

State Governments, that it is taking over the enforcement in its purview?

[*English*]

SHRI M.M. JACOB: I have quoted these two judgements because in impression was created that there was an attempt to protect corrupt officer. No, Sir, it is not to protect corrupt officer. (*Interruptions*)

SHRI SYED SHAHABUDDIN (Kishanganj) : This Bill seeks to give a double protection and also un necessary protection.

SHRI M.M. JACOB: Even today, in the existing Criminal Procedure, regarding the State officer permission is getting from the State Government to take action. Regarding Central Government officer action is taken after getting permission from the Central Government. During the spell of President's Rule, somebody must be responsible for it. It is the Centre who is responsible for it. We take up the responsibility of the officers during that period. And it is not for protecting corrupt officers. It is only for the precise and specific period and not for any other thing. We do not want to take over the right of a State. The Constitution is so evident about it. Article 123 of the Constitution is clear about it. We have got three Lists—Central List, State List and the Concurrent List. This Criminal Procedure Code falls in the Concurrent List—List—III of Schedule VII. So, the Central Government, and this Parliament has every right to come up with a legislation of this sort. I shall conclude now. (*Interruptions*)

SHRI SYED SHAHABUDDIN : During the extension of the President's Rule, does the State Government cease to exist? (*Interruptions*)

MR. SPEAKER: The House now take up clause by clause consideration of the Bill.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill

MR. SPEAKER: The question is

"That clause 1, Enacting formula and Long Title were added to Bill.

The motion was adopted.

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

SHRI M.M. JACOB: I beg to move: "That the Bill be passed."

(*Interruptions*)

SHRI SYED SHAHABUDDIN (Kishanganj) : Sir, I want to say one thing.

MR. SPEAKER: You spoke at the consideration stage!

SHRI SYED SHAHABUDDIN: Even at this late hour, I would appeal to the Government not to make mincemeat of the federal principle, of the rule of the law and pass this anti-people Act. (*Interruptions*)

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

17.57 hrs.

MESSAGE FROM RAJYA SABHA-
CONTD.

[*English*]

SECRETARY - GENERAL : Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:-

"In accordance with the provisions of

rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 17th September, 1991, agreed without any amendment to the Cancellation of General Elections in Punjab Bill, 1991, which was passed by the Lok Sabha at its sitting held on the 16th September, 1991."

Sir, I also lay on the Table a copy, duly authenticated by the Secretary-General of Rajya Sabha, of the Cancellation of General Elections in Punjab Bill, 1991, passed by the Houses of Parliament during the current session and assented to by the President.

*(Interruptions)**

MR. SPEAKER: This is not going on record.

(Interruptions)

MR. SPEAKER: If we have mentioned it on the floor of the House, yes, we have mentioned it.

(Interruptions)

MR. SPEAKER: There are some expected and unexpected items on the agenda. I would like to inform you that there are two statements to be made by the Ministers and then there is something which will be explained to you later on. The House will sit and cooperate and allow the business to be completed.

(Interruptions)

SHRI CHANDRA JEET YADAV (Azamgarh): Sir, this is unfair. You should not be a party to such a thing. You are the custodian of this House. This is not way the function the House. *(Interruptions)*

MR. SPEAKER: There was a meeting with the leaders of all the parties in my

chamber and some issues were discussed over there. The Minister is going to put before you as to what those issues are and there was an agreement on those points.

That will be informed to you and you will come to know. We are not working in the darkness; discussion has taken place and we are going to take it up with your consent only. We are not going to take it up without your consent. We are trying to follow rules a little more scrupulously rather than flouting them. Please understand this.

Now, first of all, I will allow two statements to be made, first by Kumari Girija Vyas.

18.00 hrs.

STATEMENTS BY MINISTERS

- (I) **Certain References made to the late Maulana Abul Kalam Azad in that National Parliamentary Quiz Telecast.**

[English]

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI GIRIJA VYAS) : As Hon'ble Members are aware, the issue of a derogatory reference to Maulana Abul Kalam Azad, in a programme telecast by Doordarshan, was brought up by Hon'ble Member Shri Mohd. Yunus Salim in this August House on the 6th September, 1991. Sharing his anxiety about the matter, the Leader of the House, Shri Arjun Singh Ji, had stressed the need for making an enquiry into the events and to report to this August House whether the error had crept in by mistake or was made deliberately.

In pursuance of this assurance given by the Leader of the House, the matter has been carefully looked into. In 1989, the Ministry of Parliamentary Affairs in association with the Ministries of Information &