received no report from the Governor on how to deal with the future of the Assembly and the Government there. That is an issue on which, you will agree with me, I cannot reply and I cannot answer because that will be a policy decision to be taken on the report of the Governor.

SHRI ANIL BASU: Sir, how this should be allowed?

12.41 hrs.

At this stage, Shri Anil Basu and some other hon. Members came and stood or two floor near the Table.

(Interruptions)

MR. SPEAKER: May I request you to take your seats? Otherwise, everyday this will happen.

(Interruptions)

MR. SPEAKER: The House stands adjourned to meet again at 2. 00 p.m.

12.42 hrs.

*The Lok Sabha then adjourned till
Fourteen of the clock.*

14.02 hrs

*The Lok Sabha re-assembled at two
minutes past Fourteen of the Clock.*

[MR. DEPUTY SPEAKER *in the Chair*]

RE: HOLDING OF ELECTIONS IN
TRIPURA - *CONTD*

(Interruptions)

[*English*]

SHRI SOMNATH CHATTERJEE
(Bolpur) : We would like to know what is the Government stand on the Tripura issue ? This is a constitutional question. This is not a personal matter of anybody. For the first time, it has happened. It is an unprecedented situation. The Government must react to this.

I want to know what is the Government reaction. The Law Minister has not even bothered to answer the point.

(Interruptions.)

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi) : Mr. Deputy Speaker, Sir, the name of the hon. Prime Minister has appeared in newspaper. I want to know about the case in which a sum of rupees two crore has been given...

SHRI BASUDEB ACHARIA (Bankura) : Where is the Home Minister? *(Interruptions)* The Election Commission is a constitutional authority and it has passed strictures against a Minister.

MR. DEPUTY-SPEAKER : I think, the Minister has already answered it.

[*Translation*]

SHRI MADAN LAL KHURANA: A sum of rupees two crore has been given to the son of the P.M. I have given it in writing to you. It is a serious matter....

[*English*]

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Can a Minister against whom strictures have been passed by the Election Commission remain in the Council of Ministers? At least, propriety demands....*(Interruptions)*

SHRI BASUDEB ACHARIA: The Election Commission has passed strictures against a Central Minister. What are they going to do? *(Interruptions)*

MR. DEPUTY-SPEAKER: I think, you had a discussion.

14.04 hrs

At this stage, Shri Anil Basu and some other hon. Members came and stood on the floor near the Table.

(Interruptions.)

MR. DEPUTY SPEAKER: We can take up this issue tomorrow.

(Interruptions)